

CARVER PLANNING BOARD  
MINUTES OF May 9, 2023

Approved 6-13-23

Chairman Cornelius Shea, Richard Dionne, John Gaskey, Kevin Robinson, Ellen Sordillo, Donald Williams, and Thomas Bott, Town Planner.

Meeting was called to order at 7:03PM

1. Request by Cranberry Point Energy Storage, LLC. for a Special Permit Extension  
Request 31R Main Street (Assessor's Maps 61 Lot 7-0) Zoning District Residential-Agricultural (RA).

Dan Bailey represents Plus Power regarding its request for an extension for special permit for a battery storage project at 31R Main Street. He indicates at the last meeting the board approved a minor modification for the site but wanted a letter from the Building Inspector indicating there is good cause for an extension. Mr. Bailey states they now have a letter from the Building Inspector stating there is good cause for extension. Chairman Shea goes over the timeline and details of the applicant's interaction with the Siting Board. Mr. Gaskey asks what was the reason for requesting the first extension, and the response is Covid-19 and lack of direction from the Siting Board. He also states there was an issue in determining whether Plus Power was a generator or a utility facility.

Chairman Shea will accept a motion to approve Cranberry Point Energy Storage LLC extension for approved site plan and special permit decision to March 31, 2025. Ellen Sordillo makes said motion and it's seconded by Kevin Robinson. Mr. Bott reads aloud the letter from the Building Inspector. Chairman Shea indicates the board will need Registry of Deeds information off of the application. Chairman Shea takes a roll call vote and Richard Dionne vote's nay, John Gaskey vote's nay, Kevin Robinson vote's aye, Ellen Sordillo vote's aye and Chairman Shea vote's aye. Approved 3-2-0.

2. Request for extension for Special Permit and Site Plan Review – Galehead Development, Snipatuit Pond III Solar Project, 0 Meadow Street, (Map 82 Lot 1-A & 1-3) Zoning District Residential-Agricultural (RA).

Kyle Murphy with Galehead Development addresses the board and gives an overview of the project which is solar plus storage project with about 2 megawatts on Meadow Street and they need a special permit extension because the Plymouth Group study is still not complete – it was administratively consolidated and now it's being reviewed by the DPU. All their replied briefs and documents are now at the DPU for review and they are expecting a decision from them in July at which point they would be clear to bring before the town a building permit. Mr. Bott states there are 27 solar projects in the Plymouth Group area which are affected by Eversource's capital improvement/investment project. Mr. Shea indicates this project does not need good cause for the extension because

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Eversource is restructuring and redoing all the lines. Mr. Gaskey asks if construction was started and the response is no, construction cannot start until the group study is complete. They hope to start construction in the fall of 2023. Mr. Murphy states the study is about Eversource studying the grid system and what kind of affect the 27 solar projects will have on the grid.

Chairman Shea will accept a motion to approve the extension of the special use permit and conditional site plan approval for Snipatuit Pond III Solar Project until August 31, 2024. Kevin Robinson makes said motion and it's seconded by Ellen Sordillo. Chairman Shea takes a roll call vote and Richard Dionne vote's aye, John Gaskey vote's aye, Kevin Robinson vote's aye, Ellen Sordillo vote's aye and Chairman Shea vote's aye. Unanimously approved 5-0-0.

3. Preliminary Subdivision Plan – Route 44 Development, LLC. c/o Charter, 3-4 Park Avenue, (Assessor's Map 20, Lots 2R, 14R, 21R, Map 22 Lots 11R, 3AR, 3R, 3-1R, 3B, 4, 5A, 10, 10-1 and Map 24 Lots 1 and 2) New Road Subdivision – Route 44 Development, LLC. Zoning District Highway Commercial (HC) and Green Business Park (GBP).

Zack Richards with Botler Engineering, Susan Murphy, council at Dain Torpy and Robert Delmonne are present. Mr. Richards gives an overview of the project, which is about 227 acres of mostly wooded areas with some small buildings, gravel roads, paths, a good portion of wetlands and cranberry bogs. It's primarily in the Green Business Park (GBP) and they want to build a new road about 600 feet long per the town's standards which will have a cul-de-sac and create three separate lots, each with its own septic system. They are not sure what's going on the lots. Chairman Shea points out the state has a vested interest in the project as it's an urban renewal project and the prior plan has been approved. Chairman Shea asks whether the previous plan has been rescinded. Zack Richards with Botler Engineering states he doesn't believe so, no. Chairman Shea believes this a major modification with the plans filed with the state and references EEA number 15639 to which Mr. Richards is unsure of. Chairman Shea recognizes the prior involvement of the Housing and Urban Development, MEPA, MassDot in regards to this project. He believes the plan has to be rescinded or updated information should be provided for this project before another plan can be approved by the board. He raises the question of whether this project is under the auspices of the State under the approved plan through the state and in regard to traffic. There is currently no water supply through Carver but comes from Middleboro. Chairman Shea requests more information in regard to water supply and more information from the state on whether this is problematic to what has been approved through the state. He raises concerns that the potential septic system is located in the setback as well as notation saying existing wetland area

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anticipated to receive drainage runoff during large storm event raising concerns over water supply, the aquifer, this property has been previously contaminated and currently is under remediation and is not identified on this property. He also indicates he has concerns with the potential for water supply being contaminated. Mr. Richards states as part of the final drainage design that would be part of the definitive subdivision we can confirm that it is adequately designed there is not an issue with contamination. Chairman Shea asks for clarification on the location of the riverfront as well as 65 foot and 100 foot wetland buffer zone and 200 foot setback from riverfront. Mr. Shea asks if an NOI was filed with the Conservation Commission and the response is an ANRAD was previously filed. He raises concerns over the ability to supply appropriate water for both projects and whether there is a problem with approving a project under the Urban Renewal plan over which the state has jurisdiction. Mr. Gaskey raises concerns that the North Carver Water District meetings indicate that with the addition of the houses in the Plymouth Street area that the NCWD is close to capacity in its current configuration. Chairman Shea has concerns over when they will be online and can they meet the needs of these projects. Chairman Shea requests information that we need to make an appropriate decision from HUD, MEPA and MassDot as the traffic studies done for that road do not include this and there is going to be an extensive amount of traffic on this road especially if these are some sort of warehouse or trucking or manufacturing. Mr Gaskey requests any comments from the Board of Health, Building Commissioner, Department of Public Works, and the North Carver Water District. Chairman Shea notes there is no conceptual building on the plans. Mr. Gaskey requests soil testing due to the area being reported as contaminated.

He believes the plan has to be rescinded before another plan can be approved by the board. He also indicates he has concerns with the water supply being contaminated. Mr. Richards states at this time there is not an issue with contamination. Mr. Shea asks if an NOI was filed with the Conservation Commission and the response is an ANRAD was previously filed.

Mr. Bott believes it would be best to continue this to a future meeting after conferring with the town's council and to obtain direction from Andy Glines with Fuss & O'Neill. The matter is continued this matter to May 23, 2023 at 7:00PM.

4. Preliminary Subdivision Plan – Bayside Agricultural, Inc., 13A Gate Street, (Assessor's Map 37 Lot 1-L) Zoning District Residential-Agricultural (RA) – Applicant requested withdrawal without prejudice.

Chairman Shea will accept a motion for withdrawal without prejudice of the preliminary subdivision plan of Bayside Agricultural, Inc., 13A Gate Street. Said motion is made by

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John Gaskey and it's seconded by Kevin Robinson. Chairman Shea takes a roll call vote and Richard Dionne vote's aye, John Gaskey vote's aye, Kevin Robinson vote's aye, Ellen Sordillo vote's aye and Chairman Shea vote's aye. Unanimously approved 5-0-0.

Other Business:

- A. Planning Board Member Notes – Chairman: Kevin Robinson states he received a call from Tom Bott about signs starting to pop up and are being left around town, some of which are on town property, and it's starting to look a little trashy. Some of the signs are left behind at residences so vendors can advertise their business. The business advertising signs are only allowed to be placed at a residence for two weeks. He asked Mr. Robinson to write a letter to the Building Commissioner so this can be addressed.
- B. Town Planner Notes: Mr. Bott indicates the Energy Facilities Siting Board is having a remote hearing May 10, 2023 at 10:00AM on Zoom regarding Cranberry Point for anyone who would like to attend.

There are Mylar's the board has to sign regarding Weathervane subdivision. He explains to the board the process for the Mylar's after they are signed.

He also has the Decision for Cranberry Point for the board to sign.

- C. Discussion: None.
- D. Minutes: 03/28/2023 & 04/11/2023.

The minutes for 03/28/2023 have been tabled to 05/23/2023.

Chairman Shea will accept a motion to approve the minutes of 04/11/2023. Said motion is made by Richard Dionne and it's seconded by Ellen Sordillo. Chairman Shea takes a roll call vote and Richard Dionne vote's aye, John Gaskey abstains, Kevin Robinson abstains, Ellen Sordillo vote's aye and Chairman Shea vote's aye. Approved 3-0-2.

- E. Adjournment:

Chairman Shea accept a motion to adjourn the meeting. Said motion is made by Richard Dionne and it's seconded by John Gaskey. Chairman Shea takes a roll call vote and Richard Dionne vote's aye, John Gaskey vote's aye, Kevin Robinson vote's aye, Ellen Sordillo vote's aye and Chairman Shea vote's aye. Unanimously approved 5-0-0.

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Documents for 5/9/2023 PB Meeting

Draft decision for JCM Carver

Ltr dated 5/1/2023 to R. Palmer from C. Quaranta re: Cranberry Point Energy Storage LLC.

5-9-2023 draft decision extension for site plan and special permit re: Cranberry Point Energy Storage

5-9-2023 Ltr from R. Palmer, Building Commissioner to C. Quaranta re: Cranberry Point Energy Storage regarding extension

Ltr from Gale Head Development requesting permit extension for Snipatuit Pond III Solar

Preliminary subdivision application and plans from Robert Delhome, Route 44 Development, LLC. (3-4 Park Ave at Montello St.)

Preliminary subdivision application and plans from Bayside Agricultural, Inc. for 13A Gate Street