

CARVER PLANNING BOARD  
MINUTES OF November 14, 2023

Approved  
1-9-2024

Chairman Cornelius Shea, Kevin Robinson, Ellen Sordillo, Donald Williams, Bill Cullum and Thomas Bott, Town Planner.

Absent: John Gaskey

Meeting was called to order at 7:06PM

Pledge of Allegiance is recited.

The proceedings will be videotaped and rebroadcast by Area 58 TV|

**ANR:**

1. This purpose of this plan is to subdivide the remaining land of A.D. Makepeace, (Assessor's Map 36 lot 2 ) and located at 0 High Street in the Residential Agricultural (RA) Zoning District.  
Filed: 11/2/2023      Deadline: 11/23/23

Ken Conti with Beals and Thomas represents the applicant and indicates they created Lot 1 earlier this year by another ANR plan and now want to take the remaining land, about 400 acres and set out a 224 acre property that is not to be considered a buildable lot. It does not have adequate frontage but it does have two small access points. A.D. Makepeace is subdividing this as part of their land management purposes. Chairman Shea asks if an ANOI was done and Mr. Conti responds an ANOI has not been done, but the wetlands shown are taken from MASSGIS.

Chairman Shea will accept a motion to endorse the ANR for A.D. Makepeace Assessor's Map 36 lot 2 which is not to be considered a buildable lot. Said motion is made by Kevin Robinson and it's seconded by Ellen Sordillo. Chairman Shea takes a roll call vote and Kevin Robinson vote's aye, Ellen Sordillo vote's aye, Donald Williams vote's aye, and Chairman Shea vote's aye. Approved 4-0-0.

2. This plan is a re-division of Lot #2 and Parcel A owned by Paul Foley (Assessor's Map 96-10-1 and 96-10-2) and located at 0 Rochester Road in the Residential Agricultural (RA) Zoning District.  
Filed: 11/7/2023      Deadline: 11/28/23

Ken Conti with Beals and Thomas represents the applicant and indicates since the last meeting they did additional surveying and have provided a supplementary sketch to the ANR Plan. They have created an easement to provide access to both lots which will provide about 22 feet of additional area for access. Chairman Shea indicates it should be

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a total of 24 feet. Mr. Conti indicates they've had discussions with the fire department and they would be satisfied with the 22 foot driveway. However Chairman Shea reiterates the Board requires 12 feet on each side for adequate two-way traffic. Chairman Shea also mentions these properties are part of the Massachusetts Historic Commission Inventory and the Wanic River Core Habitat Critical Natural Landscape should be identified on the ANR.

Chairman Shea asks Mr. Bott about the disclaimer and Mr. Bott indicates Parcel 1A is not being considered a buildable lot, but Lot 2 and Lot 3 are two properties they are looking to create as buildable lots with access to the site. Chairman Shea asks if an ANOI was done on this property and the response is yes and Mr. Shea indicates it should be identified on the map.

Chairman Shea will accept a motion to endorse the ANR for the re-division of Lot #2 and Parcel A owned by Paul Foley Assessor's Map 96-10-1 and 96-10-2. Chairman Shea notes Massachusetts Historic Commission Inventory and Wanic River Core Habitat Critical Natural Landscape should be identified on the plan. Said motion is made by Ellen Sordillo and it's seconded by Kevin Robinson. Chairman Shea takes a roll call vote and Kevin Robinson vote's aye, Ellen Sordillo vote's aye, Donald Williams vote's aye, and Chairman Shea vote's aye. Approved 4-0-0. Mr. Conti asks if this means they should revise the plan, and then the Board will sign it. Chairman Shea responds yes.

**Minor Modification:**

3. Request by E&S Holdings, LLC. for a Minor Modification to Site Plan, 1 Ricketts Pond Drive (Assessor's Map 32 Lot 1-1) in the Spring Street Innovation.  
Filed: 11/8/2023 Open Hearing: N/A Deadline: No deadline for Minor Mod.

Dawn Egan with E&S Holdings, LLC she gives a short narrative about the project indicating this is about Phase 1 (Phase 2 & 3 will be in the future) and asks for parking spaces to be increased from five to fourteen. Chairman Shea indicates he is concerned they want to pave over an already approved landscape buffer for the side of the building and Ms. Egan's response is she would like to move the landscaping to the front. Chairman Shea would like to see a proposed landscaping plan for along Spring Street. Mr. Bott indicates Andy Glines with Fuss & O'Neill, the town's consulting engineer, needs to look at this and provide his review memo on the matter.

Chairman Shea will accept a motion to continue the Minor Modification for E&S

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Holdings, LLC to November 28, 2023 at 7:00PM, Carver Town Hall at 7:00PM.

**Public Hearing Cont'd:**

4. On the application of Weathervane at Silva Street, LLC. requesting a Special Permit and Site Plan Review pursuant to Sections 3100, 3900, and 5300, of the Carver Zoning by Law, located at 7 and 9 Silva Street in Carver, MA (Assessor's Map 67 Lots 4-3 and 4-F) in the Residential Agricultural Zoning District (RA). The proposed scope includes the construction of six (6) new triplex residential townhouses consisting of eighteen (18) total units.

Filed: 6/15/23 Open Hearing: 8/19/23. Deadline: None to vote Special Permit.

Chairman Shea will accept a motion to continue this matter, at the request of Weathervane at Silva Street, LLC, for Special Permit and Site Plan Review to January 9, 2024 at 7:00PM, Carver Town Hall. Said motion is made by Ellen Sordillo and it's seconded by Donald Williams. Chairman Shea takes a roll call vote and Kevin Robinson vote's aye, Ellen Sordillo vote's aye, Donald Williams vote's aye, and Chairman Shea vote's aye. Approved 4-0-0.

5. On the application of Nader Mouwad – Litter's Paw requesting a Special Permit pursuant to Section 5300 of the Carver Zoning by Law, located at 58 North Main Street, in Carver, MA (Assessor's Map 16-15-1) for a dog daycare, boarding, pet accessories retail store in a General Business (GB) District.

Filed: 9/8/23. Open Hearing: By 11/12/23. Deadline: None to vote Special Permit.

Mr. Bott and Chairman Shea indicate to the applicant that there are only four members in attendance tonight who can vote on this and to have this approved this has to be a unanimous vote. If they wait to be heard in two weeks there will be five members to vote, giving a little more of an option for approval. Nader Mouwad and Ned Border discuss this and decide to go forward with the four attending members. Mr. Border describes the changes made to the front landscaping per the Board's recommendations. Chairman Shea indicates there should be a boarding area for every dog that's kept overnight and each dog should have its own kennel. The applicant indicates that 18 to 20 dogs will be kept overnight and they have 20 kennels for this. Chairman Shea also indicates the dogs will have to be walked every night. The applicant also indicates he will have 60 dogs on site during the day. Chairman Shea states then he should have an addition 30 kennels for the day dogs. Mr. Border responds there are 4 play areas and they can use one of the play areas for additional kennels.

The Board makes a condition to have some kind of insert to the chain link fence, for example vinyl, to keep the noise down. Mr. Robinson indicates he want to see some kind

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of noise prevention added so neighbors will not complain. The Board wants the operating hours to be 6:00AM-7:00AM to receive animals and 5:00PM to pick them up. Outdoor activities and group sessions will run from 9:00AM to 5:00PM. The general hours will be Monday-Friday 6:00AM to 7:00PM and Saturday and Sunday 8:00AM to 5:00PM. Chairman Shea confirms there will be twelve dogs to each staff member. Chairman Shea asks if someone will stay with the dogs overnight and the response is they will have overnight staff and agree to follow the fire department's recommendations on this. Ellen Sordillo asks if the staff will be trained and Yousef Mouwad, co-owner of the building, responds a good friend will do the training and he's known him for over twenty years. Chairman Shea indicates 30 dogs at a time will be permitted outside with 15 going in and 15 going out. He also states that if there are 60 dogs in the facility then there should be 30 available kennels.

Mr. Bott lists the conditions: Maximum of 60 dogs each day with 30 available kennels; Kennel for each overnight dog; Copy of the recorded decision will be recorded at the Registry of Deeds; Applicant will comply with the rules of the Town's General By-laws, as amended, Section 61a Rules & Regulations for the control of dogs; The business may operate the dog-care Monday through Friday 6:00AM to 7:00PM and Saturday and Sunday 8:00AM to 5:00PM; Staffing and outdoor use restrictions; One staff member per 12 dogs; Waste removal; Requirements required by the fire department outlined in letter dated November 14, 2023 and Mr. Bott reads the requirements out loud.

Judy Richards of 5 Lillian Way, Carver, MA addresses the Board indicating she is not a direct abutter but does live in the area. She indicates she is pleased the area has been cleaned up because it has been an eyesore. She states she can hear the dogs but has not complained and at night she does not hear the dogs. She feels if the applicant abides by the rules being set forth, such as licensing, dogs being up to date with their shots, and not letting staff walk more than two dogs at a time there should be no issue. She asks if they plan to use the upstairs as accessory apartments used to rent to people or are they just for staff. If the apartments are rented to others there might be issues if they do not know the dogs are being cared for downstairs. She indicates she knows of companies that pick up dog waste and understands dog waste has high bacteria counts and she is hopeful when the dogs are walked the staff will pick up the dog waste rather than discard it in a neighbor's yard.

She asks if any other kind of business will be on site. Chairman Shea indicates there is a proposed retail area and Ms. Richards states the traffic coming and going might become a public safety issue. Kevin Robinson indicates the Board was unaware the dogs were being walked in the neighborhood and he believes Animal Control Officers should be aware of this.

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Chairman Shea speaks to Nader and Yousef Mouwad and indicates as a condition he wants further clean-up of the area outside the building. Also the Board wants the dogs to stay on the premises. Chairman Shea also notes the applicant owns the property next door and if this is used to walk the dogs the Board of Health would need to assess the public water supply. The Mouwad's indicate the apartments have not been rented and Mr. Bott indicates if this occurs the fire department deputy or chief would have to review this as well as the Building Commission. If they decide to add residents in the future they will have to come before the Board at that time. Also, if any staff stay in the apartments that will have to go before the Building Commissioner. Yousef Mouwad indicates there is a space on the first floor with a bathroom the staff will use. Mr. Bott and the Board review all the conditions that must be met.

Chairman Shea will accept a motion to close the public hearing regarding the application of Nader Mouwad – Litter's Paw requesting a Special Permit pursuant to Section 5300 of the Carver Zoning by Law, located at 58 North Main Street. Said motion is made by Ellen Sordillo and it's seconded by Donald Williams. Chairman Shea duly notes that Bill Cullum is the alternate voting member of the evening. Chairman Shea takes a roll call vote and Bill Cullum vote's aye, Kevin Robinson abstains, Ellen Sordillo vote's aye, Donald Williams vote's aye, and Chairman Shea vote's aye. Approved 4-0-1.

Chairman Shea will accept a motion to approve application of Nader Mouwad – Litter's Paw requesting a Special Permit pursuant to Section 5300 of the Carver Zoning by Law, located at 58 North Main Street for a dog daycare, boarding, pet accessories retail store in a General Business (GB) District, with conditions as described. Said motion is made by Ellen Sordillo and it's seconded by Bill Cullum. Chairman Shea takes a roll call vote and Bill Cullum vote's aye, Kevin Robinson abstains, Ellen Sordillo vote's aye, Donald Williams vote's aye, and Chairman Shea vote's aye. Approved 4-0-1.

**Other Business:**

- A. Planning Board Member Notes-Chairman: Chairman Shea indicates the Carver Cowboys have made it to the final round and will be playing in the Super Bowl at Gillette Stadium.
- B. Town Planner Notes – Sign Timeless Stone's Site Plan:  
Mr. Bott indicates the Board previously approved Timeless Stone's Site Plan and they are ready to build, but it turns out there is not a signed Site Plan. They have provided us with the site plans of record to sign. The Building Commissioner has issued a foundation permit to allow building to start but he can't go any further without an executed copy of

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the Site Plan.

- C.** Discussion – Potential topics for Town Meeting: Definition of town house; Master Plan call for 2 acres to have a 200 foot frontage for residential property; and Chairman Shea indicates his term is up next year and before that he would like to see the Planning Board be brought up to its previous stipend for the members before he leaves.
- D.** Minutes – 10/10/2023: Chairman Shea will accept a motion to approve the Minutes of 10/10/2023. Said motion is made by Ellen Sordillo and it's seconded by Donald Williams. Chairman Shea takes a roll call vote and Kevin Robinson vote's aye, Ellen Sordillo vote's aye, Donald Williams vote's aye, and Chairman Shea vote's aye. Approved 4-0-0.
- E.** Adjournment: Chairman Shea will accept a motion to adjourn. Said motion is made by Ellen Sordillo and it's seconded by Donald Williams. Chairman Shea takes a roll call vote and Kevin Robinson vote's aye, Ellen Sordillo vote's aye, Donald Williams vote's aye, and Chairman Shea vote's aye. Approved 4-0-0.

**Future Meetings**

**November 28, 2023**

**December 12, 2023**

Possible Hearing for Planning Board procedures and Policies

**December 26, 2023**

Documents for 11/14/2023 PB Meeting

Form A – ANR with plans for 0 High Street Map 36, lot 2

Form A – ANR with plans for 0 Rochester Road, Map 96-10-1

Minor Modification application with plans for 2 Ricketts Pond Drive, E&S Holding, LLC.

Photos submitted at meeting by E&S Holdings, - Dawn Egan showing site/frontage

11/8/2023 email from Taylor Corsano to T. Bott requesting a continuance for Village at Vaughn Pond

Revised site development plans for 58 North Main Street, Litter's Paw

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11/14/2023 Memo from Assistant Deputy Chief J. Boyle re: 58 N. Main Street

11/14/2023 memo from T. Bott to Planning Board re: 58 N. Main Street with fencing materials