



APPROVED
3.28.17

Town of Carver, Office of Planning and Community Development

Planning Board Meeting Minutes, February 28, 2017, Carver Town Hall, Meeting Room #4. This meeting was videotaped for cable cast area 58, channel 15.

Attendees: Bruce Maki, Chairman; James Hoffman; Kevin Robinson; William Sinclair

Also present: Marlene McCollem, Director of Planning, Environment and Permitting

Absent: Chad Cavicchi

Bruce Maki, Chairman, opened the meeting at 7:03 PM, followed by the pledge of allegiance.

Approval Not Required Plan:

- A.D. Makepeace Co.—Meadow Street—Northern Parcel (Assessors Map 75-22-C-3C & C-3D)—a re-division resulting in 2 parcels that are not considered building lots.

Filed with the Town Clerk: February 10, 2017

Deadline: March 3, 2017

Ms. McCollem -Beals and Thomas, Inc. did these plans. They are creating 2 non buildable parcels. I can recommend that you endorse this one. They have noted that they are not buildable parcels. They provided a letter stating that they will to separate assets. This boards endorsement is not a determination of conforming with town bylaws.

Motion to endorse: Mr. Sinclair

Second: Mr. Hoffman

Approved: Unanimous

- A.D. Makepeace Co.—Meadow Street—Southern Parcel (Assessors Map 87-1A) —a re-division of Parcel C-1A to create 4 parcels, none of which are considered building lots.

Filed with the Town Clerk: February 10, 2017

Deadline: March 3, 2017

Ms. McCollem - These are not building lots, same as the other side of the street. Not a subdivision and I recommend endorsing. Mr. Maki - This boards endorsement is not a determination of conforming with town bylaws.

Motion to endorse: Mr. Sinclair

Second: Mr. Robinson

Approved: Unanimous

Public Hearings

Route 44 Development, LLC – 3-4 Park Ave, off Montello Street (Assessors Map 20-2). Request for a special permit to allow site preparation activities to address historic environmental issues and import soils in anticipation of future development in the Green Business Park District, per the Carver Zoning Bylaw, Sections 4300 and 5300.

Filed with the Town Clerk: January 17, 2017

Deadline: 90 Days from close of hearing

Due to the lack of quorum, this request will not be discussed tonight. This request will be continued on March 28, 2017 at 7:00 PM.

Jack Williams, Williams Brothers, Inc. of Marshfield – north of High Street (Assessors Map 30-10-S, 10-6 & 10-7) – to develop a Conservation Subdivision and new road to serve 10 building lots. Request for a Special Permit pursuant to Sections 3800 & 5300 of the Zoning Bylaw and a Definitive Subdivision Plan.

Audience:

Katy Konary, Santec – This is a 26-acre parcel. We are looking to develop 15 acres, with remaining acres to be left undeveloped. We have submitted application for conservation subdivision. The construction of the road would require extending the 15" culvert. Dry water main, private well, septic.

During the preliminary plan in November, we had received some comments from the Fire Department and the town. We have made adjustments and they are incorporated in this plan.

Fire Department Comments:

- 1) The Fire Protection Distribution System depicted on the plans shall be installed in accordance with the specifications adopted by the Town of Carver on April 29, 2003.

Response: Plan Sheet 9 has been revised to include a note stating that the Fire Protection Distribution System shall be installed in accordance with the Town of Carver Specifications.

- 2) It appears that the proposed fire hydrant at the beginning of Ewell Street may be obstructed by guard rail? We would like to field locate the final location with the developer at the appropriate time.

Response: The hydrant will be located between the stop sign and start of the guard rail. There is approximately 7 feet between the stop sign and guard rail. The Fire Department will be notified during construction for input on the final location of the hydrant in the field.

- 3) All private driveways that are greater than 75 feet in length, measured from the street edge to the residence, shall be an all weather surface at least 12 feet in width and cleared of obstructions to a distance of 2 feet on each side.

Response: Plan Sheet 6 has been revised to include a note detailing the construction of private driveways that are greater than 75 feet in length.

- 4) We would like to see the "Access Easement" that is depicted on the plans be constructed of an all weather surface at least 12 feet wide and cleared of obstructions to a distance of 2 feet on each side to allow access of Fire Department and Emergency Medical Services vehicles to the "Open Space" parcel and "Woods Road."

Response: Plan Sheet 6 has been revised to include a note detailing the construction of access road leading to the Open Space.

All driveways are 75' and longer FD all weather surface at least 12' wide

Town – drainage – the state requires 44% TSS removal prior to subsurface chambers.

Limit of clearing roadway and for each lot were added

Added silt sack for catch basins

The outlet, we added riprap 3' X 6' long

Construction sequence notes were added to sheet 8

Yesterday, we received a memo from town

- 1) Revise length of construction to a minimum of 50 feet.

Response: There is some confusion on this. Ms. McCollem will get clarification from Fuss and O'Neil.

- 2) Add additional road construction erosion control at down-gradient areas (north of) the cul-de-sac grading. Add a note to the erosion control plan that requires additional perimeter controls be installed on lots at time of lot development.

Response: Added

- 3) Recommend adding a note to the plans requiring contractor to install silt sack inlet protection at all inlets for clarity.

Response: Added note

- 4) Specify the proposed end treatment for the culvert (headwall or flared end section). Add stone size and confirm the size of the rip rap pad is sufficient for culverts design flows.

Response: Jack and I have discussed this and we will be adding a flared end.

- 5) Recommend construction sequence language be clarified to reflect that only the clearing and grubbing required to install the culvert extension shall take place prior to installation of the construction entrance and clearing and grubbing within the rest of the road construction limits should not occur until after the construction entrance is installed (as described in response letter).

Response: Sheet 8, that detail will be added

- 6) Confirm intent to install poly liner under cultic inlets/connectors rather than fabric. Selected product should not impede facility infiltration.

Response: Chambers are Coltek Chambers which are plastic. They have changed their product to #60 Geotech fabric. We will make that edit.

Mr. Maki – Any questions from the board? None. Mr. Maki - There is an easement (2) to allow fencing to remain around in-ground pool. I don't see anything noting the existing homes.

Open to audience:

George Peck 108 High St – I have dealt with Mr. Williams in the past. In case of liability, has Mr. Williams gone thru proper channels to clear the title first? We approached the town a few years ago and made the town aware of situation. My second issue is with the number of lots.... With a conservation subdivision, they need to start with a conventional plan. In particular, lot #3, drainage is deeded separate; I thought the town was not for these lots, the driveway for some are more than 500'. On the conservation plan, my lawyer noted that the 50' width on road going. You're trying to create a cluster; why are you trying to create two rear lots, in addition to open space roadway. Off the corner of your home, there will be a road going by my home. Mr. Maki – I know we went through this before and that all the lots met the requirements. Ms. McCollem – yes we talked extensively about this. Rear lots are only eligible for ANR plans and they were able to redesign to meet requirements. You can allow reduction in lot width through special permit. I am confident that the dimensions of the lots, if special permit is approved, meet you bylaws. Mr. Peck – Why weren't we notified about preliminary meeting? Ms. McCollem – preliminaries do not require notification. The board doesn't approve preliminary plans. The Board has to decide if they will grant the special permit which allows for one additional lot above the conventional yield plan because one unit is required to be inclusionary. By doing a special permit there has to be an affordable unit (inclusionary). Mr. Peck – does it make sense on there? Mr. Maki – It met the requirement. Mr. Peck – We went to land court over sand rights. The title to the property would need to be cleared up with the land court I also have three abutting neighbors with the same existing rights as I have in my title. Mr. Williams – I am not aware of this; my lawyer is not here tonight. Mr. Maki – Is the drainage an easement? Ms. McCollem – It's shown as one. They are part of the subdivision plan. The person purchasing the lot would be made aware at the time of purchase. Mr. Peck – I am not against the conservation plan; but most are a smaller cluster. Ms. Konary – Each lot needs to fit septic and well to meet Board of Health requirements. Mr. Peck – You create a drainage, what is the weight limit on the plastic? Ms. Konary -they are heavy duty and can handle vehicular traffic.

Mike Allegrini, 113 high street – How wide is the entrance? Ms. Konary – the right of way is 15', 12' travel lanes – in its entirety 40'. Mr. Allegrini – How long is this going to take? – Ms. Konary – We would only clear front area first allowing room for staging. Mr. Allegrini- Where will they put the truck that brings in machines after the machines are dropped? – Mr. Williams - They will have to remove it; contractors would not put their vehicles on private property. Mr. Sinclair – Staging of equipment will be on his property. They will not be in the public way. Ms. McCollem – This work will require a curb opening permit

with DPW, therefore, the DPW will be aware of what's going on. They will be able to ensure that there is no impact on the public way.

Peter Mooney, 114 high street – My property abuts Mr. William property. How far off of my property will this be? I can't tell from looking at this drawing. Is there a buffer? Ms. Konary – Yes, a 15' no touch; you actually have a bigger buffer. Mr. Maki – We are scheduling a site visit and we can look at how everything is marked out. Mr. Mooney – This will not improve the quality of my life. Mr. Maki – All we can do as members of the Planning Board is to ensure that they are following the bylaws. Mr. Mooney will I still have some trees? Ms. Konary – Your lot line has a no touch of at least 70'.

Debbie Acorn, 114 High Street – Will you let us know when you do a site visit? Ms. McCollem – The Board will need to continue the public hearing but they can't continue it at a site visit. It's not a time for discussion it's just to field verify the plans. Mr. Maki – We could have them label for neighbors to look. Mr. Sinclair – Mr. Williams owns the property so neighbors would need to seek permission from land owner. When we go out on the site visit, it will be just the Board. What we request and have the marked out for us will be information that can be provided to abutters.

Nate Sylvester, 115 high Street - We are at one of the furthest lots from Route 44. Do you have any plans to keep/provide a sound barrier? Ms. Konary – Yes, trees will remain. Mr. Sylvester - Most of the area is pretty wet; will the grade be raised and could this potentially effect neighbors? No we have good separation and sandy soils. Storm water runoff has been reviewed. No peak increase in run off volume to the perimeter. Mr. Sylvester – The general ground water flow coming toward my side of the street? Ms. Konary – I can't speak to ground water flow. Catch basins are not leaching they are closed systems. Any sand or debris gets caught in there. Mr. Maki – These plans are available at the planning office for you to look at.

Bob, 110 High St – What are the amenities for the homes being built? Jack – We are intending to build 1800- 2500 sq. ft. homes; some with garages; most will be 2 story colonial style home. Bob - Please define affordable. Ms. McCollem - 80% of median income to be affordable.

George Peck, 108 High Street – No drainage or overflow from stream? Ms. Konary - No increase and no untreated run off. Mr. Peck – What would be the volume? Ms. Konary – Pre and post run off rates and volumes have no change. Ms. Konary – The state has 10 standards and we have met them all. We can not increase the rate to any offsite. Mr. Peck – I thought everything was compact. Changing the topography of the land, is there a drainage pipe? Ms. Konary – No there is not a drainage pipe.

Ms. McCollem – For the Boards information, the way your storm water bylaws work and the way Fuss and O'Neil work is that this proposal will change the flow and our concerns are the increase in impervious surface and making sure that any runoff would not cause contamination. Your bylaws are not designed to change the flow.

Mr. Maki – No further questions? None. Let's schedule a site visit. We will need the following completed before the site visit:

1. Center line of roadway marked out
2. Property lines for 114 high street, Mooney property
3. Mark out the rear property line (easement) along Donaldson, Luca and LaFratta
4. Mark out the top of lot 9
5. Lot 10– 65' no build zone

Mr. Williams has agreed to have these marked out within 2 weeks. Mr. Sinclair will be out of town. The Board will go for a site visit on March 21st. at 5:00 PM

Peter Mooney - Has conservation okayed all this? Ms. Konary – Yes

Motion to continue public hearing for Williams Brother until March 28, 2017: Mr. Sinclair

Second: Mr. Robinson

Approved: Unanimous

Filed with the Town Clerk: January 18, 2017

Deadline: 90 Days from close of hearing

Public Hearing for Zoning Articles for April Town Meeting:

- Map change in North Carver – Green Business Park to Residential / Agricultural
- Medical Office, Section 2230
- Revise Hobby Kennel Definition
- Prohibited Signs, Section 3522

This hearing has been re-advertised and will be opened on March 14, 2107

Discussion:

- Sign Permit: Kubota at 45 North Main Street - Ms. McCollem this is replacing one sign. They are only changing the one on the gable face to "Kubota"

Motion to accept change based on no dimension change and with permit for sign and electrical:

Mr. Robinson

Second: Mr. Sinclair

Approved: Unanimous

- Master Plan Update: Mr. Sinclair – The subcommittee is done. I want to thank everyone who participated in the process. Ms. McCollem - There is an article on the warrant to adopt it. If you decide to go that way this Board would have to make a motion. I, just this evening, received a link with an edited version. I will distribute to Planning Board and subcommittee. It's up to you on whether you approve of it and take it to town meeting. Mr. Maki – has all the members had the opportunity to look at the revised? Mr. Robinson – I would like additional time. Mr. Maki – let's put it on the next agenda.

Other Business

- A. *Planning Board Member Notes* – Mr. Hoffman - The Zach Kane memorial golf tournament will be held again on May 6, 2017. Mr. Sinclair – I won't be at the next meeting, as I will be away. On the warrant there is an article that this Board chose not to put on but it's on there. How did this happen? Mr. Robinson – Don't we have record of notes? Mr. Sinclair – Yes, its in our minutes. It's wrong for this Board to be responsible for this article. Mr. Maki – I feel the same, we did not approve it. We are not sure that it will be on the warrant. Mr. Sinclair – It is my understanding that it is on the warrant. This Board wanted nothing to do with it. Mr. Maki – I spoke with Marlene to have a public hearing on this so that our voice is heard. Mr. Sinclair – It is wrong; because we didn't have the information, they went and put it on the warrant anyway?

B. Minutes –

Motion to approve minutes from January 24, 2017, as written: Mr. Sinclair

Second: Mr. Robinson

Approved: Unanimous (3-0) Mr. Hoffman abstained

C. Correspondence:

- Chapter 61A – Ms. McCollem -The Planning Board has to be notified as it is being sold. There is no change in use. This is just notice to you.
- A letter from the Town Clerk – I've included a map and need some help. There is a 2010 zoning map that shows some property directly across from Landmark Center. This map has it zoned as business but the 2012 map shows residential agricultural. Mr. Fernandez has asked the Town Clerk to go through warrants to find out when the map change occurred. I think that maybe an error was made but I wasn't here and need you to think of any zoning

changes during that time. If this is not ringing a bell with anyone, and we have no paperwork, then I would like to just make a correction to the zoning map. The Town Clerk has looked extensively and can find no evidence. Mr. Sinclair – This was probably a typo. Mr. Maki – Okay, go ahead and do that.

D. Next Meeting date:

The next Planning board meeting has been scheduled for March 14, 2017

E. Adjournment:

A motion was made to adjourn the meeting at 8:34 PM: Mr. Sinclair

Second: Mr. Hoffman

Approved: Unanimous

