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## Town of Carver, Office of Planning and Community Development

Planning Board Meeting Minutes, April 25, 2017, Carver Town Hall, Meeting Room #1. This meeting was videotaped for cable cast area 58, channel 15.

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

Also present: Jack Hunter, Interim Director

Absent: Chad Cavicchi

Bruce Maki, Chairman, opened the meeting at 7:02 PM, followed by the pledge of allegiance.

### Public Hearing:

Route 44 Development, LLC – 3-4 Park Ave, off Montello Street (Assessors Map 20-2). Continuation from last meeting.

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.

Bruce Haskell, Langdon Environmental – We went thru the site walk and had a couple of questions.

- Hours of operation – initial special permit was to cease at 5:00 there was concern over extending to 7:00. They will never go later than 7:00 and will never stop earlier than 5:00. We will not be placing material in the dark. Moving material will stop ½ hour before sunset
- Fuss and O'Neil had a concern regarding storm water – These basins aren't designed for future long term development of site. We have put in stone check dams, which are very effective. We will never have too many acres open at a time. Fuss and O'Neil is comfortable with this.
- Earth removal permit – We discussed and will file with them.

Mr. Maki – Regarding the processing of material; Will that continue for the duration of the work or is it just for a short time? Mr. Haskell – There will be enough material out there to bring in a crusher and will operate for specific short periods of time. There is other material, the large wood pile will be dug out and processed. This should be a one shot deal. The fire department standards will be followed. A duration for that will be more difficult due to breakdown. They will bring other material in to add to that pile to have enough to process. We will be processing for about 30 days at a time. Mr. Sinclair – Under the original permit it states that there will be import of on site processing – I suggest that whenever they are going to process, the applicant should give notice (14 days), with a duration of not more than 30 days which will give us the opportunity to notify the town that this will be taking place. Mr. Maki – I think that is a good idea. Mr. Robinson – that way we are clearly defining the hours (processing should be a hard 7 AM to 5 PM processing time.) Mr. Haskell agrees. Mr. Sinclair – Regarding the improvements to Montello Street. What is written is very unclear. This board should better define this. Mr. Hunter - I did talk with John Wood. I was here when phase 1 was approved. It was written that Montello and access to Park had to be updated but never said maintained. I suggest adding language such as "Montello and entrance to Park street shall be maintained with the direction of the DPW Superintendent." Mr. Robinson – I think it fair to note that the applicant has been doing this. Mr. Sinclair – Regarding the concern over the culvert. We are bringing in a significant amount of material; what happens if culvert becomes unsafe? Mr. Hunter – I recall the first phase, Fuss and O'Neil and Bruce's team inspected the culvert and it was ok. Mr. Haskell – There is language in the permit that we do ongoing, quarterly inspections to make sure there are no issues. If need be we will make repair. Mr. Hunter - I don't see it in there; I will make sure to add it. Mr. Haskell - It is in condition 19. Mr. Sinclair – What happens if we have a situation? I want to make sure that we never take material down the Plympton side. Mr. Haskell – No we would have to temporarily shut down operation. Mr. Maki – Money for periodic inspection – Mr. Hunter, Condition 17 and 18 – this is now a longer and bigger operation. Condition 17 - \$4500 is no longer realistic due to the length and magnitude. I recommend \$20,000; condition 18 - I was going to recommend increasing to \$10,000.

Mr. Hunter – In the scheme of things, when will you be submitting to Conservation Commission? Mr. Haskell – I can start things tomorrow. Mr. Hunter – I did talk to Joe Salvetti – He is very impressed with how we are managing the process. We should still anticipate inspections, which will help to protect the town.

Earth removal if building would be demolished – Mr. Hunter - I recommend prior to phase 2, seek permit from Earth Removal Comm. The applicant is comfortable with that.

Mr. Sinclair – At the site visit, you mentioned the different test wells that are 15 – 20' deep. Mr. Haskell – Yes, there are 6 shallow ground water wells that are sampled annually. They will be sampled again in July or Aug. We will continue for Two years after the completion of the site. Mr. Sinclair – Do you anticipate the DEP requiring more? Mr. Haskell – No, I don't. Mr. Sinclair – This is important for the public to know and understand the process.

Mr. Maki – Any questions from the audience? None

*Motion to close public hearing: Mr. Sinclair*

*Second: Mr. Robinson*

*Approved: Unanimous (4-0)*

Mr. Hunter – I went through the last permit with 11 standard conditions.

During tonight's meeting:

- ABC processing shall be limited to 7 AM – 5 PM, Mon – Fri, and adhere to noise policy both Mass and Carver.
- Materials previously on site can be moved until ½ before dusk but no later than 7:00 PM. Mr. Sinclair - Trucks coming in will cease at 5:00. Trucks are limited to M-F. Mr. Haskell – There may be a rare exception for example, if there were a hurricane.
- At no time will trucks be exiting north on Montello
- Unannounced Inspections increase to \$20000 (#17) and soil pack increase to \$10000 (#18)
- We will continue inspections on culvert.
- Add maintenance for Montello and Park Streets.
- Six months after commencement of project applicant to meet with Director of Planning to discuss progress and / or any violations. Processing – 14 days' notice to planning board.

We will review the conditions at the next meeting.

**Approval Not Required Plan:**

Paul D. Shimkus – 23 Center Street (Assessors Map 103, Lot 13 & 14)

Mr. Hunter - Form A's are just a receipt. Brian Grady from GAF is here. I have a question to address with him. This property exists as two lots, a house lot (14) and the agricultural lot (13), which is 61A and contains the cranberry bog. The purpose of this is to give the house lot access to what's labeled as East Center Mill road. There will still be two lots. Mr. Maki – So there is no house lot to be built? Mr. Grady – No, not at this time, but the potential is there. Mr. Hunter – I thought they were subdividing off of 13; the bylaw says that when you create a lot, it can't be any less than 75' in width until you reach the front of the

house. As submitted it does not meet the bylaws. Where this already exists, they are actually making it more confirming. This makes me more comfortable with that. Mr. Sinclair – A couple of years ago, we had an odd shaped lot issue. Mr. Hunter – I will scan the language and send it to you. It falls under the definition of Lot.

Cranberry Road: - Mr. Hunter – I highlighted an area. That piece is changing owners; lot 1-8A to lot 3. It meets all the requirements.

### Discussion:

Davenport Companies, Russell Nesbit – Clarification on lots and roads in Whistleberry Glenn (Conservation Sub-division) off of High Street.

Mr. Sinclair excused himself from the discussion due to a business relationship with Davenport company.

Russell Nesbit – We have not yet done any construction. It was permitted prior to 2007; at the time, there was a construction moratorium in Carver. Primarily, I have some questions for the board.

- If Davenport complied with Carver zoning, would we be able to build 14 houses at one time?
- The roads are roughed in and have a base coat, cul-de-sac are in, hydrants are in and all is done according to specs. There is an ANR lot that is on High Street – our understanding is that as long as we comply with zoning, we can put in a permit request.
- Would the town of Carver be open to Davenport building something other than single family homes? I spoke with the former planner who was not able to answer this and referred me to the building inspector. Unfortunately, these lots were purchased at the height of the market. The cost to build single family homes may be too much.
- Once the entrance in the roads are paved, is the project complete?
- I don't believe there has been any erosion there. The cul-de-sac's do absorb water as well as the basin.

- Davenport has had some interest from buyers but we have been reluctant due to price offer and as we are unsure of the Planning Board and how it stands. Mr. Hunter
- Are we locked in to what has been designed? Mr. Hunter – if you chose to redesign, we could get rid of staging.; as long as you meet set backs, etc., you can get / apply for permit.

Mr. Maki – How many lots are there? 14 original lots; with a 15<sup>th</sup> further down on high street. It is currently a Conservation Subdivision. Mr. Hunter – Yes, this was a conservation subdivision. At the time there was a moratorium on the number homes allowed, per year. That moratorium expired but the special permit conditions still exist.

Davenport has purchased Kingsbury Hollow and only have 5 lots left. Mr. Hunter – When you start selling lots on an unfinished road; the homeowners will be looking for a finished road and then the developer wants road accepted; DPW wants more houses sold first. I think language at Kingsbury would be applicable here. Mr. Nesbit – We spent a lot of money on the lots at the time; we are getting down to just a few lots in Kingsbury so we needed to start looking at this.

Mr. Maki – So, no change could be made to the road as it already exists? Mr. Hunter – That is correct.

Mr. Nesbit brought forth a plan of Whistlberry to the board. Mr. Maki – What exactly are you looking for?

Mr. Nesbit - I would like to know what the board would like to see if we were to pursue 2-bedroom duplex's? Mr. Hunter – They would require a special permit. Mr. Maki – We did do duplex's off of south meadow. Would you do all duplex's? Mr. Hunter – Is it going to be Condo's or Rentals? This would be a policy decision. Mr. Nesbit – I don't need a decision; just looking for a feeling. Mr. Maki – I don't have a problem with condos would you mix with single family homes? Mr. Hoffman – You would prefer duplex's? Mr. Nesbit – Yes, it would help financially. Single family houses would be too expensive and would be priced too high. Mr. Robinson – My concern with a rental is with the unfinished road. We would need the opinion of an engineer or a lawyer. We probably wouldn't want all condo's. Mr. Maki – All zoning requirements would need to be met. Mr. Hunter – If you are going to build all duplex's, it brings in twice as many families and could cause traffic issues/concerns. Mr. Maki – If you were to do single family homes, you would rearrange the lots? Mr. Nesbit – Single family home will be hard to make work. Mr. Robinson – Is there a possibility of allowing a two family condo for each cul-de-sac, toward affordable housing? Mr. Hunter – That may lower your sale price for a single family. Mr. Robinson – I would have to feel comfortable with an engineer telling me that it is feasible to do with now

30 families, instead of 15 families. Mr. Nesbit – First step would be a public hearing? Mr. Hunter – Yes. Mr. Maki – If we do duplex's we double the units, we may have nitrogen loading concerns. Mr. Hunter – South Meadow had a lot of legal requirement for things like shared driveways and septic. Mr. Maki – I think we would still like to see the single family homes. Mr. Hunter – Maybe a hybrid with a couple of condo's mixed in with single families. Mr. Maki – this would be another public meeting if there were to be condos placed on any lot? Mr. Hunter – Yes, a special permit. You could have a workshop with the neighborhood (without the planning board). Mr. Maki – What size house were they originally for? Mr. Nesbit originally 2100 sq. ft., with 2 car garage, 4 bedrooms; this would not be affordable now. Mr. Maki – So the duplexes would be 2 – 2 bedroom houses and may be less of an impact on nitrogen loading.

*8:25 – Mr. Sinclair rejoined the meeting*

### **Other Business**

*A. Planning Board Member Notes: Mr. Sinclair – I want to congratulate on your reelection; We are supposed to organize can we put it on the next meeting agenda? BM – Yes Bruce: Welcome back to Mr. Hunter who is our interim director. We will continue to look at resumes and look forward to interviews. In the meantime, welcome back. Mr. Robinson – When is the right time to bring up signs? Now. There is a very large sign put up at Ground Effects, did they go thru the process of approval? Mr. Hunter – I will make sure the building commissioner knows and I would usually talk to them first. Mr. Maki – They came before the board for the initial sign. This is more like a banner. Mr. Hunter – I will look into it.*

*B. Planning Director Notes: I thank you for the introduction. I am here to help. I know that we have received several resumes. I will try to stay to help with the transition.*

- I did talk to SERPED. As you know you were awarded a grant to relook at transfer development rights and look at priority development and priority protection areas. We have until Dec 31 to finish this and they recommended that we wait until a new Director is appointed. He also was very pleased with the Master Plan.
- Member appointment time. Bruce do you want it on the agenda? Mr. Maki - Yes. Ok I'll put it on for May 9<sup>th</sup>.

*C. Minutes – March 28, 2017 and April 3, 2017*

*Motion to approve meeting minutes for March 28, 2017, as submitted: Mr. Hoffman*

*Second: Mr. Sinclair*

*Approved: Unanimous (4-0)*

*Motion to approve executive session minutes from April 3, 2017, as submitted: Mr. Sinclair*

*Second: Mr. Hoffman*

*Approved: Unanimous (4-0)*

**D. *Correspondence:***

Mr. Hunter addressed correspondence in the Planning Director Notes.

**E. *Next Meeting date:***

The next Planning Board meeting has been scheduled for May 9, 2017 at 7:00 PM

**F. *Adjournment:***

*A motion was made to adjourn the meeting at 8:28 PM: Mr. Sinclair*

*Second: Mr. Hoffman*

*Approved: Unanimous (4-0)*