



approved
3/27/18

Town of Carver, Office of Planning and Community Development

Planning Board Meeting Minutes, December 12, 2017, Carver Town Hall, Meeting Room #1. This meeting was videotaped for cable cast area 58, channel 15.

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

Also Present: Stephen Cole, Planning Director; Jack Hunter; Sam Hemenway, Fuss & O'Neil

Absent: Chad Cavicchi

Bruce Maki, Chairman, opened the meeting at 7:06 PM, followed by the pledge of allegiance.

7:15 PM Public Hearing

On the application of Edaville Land Holdings, requesting Site Plan Approval pursuant to Section 3100 of the Carver Zoning By - Law, for property located at Pine Street, in Carver, MA. -

Plans prepared by Arthur F. Borden and Associated, Inc., dated November 2, 2017, showing the paving and associated drainage on an existing parking lot, on tow sheets for said development.

Jon Delli Priscoli – Over the years, we have developed a berm and it was understood that everything that happens on the Edaville side is on us and the building department. We wanted to acknowledge this and would like to propose improvements outside of the berm. Over the years we have developed some very nice landscaping; we have experienced no traffic issues. We are putting the park on the map. It is important that we enhance our front door. We have worked with board of appeal and Conservation Commission to put in a solar array (1/2 meg), which will solely be used by Edaville; helping to make Edaville "green". Edaville is now prime metering. We now have one meter inside the park in anticipation of building the solar array. We are adding more partnerships with Mattel Toys. The parking lot – no changes to curb cuts or landscaping. We are paving 2/3rd s of the lot. 1/3rd will be gravel for larger vehicles. Mr. Borden developed a drainage plan. With that I will have Mr. Borden walk through the technical plan. Mr. Sinclair – Is this application solely for parking and drainage? Or including solar array? Mr. Delli Priscoli I am not sure I did the paper work correctly but I would like to include it. Mr. Hunter – I accepted this before Mr. Cole started. There is no notation about Solar

on this. In my opinion it should be submitted as a new application and re-advertise. Mr. Delli Priscoli I will work with the planner. Tonight will be the opener for the parking lot and drainage. Mr. Sinclair – Ok, just so we are clear, this application is solely for the parking lot and not the solar array. We have to abide by the advertising. Mr. Hunter – Yes, it will require a separate application. If you get the solar array application in next week, we can run them back to back.

Mr. Borden – Borden and Associates - The drainage plan we prepared is based on when we designed parking lot. We are proposing to add to that. The site grades less than 1% toward Pine Street and the same for the opposite direction. Leeching catch basins and will tie into existing street drainage. Pipe is perforated with stone around it. I will email package to Sam Hemenway with Fuss and O'Neil, in the morning. We don't need to remove trees, landscaping, etc. We are just paving what is there. There will be painted lines, handicapped code. Right now there are 4 lights from parking lot entrance to park entrance. We are planning to relocate them with LED lights, to spread out over the parking lot. The lights will go off when the park closes; they are not on all night long. Mr. Delli Priscoli We did work with the electric company to relight all fixtures with LED lights. We will be able to park people more efficiently. This is just enhancing what we already have. When Fuss & O'Neil did call us, Arthur forwarded the information but not to Mr. Hemenway. We will follow up and get it to Sam. I looked forward to their input.

Joseph, Attorney for applicant - I have worked with John for years. I have read your bylaw – the solar arrays would be an opportunity to provide a master permit. When we went to the Zoning Board, we provided them with the layout and improvements. I think this is a good time to provide a master special permit for going forward with Mattel plans, etc. Mr. Hunter – Counselor, just for clarification, the Zoning By-Law falls under the Planning Board, not the Zoning Board. Joseph – I may have incorrect documents. Mr. Hunter – Many have to go to the Zoning Board, but only due to setback issues. The solar plan would be a Site Plan Review; I will amend for the 1/9/18 Hearing. Mr. Robinson – You are working on where the runoff goes to? Mr. Delli Priscoli It will run off into my land. All the water on the paved areas will be collected in the basins on the parking lot. We own the old Hannula bogs which will be utilized for the solar array. Mr. Robinson – Mr. Hemenway will need the details. Mr. Hemenway – Absolutely, we will need clarification on that. Mr. Delli Priscoli - We can't correct issues that exist on Pine Street that do not pertain to us. Mr. Robinson – No I am talking specifically to run off. I think this is a huge improvement; I just want to make sure it works. Mr. Delli Priscoli - Social Media comments are positive on the park but not the parking lot. I want to eliminate any negativity. Mr. Sinclair – I don't see the light poles on the plan; I also want to see a light spillage plan. All the run off used to drain naturally in the parking lot; how will it work now? Landscaping, islands, etc. what will you be using? Mr. Delli Priscoli – Similar to what we have already; I do have an irrigation well; I can have perennials, etc. Mr. Sinclair – any additional proposed landscaping? Mr. Delli Priscoli - No, most event type parking lots are set up this way. We need to make plowing practical, etc. If we have to do islands, we will leave it the way it is. Mr. Sinclair – No, I am just asking the question. This is a large area of blacktop. Mr. Delli Priscoli – If this is going to be a

situation that you are going to require me to do all this extra work, I want a vote from the Board for this. Mr. Sinclair – I am only asking the question. Mr. Delli Priscoli – I can give you all the information you require; but if you are going to add extra landscaping requirements, I will not do the parking lot. Mr. Sinclair – I understand. This is just the same process as always. Mr. Maki – Is it in our bylaws that we need islands? Mr. Hunter – We do have some but I don't have it with me tonight. We have some time, John and Arthur could maybe look at it and look for some opportunities. Perhaps the new Planner could meet with John and Arthur to review the bylaws. Mr. Sinclair – Along pine Road, how high is the berm. There is some concern with car headlights overspill? Mr. Delli Priscoli - The berm was actually removed per request. It is currently a grass strip. Brenda Johnson, Employee – We park there right now and we have not received complaints. Mr. Sinclair - Proposed snow storage areas? Mr. Delli Priscoli - We have about 250 acres; there is plenty of places to put it. I just bring my trucks in and move it elsewhere on the property. Mr. Hunter – Sam, do you have anything? Sam – Drainage needs to be looked at. It's also worth noting the direction of the lot; it pushes traffic toward the front door. We may want to redirect. Mr. Delli Priscoli – We will have guides there directing and utilizing cones. Sam – I have no doubt you can do that. This is just something that should be looked at. Mr. Delli Priscoli – We do manage our traffic flow very well; Brenda and her group do a great job. Mr. Robinson – Will there be traffic direction paint? Mr. Delli Priscoli – Yes, very extensive.

Anyone from the public?

Allan Germaine – 24 Pine Street –

Mr. Delli Priscoli says his water is contained on his land. It is not; as of today, I am getting water flowing onto my property. I think that it is great that he wants to pave but I want assurances that this won't continue to affect my property. The town has been promising to fix it and has never showed up. It's wiped out my driveway, roots are showing, etc. Mr. Germaine presented a video to the Board. John has been a good neighbor. Everyone knows about my concerns but no one is doing anything. I can't improve my property. I am also concerned about kids using the parking lot as a race track. Mr. Delli Priscoli – I am planning to put in gates that will be closed when park is closed. Our goal is to keep our water on our property. We will complete this drainage system, which will ensure that happens. Mr. Germaine – What is Plan B if this is inadequate? Even when it's not a heavy rain, we still get the street run off. Mr. Robinson – working with Fuss & O'Neil will hopefully help with your problem. Mr. Delli Priscoli - I just want the Board to know that I can not fix Pine Street. Mr. Germaine – If this entire parking lot becomes pavement, now there is no leeching through the asphalt, what will happen then? Mr. Maki – That is why we have Fuss & O'Neil. They will review it. Mr. Germaine – The end of my driveway is where his exit is. There has only been one time where we have had an issue. The headlights have not been an issue for me. I am not finding fault here. I just want the town to fix my issue with water. Mr. Maki – We will take a look at that. Thank you for letting us know. Mr. Delli Priscoli – The side walk has been a real improvement.

No other questions or concerns

Mr. Maki – Some things that need to be looked at:

- Fuss & O'Neil will take a look at the drainage
- Lighting
- Bylaws on islands will be reviewed.

Fuss & O'Neil - There are some elements mentioned that aren't reflected on the drawings and some updates that I will need:

- Lighting
- Revised Calcs

Motion to continue public hearing on January 9, 2018 at 7:15: Mr. Sinclair

Second: Mr. Robinson

Approved: Unanimous (4-0)

Mr. Maki – Does the Board feel we need to do a site visit? Mr. Hoffman – Should we wait until the solar array application is submitted? Mr. Hunter – You can still look at it without the application. Mr. Maki – I think we may want to do it before the next meeting.

The Board agreed to a site visit on December 21, 2017 at 3:30 PM

Motion for a site visit for the Edaville Project on 12/21/17 at 3:30: Mr. Sinclair

Second: Mr. Hoffman

Approved: Unanimous (4-0)

7:00 PM Public Hearing (Continuance)

1. Lisa Crowley, 160 N. Main Street – Fetch and Rest Doggie Daycare –

Paul Costello – Attorney 44 pleasant Street, Bridgewater; representing – Lisa Crowley

I will revisit petition – This is a request for a Special Permit to run a doggie day care business at the Carver Marketplace. Her application indicates that she is seeking to occupy Unit G which is about 2800 sq. ft. Part of the petition is the fenced in area in the rear of the premise. Something that came up at the last hearing was whether the outdoor structure would be okay with town. Mr. Costello handed out an email from Jessie Boyle, Fire Department which indicated that they were fine with this structure. When we were here last, there was concern over solid/liquid waste. Lisa indicated the use of pea stone with land grading. Lisa did some additional investigating. She was advised that infield material mix use would be 2-3Xs more absorbent than pea stone. The solid waste would be accumulated and collected by employee and bagged. It would be kept in a lidded dumpster which will help with any potential odor issue. I would like to point out that in a restaurant, you would deal with much more solid waste than 40 dogs. Lisa must be attentive to both the liquid and solid waste. There is nobody with a greater incentive to tend to this issue than Lisa as her business depends on it. There was also concern expressed regarding the noise issue; dogs will come out in groups of ten - Dogs will bark but there should not be incessant barking and we understand the concerns of the neighbors but Lisa and her staff are sensitive to this. There is a comprehensive application for each dog – general disposition; aggression, etc. Lisa will be sensitive with being a good neighbor. Hours of operation are 7AM to 6PM. The drop off period is typically 7AM-10AM; pickup 3PM-6PM. It will be staggered and should not create traffic issues. I believe I have addressed all of the issues that came up at the last hearing.

Mr. Maki – There was a site visit, with the Board Members. I did not attend the group visit but did go at a later date. It was noted that after a rain, there was a large puddle in the area; it is not graded very well back there. Concern over urine smell. Mr. Costello – the infield mix is super absorbent. Wherever and whenever possible, the areas will be hosed down. In an extreme weather situation, the waste will be reduced anyway. Mr. Maki – The issue is that it doesn't run off; it just sits there. Will material be changed out? Some of the houses are a little close. Ms. Crowley – Everyday, it will be sanitized with environmentally safe sanitizer. I will be meticulous. Mr. Maki – Are the septic covers going to be covered? Ms. Crowley – No they will not be covered. Mr. Hoffman – Infield mix area? Ms. Crowley – 3-4" thick over the entire containment. Fence will be bordered by wood. Mr. Costello – I misunderstood; as Ms. Crowley indicated the entire containment will be the infield mix. The water and cleaner will flow through to dirt. It will be changed out as necessary. Mr. Maki – How often will the dumpster be emptied? Ms. Crowley – that will depend on the number of dogs we have. Mr. Robinson – I would like to be assured that there is a maintenance plan or maybe we can see another similar location that is utilizing it now. If you are going to have 40 dogs there, I would be more comfortable to know that this works elsewhere. Ms. Crowley – I am trying to replicate an actual yard. I just have to do it on top of pavement. Mr. Robinson - Doggie Day Care has 10 dogs with a yard this is a significant jump. I would like something more on how it works with maybe another location similar to this that it is working at. Mr. Sinclair – Mr. Cole, the documents you gave us are new? Mr. Cole – No, that was dropped off a while back. We are still looking for more information on the

antibacterial cleanser. We have also not received a call from the Animal Control Officer. Mr. Sinclair – Did the Health Agent look at the cleaner? Mr. Cole – Yes, but without an endorsement. Mr. Sinclair – I am curious about the cleaner. Ms. Crowley – The outside cleaner is the Wishy Wash cleaner which is bleach free and environmentally safe. Mr. Maki – I am no expert on that but my concern is the runoff. I would also like to see a maintenance plan. I like the idea of the new absorbent surface that you are proposing. Mr. Sinclair – Has this product ever been used in this particular application? Mr. Costello – Not that I know of.

Graham Rogers – Sand and Gravel - I have delivered a lot of this material. It does a very good job at drainage. Its used in horse rings, barns, sports fields, etc. As far as the drainage goes, pea stone and sand just flows through. This Infield mix absorbs – it has clay in it as well. As for as maintaining it, it would be a trial basis. I don't think it will show to have an odor issue and will be super absorbent. Mr. Sinclair – this is absorbed into the base that we have but it will stay there and get saturated. This necessitates it getting changed. I know it will be a trial as we have no experience for this application. Mr. Rogers – In some of the horse rings, it's like an annual thing that we scrape it down. Mr. Sinclair – I would want to see a trigger in our decision that mandates the material is changed. Mr. Costello – We can contact the manufacturer and get back to you. Whatever is recommended, we will do. Mr. Robinson – Mr. Rogers, will this have to be removed by a waste system or more of a construction thing? Mr. Rogers – What I've seen is it is scraped down and trucked out. Mr. Robinson – It would be nice to know how and that it can be done and how often they recommend and cost? Mr. Rogers – Regarding a dumpster, usually there is a contract involved as to the frequency of removal. Mr. Sinclair – Ms. Crowley – Have you spoken to the dog officer? Ms. Crowley – No I haven't. Mr. Cole – A request was made through the chief of police but the Animal Control office has not followed up. Mr. Sinclair – We will follow up. Do you have a timeline for maintenance schedule and to provide us with that? Ms. Crowley – I will have it by the next hearing. Mr. Sinclair – The sooner the better. The next hearing would be January 9, 2018. That gives you time to get all of the information together. Ms. Crowley – You want to know the maintenance on the infield mix? Mr. Robinson - Yes, in addition to what you are capable of doing. Mr. Sinclair – You will need to come up with a timeframe for change out, etc. Mr. Robinson – Our problem is that it is on the asphalt. This new product is absorbing what we don't want to run off but we need to make sure it's going to work.

Mr. Maki - This is a public hearing is there anyone with questions or concerns?

Robert Kirkland 20 Montello Road –

Will you be walking any of the dogs? I am still concerned about the noise and barking. Is there any way that the dumpsters could only be emptied between 8AM and 5PM? Mr. Maki – This could be a condition. Ms. Crowley – No, they will not be walked. Just inside or pen. Mr. Costello – With regard to the noise level - 40 kids will make noise in a daycare. The people in charge of a day care or a doggie day care are responsible for keeping noise level reasonable. Staff will be right with the dogs and will address in an ongoing basis.

No further questions.

Mr. Maki – The applicant will need:

- Applicant - Maintenance plan for outside – repair replace
- Applicant - Dumpster hours of pickup
- Applicant and Planning Director - Chemical clarification
- Planning Director - Follow up with animal control officer

*Motion to continue hearing to January 9, 2018 at 7:00, Lisa Crowley 160 N. Main St: Mr. Sinclair
Second: Mr. Hoffman
Approved: Unanimous (4-0)*

Appointment:

2. Linbi's Path – Andy Cimbron – Definitive Subdivision.

Possible violation – Discussion and possible vote.

Mr. Cole – There was a 30' no cut buffer has been breached between lots 1 & 2, causing compromised root structure. A cease and desist order was issued. After visiting at least 4 times, it is recommended that the remaining trees be removed; new landscaping to be completed, including berm.

Steve Botowski, Engineering – My client is going through cancer treatments today and is unable to attend. I went out and staked out the proposed house. There was a big pile of logs on the property belonging to the abutter, which Andy removed. Andy is agreeable to cleaning up the mess on the neighbor's property and feels that the 6 arborvitae is not unreasonable and he would be okay with that.

Mr. Maki – Do we need a plan to show where? Mr. Hunter – If you are agreeable to the plan; give Stephen the authority to release the cease and desist once he has received a plan that is satisfactory. Mr. Sinclair – As the neighbor is in the audience, I would like to talk with him.

Mr. LaDuke – 21 High Street

I like the plan that we have. We discussed arborvitae and the berm and to cut the remaining trees. I think that is fair.

Mr. Maki – I went out there on Monday and I noticed that Lot 2 has a foundation; there was quite a steep slope from the property line. Mr. Botowski – He will bring material to the front yard to grade. Mr. Sinclair – Lot 1, 6 and 5 – Can we get more aesthetically pleasing grading? Mr. Botwowski – He is working on them. He wants to get all foundations in except lot 1. I will mention it to him.

Mr. LaDuke – My only concern is the size of arborvitae and berm. Mr. Cole – We could resolve this administratively and not wait until the next meeting.

*Motion to approve conditions outlined by Planning Director and to authorize Mr. Cole to seek those
amendments: Mr. Sinclair
Second: Mr. Hoffman
Approved: Unanimous (4—0)*

Other Business:

Planning Board Member Notes:

Merry Christmas and Happy Hanukah

Planning Director Notes:

Merry Christmas to all!

Last meeting in regards to solar zoning. The board should create a sub committee to make recommendations. Mr. Hunter – You will need to appoint two members. Mr. Robinson recommends Will and Jim to that committee, indicating that he would be happy to assist. Mr. Sinclair – My plate is very full at this time both with work and personal issues. Mr. Hoffman – I have some traveling coming up in Jan and Feb. When does the decision have to be made? Mr. Cole – My understanding is that we have a place holder at the town meeting. Mr. Robinson – If Jim were to accept but when he was out of town, I could be the alternate? Mr. Hunter – Yes, Bruce and Jim could do it with Kevin as the alternate.

Motion to appoint Mr. Maki and Mr. Hoffman with Kevin as the alternate to the Solar Sub Committee: Mr. Sinclair

Second: Mr. Hoffman

Approved: Unanimous (4-0)

Minutes – November 14, 2017 and December 5, 2017

Motion to approve the minutes of November 14, 2017, as written: Mr. Sinclair

Second: Mr. Hoffman

Approved: Unanimous (4-0)

Motion to approve the minutes of December 5, 2017, as written: Mr. Sinclair

Second: Mr. Hoffman

Approved: Unanimous (4-0)

Next Meeting date:

The next meeting has been scheduled for January 9, 2018, at 7:00 PM.

Adjournment:

Motion made to adjourn at 9:20 PM: Mr. Sinclair

Second: Mr. Robinson

Approved: Unanimous (4-0)