



approved 5/14/19

Town of Carver, Office of Planning and Community Development

Planning Board Meeting Minutes, February 26, 2019, Carver Town Hall, Meeting Room #11. This meeting was videotaped for cable cast area 58, channel 15.

Attendees: Bruce Maki, Chairman; Jen Bogart, Member; William Sinclair, Member; Kevin Robinson, Member; Cara Dahill, Alternate Member Kevin Robinson

Also Present: Stephen Cole, Planning Director; Andy Glimes, Fuss and O'Neil

Absent: James Hoffman, Member James Hoffman;

Bruce Maki, Chairman, opened the meeting at 7:02 7:00 PM, followed by the pledge of allegiance.

Approval Not Required:

- George L. Thompson, Pleasant Street (Map 29, Lot 9A) – Discussion and possible vote

Douglas Bailey – Brady Consulting, Land Surveyor - Mr. Thompson owns about 3 acres of land on Pleasant Street. We are separating this into two lots. The perk tests have been done and well investigation has been done. There are no zoning issues with this. The vacant lot has an existing corral with stable which will be taken down. This lot is going to his daughter. Mr. Maki – This seems pretty straight forward to me. The house meets setback requirements. The pool meets set back requirements. Mr. Bailey – The only one that doesn't is the stable which is being torn down. Ms. Bogart – This is just being divided to build a house on second lot? Mr. Bailey - Yes

Motion to approve Form A for George Thompson, Pleasant Street: Mr. Sinclair

Second: Ms. Bogart

Approved: Unanimous (4-0)

- RPBP, LLC – Spring Street (Map 32) – Discussion and possible vote

Mr. Cole - The applicant was not able to attend this evening. This is pretty straight forward. Mr. Maki – We have 17.2 acres and a piece of that property has been subdivided into a lot of 2.97 acres. Mr. Cole – Yes, SLT will be constructing Morton style buildings on a slab.

Motion to endorse the Form A for RPBP, LLC on Spring Street: Mr. Sinclair

Second: Mr. Robinson

- Cranberry Point Energy Storage, Main Street / Rte. 58 (Map 61-7) – Discussion and possible vote

Attorney Serkey – This deletes a line as opposed to the previous two. We are combining two former assessor's lots into one lot. Mr. Maki – What are the numbers of those lots? Mr. Cole – The purpose is to create frontage on Main Street. Mr. Serkey – Lots 61-7 and 61-10. The assessors will create a new number for combined lot. Mr. Maki – This meets all our requirements. Any questions? Mr. Serkey – The combined tract will be named lot 1 according to this plan.

Motion to endorse Form A for Cranberry Point Energy Storage, Main Street: Mr. Sinclair

Second: Ms. Bogart

Approved: Unanimous (4-0)

- James Perry, Rochester Road (Map 65 8,9,14 & 20) – Discussion and possible vote

Jeff Harper, GAF Engineering in Wareham – The plan is an ANR Plan which takes 4 existing lots and reshaping them. 60 Rochester will be 8-1 and 8-2. The new lot line at 8-1 has proper setback to existing barn. Mr. Maki – These lots meeting all frontage and square footage requirements? Yes. Mr. Sinclair – Is this property a 61A? Confirmed. That will need to be corrected. Ms. Bogart - This is to build houses on? Mr. Harper - Yes.

Motion to endorse Form A for James Perry, Rochester Road: Mr. Sinclair

Second: Mr. Robinson

Approved: Unanimous (4-0)

- Borrego Solar, 196 Tremont Street (Map 125, Lot 3 & 9C) – Discussion and possible vote

Mr. Maki – This is for the removal of interior lot line.

Sarah Stearns, Beals and Thomas and Mr. Serkey, Attorney –

Ms. Stearns – This is a proposed Form A lot meeting zoning criteria to house proposed Solar Array. Mr. Maki – This is one of the reasons for our new by-Law. Mr. Maki – Any questions? No questions heard.

Motion to endorse Form A for Borrego Solar, 196 Tremont Street: Mr. Robinson

Second: Mr. Sinclair

Approved: Unanimous (4-0)

- Borrego Solar, Federal Road (Carver) / Farm to Market Road (Wareham) Map 135, Lot 7 – Discussion and possible vote

Sarah Stearns, Beals and Thomas and Mr. Serkey, Attorney –

Ms. Stearns – In order to meet the setbacks for Wareham, a little piece was needed from the Carver side. This is a request for a co-endorsement. It has been endorsed by Wareham. Mr. Robinson – So they just need parcel A?

Ms. Stearns - Yes

Motion to endorse Form A for Borrego Solar, Federal Road, Carver: Mr. Robinson

Second: Ms. Bogart

Approved: Unanimous (4-0)

Discussion and vote:

- On the application of Borrego Solar Systems, Inc., requesting a Special Permit and Site Plan Review pursuant to Sections 3100, 3580 and 5300 of the Carver Zoning by-Law, located at 0 Wareham Street in Carver, MA (Assessors Map 134-4-2) to allow a large scale ground mounted solar photovoltaic installation (LSGMSPI). The proposed project includes a proposed solar array and energy storage facility adjacent to an existing solar array, in accordance with the solar by-Law in a Residential / Agricultural District.

Mr. Cole – We have the conditions for this project. Mr. Cole detailed each condition for the Board. There are a total of 13 conditions.

Sarah Stearns, Beals and Thomas and Mr. Farkus Farkus, representing Borrego Solar Systems –

on the previous approvals could we add exact number to the decommissioning plan? Mr. Cole – The amount entered for the decommissioning bond is estimated at \$224,821.59

Motion to approve, with conditions, for Borrego Solar, 0 Wareham Street, Carver: Mr. Sinclair

Second: Mr. Robinson

Approved: 4-1, Ms. Bogart

- On the application of Borrego Solar Systems, Inc., requesting a Special Permit and Site Plan Review pursuant to sections 3100, 3580 and 5300 of the Carver Zoning by-Law, located at 196 Tremont Street (Assessors Map 125, Lot 3) and 0 Off Cranberry Road (Assessors Map 125, Lot 9-C), in Carver, MA, to allow a large scale ground mounted solar photovoltaic installation (LSGMSPI). The project includes a proposed solar array and energy storage facility in accordance with the by-Law in a Residential / Agricultural District.

Sarah Stearns, Beals and Thomas, Mr. Serkey, Attorney and Mr. Farkus, representing Borrego Solar Systems

Mr. Cole – The public hearing was closed. This is to discuss conditions. Mr. Cole read into record all conditions. There was a total of 13 conditions. \$136,974.54 is the amount of the decommissioning bond.

Ms. Bogart – Can we condition that all is pad mounted as a condition? Mr. Farkus – This is already in the plan. Mr. Cole Confirmed. Ms. Bogart – The screening just says the western portion; the southern portion needs to be included. This is too vague, what is the natural vegetation going to look like. Based on what was discussed previously, we need to be more specific in this case. Mr. Maki – Borrego was going to meet with Kevin; what came of that? Mr. Farkus – These plantings were per the abutters that were present and communicating about the project. I think Ms. Bogart is right, we could add to the Southern portion. We have discussed the use of native evergreens. We have also discussed chain link. Mr. Farkus – After my conversation with Kevin, we came up with a few ideas for species that would survive out there. Ms. Bogart – How tall will they be when planted? Mr. Farkus – About 5'. Mr. Cole – What is proposed is far in excess of what is required. Mr. Maki – The panels will be how high? Mr. Farkus – 10' high; the fence will be 8' high. The design that is shown is what was requested by the abutters. Mr. Maki – There is nothing in our bylaw that says you have to screen from the road. Mr. Robinson – The plantings will help. Mr. Farkus – We can add language to make sure the southern edge is covered. Ms. Stearns – We should specify where the plantings should be. Ms. Stearns indicated the area on a project map. Mr. Farkus – I agree with the concept. Ms. Bogart read from the by-Law. It does not say that when you are over 600' you don't have to do anything. 3580-10, was also read. This is a scenic road; it is really important to meet their needs. To use a chain link fence and 5' trees does not minimize the impact. Mr. Maki – We could revisit after the plantings are done and determine at that time? Ms. Dahill – We are trying to look as natural as we can; we aren't going to be able to get something in there that will grow fast and big. Ms. Bogart – The screening provided is not adequate. Maybe a small berm? Mr. Serkey – referred to bylaw and disagreed with Ms. Bogart's interpretation. Ms. Stearns – I would like to remind the Board of our discussions we had with the abutters, they requested what we are putting forth tonight. Their priority was to have everything blend. Each project is site specific. This really seems to be the best option for the neighbors. A large portion will also be seeded, which will provide additional screening. Ms. Bogart – 8 plantings are not 50%; at a minimum, this should come back to the Board once complete. We need an option to come back and say that we need more. Ms. Stearns – That is very subjective. Mr. Sinclair – The applicant is willing to add some type of screening; which I don't believe is necessary on the southern side. When driving north on that street, that side is fully vegetated. I appreciate the offer from the developer, the proposed language in the decision was agreed, by the people, are a long way away. I understand what Jen is trying to say.

Borrego is extremely sensitive to the towns needs. Ms. Bogart – I think you will find it is more visible from Cranberry road than you think. Mr. Maki – I think we have satisfied all of the neighbors. I thank Borrego for donating funds for the trees being removed from the project. I don't think this is going to be ugly. The bank will be graded and plantings will be put in, with landscaping. This project is 1000 feet off the road. 1600' is a long line and difficult to completely hide. Ms. Bogart – What about 16 instead of 8 trees. Ms. Stearns reminded everyone that these are groupings, not individual trees. Mr. Maki – Just maintaining and watering will be difficult. Ms. Stearns – I don't know that doubling it will make a difference. The neighbors were all happy with this plan. Ms. Bogart – I think we should be able to revisit this in a year.

Motion to approve the conditions for Borrego Solar Systems, 196 Tremont Street, as presented: Mr. Sinclair

Second: Mr. Robinson

Approved: 4-1, Ms. Bogart

Public Hearings (continued):

- On the application of Cranberry Point Energy Storage, LLC, requesting a Special Permit and Site Plan Review pursuant to Sections 2230 of the Carver Zoning by-Law, located at 31R Main Street in Carver, MA (Assessors Map 61 10-0-R and 7-0-R) to allow a 150 megawatt battery storage facility in a Residential / Agricultural District.

Mr. Cole – We continued this from our last meeting for various reasons, including run off from a fire incident. I don't feel there is anything else for the Planning Board or fire department to do at this point. I would recommend closing the public hearing and discussing the conditions at the next meeting.

Mr. Sinclair – I am extremely grateful for the talent, knowledge and research that Jesse Boyle has done on this. I appreciate all of the time that you spent with me over my concerns. The public should understand the amount of knowledge and in depth training that Mr. Boyle has gone through to keep our public safe is amazing. Ms. Bogart – I have questions but they probably need to be addressed by applicant. Is there a lighting plan at all? Gary Garfield - There can not be a plan until equipment is acquired. We will provide a lighting plan when we have that information. Ms. Bogart – I think we need that before approval, especially with all the variations listed. Mr. Garfield – We have notified the town, that once we know what the technology is we can provide that. Ms. Bogart – I think we need to know what the technology is, when will you know? Mr. Garfield – I don't know. There are two different types. That could be a condition of approval? Mr. Cole – We are not asking for the Board to vote on conditions. This group can vote on the project and then address any concerns with conditions. The technology for both would accomplish the same thing. The type of technology that is selected will be included in the Emergency Response Plan? Mr. Garfield – Yes. I can't do the Emergency Response Plan until the technology is selected. Mr. Cole – I've spoken with the Fire Department; the Emergency Response Plan will be a condition to this project. I believe that any items still pending can be addressed with the Planning Department and the fire department. As we've gone through the

process, many concerns have been allayed. Ms. Bogart – I challenge that, as some of the previous concerns have not been answered. This is one of the largest battery storage facilities in the United States, we need to know everything about it; the technology, the lighting, etc. This is not a small endeavor. Mr. Garfield – I would suggest that with the technology the way it is; this is the summation of a lot of smaller units. We are doing a same size project on the cape and a similar project in Acushnet. It's either high density or low density batteries. Whichever way we go, it's going to be the same unit, multiple times. We have discussed this with the fire department; this is better than putting it in a building. Our Emergency Response Plan will need to be approved by the Carver Fire Department. Without that approval, I can't move forward. I respectfully request that you condition any concerns. We have responded to any comments that we saw. Ms. Bogart – How many are larger than 150 megawatts in the US right now? Mr. Garfield – None. Ms. Bogart – I didn't have the information last time; now I have that information and have questions. Are you only going to have a "No Trespassing" sign? Mr. Garfield – We will have signage that will be in compliance with fire and electrical code. Mr. Cole – The Commonwealth of Puerto Rico is looking to reproduce this. They are looking for 220,000 megawatts with a 1000 watts of storage. This is not a new technology, but is new to us. We are relying on shared experiences from others. Most of the concerns were with regard to screening which has been solved. Mr. Sinclair was working on run off issue. We've received memos from Fuss & O'Neil with few concerns. Carver FD concerns are resolved. Mr. Robinson – How many hours of training have you had? Mr. Boyle – Certificates are dozens of hours; many hours of research and more to come. Ms. Dahill – Will you need to adapt any new technologies due to this? Mr. Boyle – The biggest thing is training. The number one thing to use to put out a fire of this nature is water; which we have plenty of. Ms. Bogart – In the petition, there are plans for a mobile water suppression. Mr. Boyle – There are no discussions for any new apparatus at this time. Mr. Garfield – At the beginning of this project, we quickly learned you didn't have water. That was something we discussed at the beginning. Ms. Bogart – What has changed that this is no longer being discussed? Mr. Garfield – The door is open for ongoing discussion. I had a meeting with the fire department, just a couple of hours ago; there are numerous details to work through. You have inter-municipal aid, as most towns do. Mr. Maki – We have a way to go with this. Mr. Cole – We are getting closer, there is some work that still needs to be done. I am not comfortable recommending a vote but am comfortable with closing the public hearing. We can condition concerns. Mr. Maki – Jen, could you give your remaining questions to Stephen so he can give them to Mr. Garfield so he can review and address them. Ms. Bogart – I feel they need an in person conversation. This is a really important project and a big opportunity we have so for me to ask my question in 5 minutes and via email does this town and the project injustice. Mr. Maki – Providing them this information will allow them to get the information needed. Mr. Cole – That is fairly consistent with the TRC process as well. Responses are in writing, too. Gary is only one member of the group; others may need to be available to answer some of Ms. Bogart's questions. Ms. Bogart – I would like it in writing. Mr. Cole – Of course. You bring up some excellent concerns that need to be addressed. Mr. Garfield – Fuss & O'Neil did have some questions on our last set of drawings. We have addressed all concerns; one point I'd like to make is that because we have not selected the technology yet, we expect our permit to have more requirements than typical. We would not want the Board to approve unless it's conditioned. Mr. Cole – By no means is this project done, we still have two appeal periods. This project is not assured just because we issue the Special Permit. Mr. Serkey – If you vote to issue the special permit, you are saying you have 100% confidence in Mr. Boyle. Ms. Bogart – I take offence that; you are implying that I don't have

support in the Fire Department. Mr. Cole – Mr. Serkey, were you referring to a specific board member? No, the Board as a whole. Mr. Sinclair – I don't think we are ready to close the public hearing.

Motion to continue the public hearing to March 12, 2019 at 7:00 PM: Mr. Sinclair

Second: Mr. Robinson

Approved: Unanimous (5-0)

- On the application of David Mulcahy, 1929 Development, LLC of Kingston, requesting a Special Permit and Site Plan Review pursuant to Sections 2230 and 3100 of the Caver Zoning by-Law, for property located at 157 North Main Street (Assessors Map 24, Lot 4A), Carver MA.

Applicant request approval to construct an addition of a Craftsman / Tradesman Building to an existing single family dwelling in the High Commercial Zone.

Mr. Cole – This application still appears before the ZBA. We need that clearance to move forward.

Motion to continue public hearing for David Mulcahy to March 12, 2019 at 7:00 PM: Mr. Sinclair

Second: Mr. Robinson

Approved: Unanimous (4-0)

Other Business:

Planning Board Member Notes:

- Mr. Hoffman –
- Mr. Maki –
- Ms. Bogart – I had a citizen reach out re: sign extension for Edaville. Apparently it expired. This is the damaged sign, awaiting a new sign. Mr. Cole – I will look at that and get back to you.
- Mr. Robinson –
- Mr. Sinclair - We had a joint meeting with the NCWD. That meeting was recorded, take some time to look at it. I will not be available for the next bylaw meeting on March 5. Mr. Cole – We can start the proceeding. Mullen rule does not apply here.

Planning Director Notes:

Nothing tonight. Thank you to you all for the time and attention re: the by law meeting.

Minutes – January 8, 2019 and January 22, 2019

January 8, 2019

- Off the wall sign permit – reflect my note” I think you are a great fit, welcome”
- Page 3 –\$12-22 mil in revenue, I think it was \$17 mil – \$22 mil. Mr. Cole – I will confirm
- Page 5 Cornelius SHEA (spelling needs to be corrected)
- Page 9 Land in 361A should be 61A

Motion to Table the minutes from January 8, 2019 and January 22, 2019: Mr. Sinclair

Second: Mr. Robinson

Approved: Unanimous (4-0)

Next Meeting date:

The next meeting has been scheduled for March 12February 13, 2018, at 7:00 PM

Adjournment:

Motion made to adjourn at 8:52 8:01 PM: Mr. SinclairSinclair

Second: Mr. Robinson

Approved: Unanimous 4-0)