



approved 9/24/19

Town of Carver, Office of Planning and Community Development

Planning Board Meeting Minutes, September 10, 2019, Carver Town Hall, Meeting Room #11. This meeting was videotaped by cable cast area 58, channel 15.

Attendees: Bruce Maki, Chairman; James Hoffman, Member; Kevin Robinson, Member; James HJen Bogart, Member Kevin Robinson

Also Present: Jim Walsh, Planning Director; Andy Glines, Fuss & O'Neil Civil Engineer; Andy Glimes, Fuss and O'Neil

Absent: William Sinclair, Member

Bruce Maki, Chairman, opened the meeting at 7:06 7:00 PM, followed by the pledge of allegiance.

Mr. Maki – We have two continued meetings, Nextsun LLC Tremont and Wareham St., and Bayberry Dunes. This is due to a missing member tonight. These Public Hearings have been continued to 9/24/19. Borrego Solar will be opened but also continued to 9/24/19

Approval Not Required:

38 & 44 Lakeview Street – David Eleanor Eldredge (Map 7, Lots 22 & 24)

Mr. Rogers, GAF Engineering – These plans were submitted in August. Mr. Walsh and staff have reviewed the ANR. They did make one correction; the revised plan is dated 9/5/19. There are two existing homes on the property; we are creating two additional lots. They meet setbacks. We are asking for endorsement this evening. Mr. Walsh – I reviewed this with Bob Francis. All lots have adequate frontage and meet minimum lot size. The property on 22B is existing, non conforming in terms of set back from street; they have less than 40'. All other setbacks are met. Our Health Agent also reviewed for well and septic and felt everything was adequate. Mr. Hoffman – This wont affect 22A? Mr. Rogers – 22A will be one of the new lots. Mr. Robinson – Have you gone before Conservations? Mr. Rogers – Not until we enter the building phase.

Motion to accept Approval Not Required Plan: Mr. Robinson

Second: Mr. Hoffman

Approved: Unanimous (4-0)

Continued Public Hearings:

- On the application of NextSun Energy, LLC, requesting a Special Permit and Site Plan Review pursuant to Sections 3100, 3580.60 and 5300 of the Carver Zoning by-Law, located at 0, 340/342 Tremont Street and 65 Wareham Street, Carver, MA (Assessors Map 127, Lots 10, 12, 21) to allow the construction and operation of a dual use,

large ground mounted solar photovoltaic installation (LSGMSPi) and appurtenant equipment and interconnection in accordance with the solar by-Law in a Residential / Agricultural and Industrial "A" District.

Mr. Walsh - They sent a written request for a continuance to the 9/24/19 Meeting.

Motion to continue the Public Hearing for Nextsun Energy, LLC, Tremont Street and Wareham street, to September 24, 2019 at 7:00 PM: Mr. Robinson

Second: Mr. Hoffman

Approved: Unanimous (4-0)

- On the application of Bayberry Dunes, LLC, requesting a Site Plan Review pursuant to Sections 3100 of the Carver Zoning by-Law, located at North Main Street and Lillian Way, in Carver, MA (Assessors Map 49, Lot 62-2) to construct 2 commercial buildings (13,200 sq. ft.). The proposed building use will be wholesale, warehouse and distribution in the General Business District.

Mr. Walsh – They needed some additional time to respond to comments from Fuss and O’Neil. They requested, in writing, to continue to our next meeting.

Motion to Continue the Public Hearing for Bayberry Dunes, LLC to September 24, 2019 at 7:00 PM: Mr. Robinson

Second: Mr. Hoffman

Approved: Unanimous (4-0)

Public Hearings:

- On the application of the Town of Carver Police Station Advisory Committee, requesting Site Plan Review pursuant to t Section 3100 of the Carver Zoning by-Law for property located at 3 Center Street, on Assessors Map 103, Parcel 11-C-E, containing 67,257 sq. ft. and a portion of Map 103, Lot 11, in Carver, Ma in order to construct a new single-story, 12,000 sq. ft. Police Station building, including a carport and a 2,400 sq. ft. accessory building. The project will entail construction of a new driveway access from Center Street to a rear, fenced Police parking lot, containing 29 parking spaces; the widening of the existing library exit driveway into a two-way driveway; and the construction of 18 new public parking spaces on the southerly side of the new Police Station. The project will also include development of a new septic system, drainage system and water service connection to the existing town well on site. Also, a generator, radio tower and dumpsters will be installed. The project is located in the Village (V) Zoning District.

Bill Harriman, Chairman of police station advisory committee - We look forward to your acceptance of this project, it is badly needed. The committee has been meeting regularly, over the last year or so. We are scheduled to go out to bid on October 2nd. The committee includes Chief Dumphily, David Robertson, Mike Milanoski; Jon Delli Priscoli and David Siedentopf. Nathan Ketchel from GGD and Tom Linden, Linden landscape.

Mr. Linden – I will review the layout on the site. We have lot 11 and 11C, south of the library on Center Street, in the Village District. We meet all zoning requirements. The building is actually 32 ½ foot tall. The plan was

presented to the Board. Everything in green is already existing. There will be an entrance off of Center Street. The entire rear yard will be fenced for police use only. There will be a separate impound lot that will be fenced in. There is a secondary emergency exit at the library parking lot. The one-way drive beside the library will become a two way, with additional parking. The radio tower has been moved 16' toward the library. The fence on the library side will be a solid fence; the remaining fence will be chain link, due to cost.

Nathan Ketchel – Utility engineering for the project, including septic, drainage and coordination of water, electricity and site lighting. We will be intersecting the waterline that connects to the fire department. There is no natural gas or LP for the site. The Septic is being reviewed by the Health Agent (Kevin Forgue). There are site lights throughout the property. We are proposing that two new utility poles be installed, to replace old ones. We are proposing to collect all storm water through deep sump catch basins, through hydro dynamic water quality structures, then through drain man hole, prior to being discharged to underground infiltration systems. Everything is underground. There is another infiltration system in front of the property. Everything that falls on the site, is retained on the site. The sign on Main Street will have lights.

Mr. Walsh – There are some outstanding issues based on the letter from Fuss & O'Neil. We can put conditions in the decision. I have a draft tonight but am missing a condition. We can review this tonight and then take a vote at the next meeting. Mr. Glines – The applicant and the Board have not had a chance to review Fuss & O'Neil's latest letter. Most are clerical. There is some concern over the turning movement on the library side drive; it is also not the best for site distances. We could suggest the applicant adjust the orientation of the new two-way street. If the Town wishes to look at that intersection on their own to review striping, etc., I think that is warranted. Mr. Maki – Is the back of the library traffic going to remain one-way? Mr. Linden – That would be up to the Town. It has angled stripes, as if it's supposed to be one way. Mr. Milanoski – Today we were at the site with Mr. Siedentopf and Mr. Woods and people were going both ways. Mr. Maki – Will there be arrows directing traffic? Mr. Linden – Yes. Mr. Walsh – That was not looked at during the tech review but I believe the Town would take a look at that and maybe restripe it. Mr. Hoffman – The height of the lights on the new proposed parking – How is it compared to the existing lights? They may be overwhelming compared to what's out there. Mr. Milanoski – They will be straight down with no light pollution. Mr. Linden – At 10' away from the pole, there is zero light. Mr. Glines – We reviewed the light plan and had no issue. Mr. Ketchel – We can look at that. Mr. Robinson – It sounds like we need to clarify the traffic direction behind the library. Mr. Walsh – One of the conditions that I added was to take a look at that further, prior to building permit and if necessary make changes. Ms. Bogart – That was a super thorough presentation! I would suggest that we hold off on voting to give us time to look at this memo that was received tonight.

Mr. Maki – Any questions from the Audience? None heard.

Mr. Glines – Regarding the height of the building – The zoning table states 30'; with proposed at 32 ½'. We should include that as a variance. Mr. Walsh – I will also consult with the Building Commissioner to see how they calculate that. That will determine if it will need a variance. Mr. Robinson – We need to get the fire departments input? Mr. Walsh – They provided input already; I just need to add those comments. Mr. Maki – We could close the Public Hearing tonight, but if members still want to review this letter then we can't. Mr. Walsh – If someone wanted to work on the language, you should keep it open. Mr. Harriman – On the fire station construction we did a bylaw change to allow 40' in height which should cover us. Mr. Milanoski – The way the market is right now, there are some contractors looking for work which is why we are trying to move this along. It would allow

us to get better pricing on the project. If you want to close your hearing tonight that would be great. We are already looking at cost overrun. Are there any major issues with this? If you closed it tonight, the public could not add anything but the board members could. Mr. Maki – I think we can close the Public Hearing. If you want to look at the plan more you could talk with Jim. Ms. Bogart – I am not comfortable with that. In the past I personally have been remanded for asking follow up questions and bringing information before the board after it was closed. I don't see anything major but this was all just given to us tonight and we should all do our due diligence. Going out to bid on October 2nd, our next meeting is September 24 so giving us two weeks to read this should not prohibit them from going out to bid and should not have any detrimental affect. Mr. Maki – How does everyone feel about that? Mr. Hoffman – Even if we close the Public Hearing, we, as Board members can still make comments on the matter, correct Jim? Mr. Walsh – Correct – you are deliberating and interpreting what was presented to you. Mr. Maki – Even if someone from the Board brings in new information? Mr. Milanoski – As long as its within the parameters of the project, it is okay. Mr. Hoffman – I think if there were any major concerns Mr. Glines would have addressed it. The turnaround for the parking was addressed.

Motion to close the public hearing: Mr. Robinson

Second: Mr. Hoffman

Approved: 3-1 (Ms. Bogart)

Mr. Maki – We can review/approve conditions at the next meeting. Any other comments could be incorporated at that time. Mr. Milanoski – Any comments would be appreciated as soon as possible. Mr. Maki – We still have the next two weeks to review.

- On the application of NextSun Energy, LLC, requesting a Special Permit and Site Plan Review, pursuant to Sections 3100, 3580.60 and 5300 of the Carver Zoning by-Law, located at 0, 0R, 60 Rochester Road, Carver, MA (Assessor's Map 92, Lots 14, 15, 16, 17, 20 and 22) to allow the construction and operation of a dual use, large ground mounted solar photovoltaic installation (LSGMSPI) and appurtenant equipment and interconnection in accordance with the solar by-Law in a Residential/Agricultural District.

Sarah Stearns, Beals and Thomas and Ian Ward, Agricultural Consultant

Sarah – We hope to catch Mr. Sinclair up at our next meeting but wanted to open up this hearing tonight. This one is on a much smaller scale. It is made up of three properties – Shores, Perry and Wainio. It is the elevated panels, space farther apart to allow the continuance of crops. As a condition of the dual use program, the farm must stay in production. Mr. Robinson – How far down Rochester Road. Mr. Shores showed the board on the map where it is. Ms. Stearns – You can see the large wooded area. Many of the lots on the other side have significant woods between them and the property as well. It would benefit everyone to do a site walk. We prepared a filing. There are a couple of waiver requests. We have been working with the land owners to update these plans to make sure that the panels are laid out in a way to still allow cultivation and harvest. Fuss & O'Neil is doing their review. We have not received a memo yet. We have been working with Deputy Chief Germaine as Deputy Boyle is an abutter. After conversations with the neighbors, fencing and vegetative screening is proposed. Mr. Robinson – What is the panel height? Ms. Stearns – The panel height is done in conjunction with the smart program. They are single tracking panels and will be in motion. Mr. Ward – The height minimum will be 10' on the axis. Mr. Robinson – Are the panels going to be raised higher in the winter time with less vegetation? Ms.

Stearns – They change throughout the day, following the sun. Mr. Robinson – Can you get the degree of angle and the number of poles? Ms. Stearns – We will get the degree of angle and number of poles. There are no new roads proposed; they will be using existing bog roads. Mr. Robinson – Do we have Dual Purpose in existence and do we know how it's working? Ms. Stearns – There is one other approved but not constructed yet. Mr. Ward – UMASS has one. Mr. Robinson – It would be good to know how it is working. Ms. Stearns – We are actually working closely with UMASS on this. Mr. Maki – How many residents about this project? Ms. Stearns – From about 24 Rochester Rd and 60 Rochester Rd. We have spoken with them already and based our screening/landscape plan on their feedback. It will be good for the Board to see it. Mr. Hoffman – Did all abutters get back to you? Ms. Stearns – Yes, I believe so. Ms. Bogart – How many acres and megawatts is this project? Ms. Stearns – 20 acres and 1 megawatt. There will be three battery storage locations, one on each property.

Mr. Maki – Any audience members have any questions? None heard

Mr. Maki – Let's look at a time/day for site visit.

The Board will meet at 60 Rochester Road on Monday, September 16th at 9:00 AM

Motion to have a Site Walk at 60 Rochester Road for NextSun LLC on Monday, 9/16/19 at 9:00 AM: Mr. Robinson

Second: Ms. Bogart

Approved: Unanimous (4-0)

Motion to continue the Public Hearing to September 24, 2019 at 7:00 PM: Mr. Hoffman

Second: Mr. Robinson

Approved: Unanimous (4-0)

- 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 19C Ward Street (Assessor's Map 120, Lots 6 and 6-1) in Carver, Ma, to allow the construction of a 2.5MW(DC) ground mounted solar and energy storage facility in accordance with the by-Law in a Residential/Agricultural District.

Mr. Walsh – Borrego requested a continuance to the next meeting.

Motion to continue the application for Borrego Solar Systems to September 24, 2019 at 7:00 PM: Mr. Robinson

Second: Mr. Hoffman

Approved: Unanimous (4-0)

Other Business

Planning Board Member Notes:

- Ms. Bogart – Nothing tonight
- Mr. Robinson – Nothing tonight

Planning Board Meeting, September 10, 2019

- Mr. Maki – Nothing tonight
- Mr. Hoffman – Nothing tonight

Planning Director Notes:

Mr. Walsh – Nothing tonight.

Minutes of August 27, 2019

Motion to table the minutes of August 27, 2019, to allow changes to be made: Ms. Bogart

Second: Mr. Hoffman

Approved: Unanimous (4-0)

Next Meeting date:

Our next meeting will be on September 24, 2019 at 7:00 PM

Adjournment:

Motion made to adjourn at 8:28 PM: Mr. HoffmanSinclair

Second: Mr. Robinson

Approved: Unanimous (4-0)