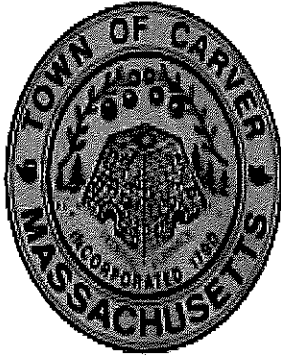


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TOWN OF CARVER

Planning Board

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Minutes of the Zoning Bylaw Study Committee, Monday, April 5, 2021 at Carver Town Hall. The meeting was held in-person and via Zoom, and was recorded by Area 58 cable TV.

Members present: Cornelius Shea, Chairman; Bruce Maki, Vice Chairman; Jen Bogart, Fran Mello and Sarah Hewins (arrived approximately 5:10 pm)

Members absent: Adam Holmes, Chuck Meredith

Others present: Jim Walsh, Planning Director; Helen Zincavage and Bill Napolitano, SRPEDD

The meeting was called to order at 5:05 pm and was followed by the Pledge of Allegiance.

Mr. Shea-At the last meeting we left off discussing some of the most important aspects of Carver. The Chairman introduced Helen Zincavage and Bill Napolitano of SRPEDD.

Ms. Zincavage said that she wanted to give an overview of where we were with the project and budget. She and Mr. Napolitano had reviewed the budget and there are enough funds in the budget to cover another 2-3 meetings to get everything completed. We need to continue to move on expeditiously so that we can get done within the time frame.

Mr. Shea-we made pretty good progress at the last meeting and I think we really narrowed things down and we can review what we have already done.

Ms. Zincavage-Just to review what we have done-we have the draft receiving areas in orange and the draft sending areas in blue (referring to the interactive map). We are hoping to finish the map of the sending areas tonight so that the next meetings can focus on the bylaw text and we can come back to the maps. Going back and forth may be helpful. If we focus on sending areas and where we want them to be so we can have a freewheeling conversation but we did bring in some information from the Town's Open Space Plan. There are two interesting maps in that document. One is the Scenic Resources and Unique Environments Map. Referring to the map on the screen, the map shows a series of starred points that talk about the important places in Carver. We recreated the points and they are shown on the map as green circles.

Mr. Shea-is the green point showing the Great Cedar Swamp? Yes. Ms. Zincavage-We are showing the Tremont Street cranberry bogs. Mr. Shea-did we add some sending areas from this area?

Ms. Zincavage-We discussed it but did not nail down specific parcels. Another map that is helpful is the Open Space Strategy map; areas defined as linking regional projects are shown in gold; areas linking secondary water sources are shown in green; and buffering wetlands are shown in blue. We can play with either of these maps in addition to our parcel based map as you want to consider parcels to include in the sending area.

Mr. Shea-What linking projects are potentially-that's a vast area in gold. I know a bike path from Middleborough through Miles Standish swamp was under consideration for many years. Ms. Zincavage-The map shows these regional resources like the wildlife management area and Miles Standish linking to each other-if it is helpful then we can use the information-if not then we don't have to use it.

Ms. Hewins-Mr. Chair, for the people at home that are watching, the orange areas on the map are identified in the Open Space and Recreation Plan as areas we are looking to preserve. One of the reasons we want to preserve these areas is because the further west and the further south you go in Town, the areas become more wet and more scenic. The map shows that due to wetlands and wetland resources there are very few places in terms of zoning where commercial or industrial uses can go. A lot of blue areas shown on the map are uplands area-buffering bogs. 50% of the town is wet and 50% is cranberry area. It is a big area and you can't change that. A lot of that uplands residents said they wanted to preserve.

Mr. Napolitano-I think you make a great point there Ms. Hewins. The consistency of the maps going back over the years going all the way back to 2000, 2005, 2008, the regional open space plan for the Plymouth-Carver Aquifer, all the same areas jump out. Carver is what it is. When we look at what is worth saving, TDR, potential development-this is what we have to work with in order to make the best decision possible and fine tune it. After we finish the map exercise today, I think that will be it. The choices have been the same even as we take it to a different level of sophistication. It is only the people that have changed. There is this consistency of thought that has gone on here in Carver.

Mr. Walsh asked a question regarding the white areas depicted on the map and Ms. Hewins responded that that specific location on the map is depicting industrial areas.

Mr. Shea-Maybe we should start down by the Tremont Street cranberry bogs

Ms. Mello-do you have a receiving area map that overlays the base map? Ms. Zincavage overlaid the draft receiving area map. In most cases it is mostly within the white spaces. Ms. Mello-did we identify any receiving areas in South Carver? Ms. Zincavage showed on the map areas in South Carver. Parcels on Sampson's Pond were switched from receiving areas to sending areas at the last meeting. A lot of those parcels were under conservation restriction or will be.

Ms. Hewins-Asked to show the white areas in South Carver. The white areas would be South Carver's receiving areas. The problem there, I think that most of the area is built out. If someone wanted to build on a ten acre parcel that already had a business then it would be difficult to build out more.

Mr. Shea-can we look at the Tremont Street bogs as sending areas? One of the few pine barrens left are here in this part of Carver. Ms. Bogart-Those lands border Miles Standish and I think that would be important to include in the sending area. Mr. Shea-potentially developable upland areas should be considered as potential sending areas. Ms. Bogart-definitely those areas east of Tremont Street that abut the state forest. Ms. Hewins-I believe that some of those areas include North Atlantic White Cedar Swamp as well. Ms. Zincavage added parcels into the sending area. Mr. Shea and Ms. Hewins suggested that the Edgwood Bogs and bogs on east side of Tremont Street be added to sending area. Discussion ensued regarding the pine barrens which are located in state forest and the white cedar areas. Ms. Bogart suggested including areas along Cranberry Road leading into the forest as the infrastructure would not support higher levels of development. Cranberry Road has a high number of bicyclists and runners and truck traffic. Discussion ensued regarding cycling/bike paths and bicyclist safety on Cranberry Road, Tremont Street, Federal Road, and Wareham Road. Ms. Hewins added that Tremont Street south from the Plymouth line was a very scenic road, as well as Wareham Street, but very narrow and difficult for cyclists. Mr. Walsh said that a shared use path could be built on the side of roads to make it safer for cyclists.

Ms. Bogart said that we should focus on most valuable parcels of land to save as sending areas. Not to have a lot of smaller parcels of lands. Ms. Mello-How many developable acres of land are there in the sending area? Discussion ensued about the number of developable acres in sending areas. Ms. Zincavage-you can take the net upland and divide by the number of acres to determine the rough number of developable acres and housing units. Discussion ensued on the language of the bylaw to help determine the rules of what we want. It was suggested that if we know the types of parcels we want to protect we can write out what is important to us in the bylaw. Mr. Napolitano- This is an important discussion on how to write a bylaw. There is a purpose, a means, and a reasonableness. The purpose is you want to save a sense of place-what Carver is, the means is part of developing the map-show where we want to protect and where we want development, the reasonableness will come in the language to help you meet the first two. Define what we like and meet the purpose. We can go back to the draft map and write what we want to do and how to do it. Does it make sense? We can finish off the map and then work on the language of the bylaw. Mr. Shea-we can come back and go over the sending and receiving areas.

Discussion ensued about the Spring Street area, High Street and Plymouth Street. Also discussion about potential receiving area off Gate Street. Motion made to remove receiving areas off of Gate Street. Jen Bogart-second. Mello, Shea, Maki, Hewins, Bogart-all aye to remove area off Gate Street area.

Discussion about how to protect upland around bogs especially through ANR lots. Ms. Zincavage said that language in the bylaw will help those situations. There was discussion about Meadow Street. Ms. Hewins discussed a parcel on Bunny's Road. There was discussion about a Makepeace parcel. What is the level of importance of this area to the water supply? It's Darby Pond and Fresh Meadow Pond in Carver.

Mr. Walsh said that TDR is not the only tool to use. You can use other tools to encourage development patterns that you want instead of using ANR lots. Discussion ensued.

Ms. Bogart-I would like to come back to the King Richard's Faire property. I made a case to make that a sending area because it is an awesome parcel of land and see a lot of potential for Town use because it is big, open and clear. The discussion last time was that it would be better for development because it was off Route 58 but couldn't be seen from the road, it could handle more development and could provide access to the abutting open space areas. Ms. Hewins and Ms. Mello agreed it would make a good open space area as it can. Mr. Shea-I see the importance of the land. It is behind everything. Is it better to leave it as a receiving area in order to protect other areas of Town we want to protect? Or leave it alone. Or have a conservation subdivision go in there. Ms. Mello and Ms. Hewins agreed. Could we make the type of development contingent on a certain type of development? Mr. Walsh said that the Town has several types of development in the bylaws that could be used for development. Ms. Hewins suggested that the conservation bylaw could be tweaked to have the designated conservation land go to the Conservation Commission. Mr. Maki-you want to be careful about tweaking the bylaws. Ms. Hewins-I only meant that the Planning Board could have the open space deeded to the Conservation Commission. Mr. Walsh-it has to be left as a choice in the bylaws so that we can avoid a takings issue.

Mr. Maki-we have a lot of sending areas and not a lot of receiving areas. Mr. Walsh-It is a potentially developable area if the area is left as a receiving area then there is an area for some growth in the Town. The Town also has mechanisms in the Town's bylaws, such as rate of growth requirement so that a developer would have to phase its development over time. The Town already has various existing tools that the Town could use, such as Planned Neighborhood Development, that with some tweaks to the bylaw to make a more usable bylaw to create a walkable, neighborhood area and create incentives to open up connections to the open space areas to the general public, the design could include parking areas for the general public from other areas of town could come in and access the open space areas. The tools we have allow for the preservation of open space but allow for a certain level of development. The town will need some housing in the future so here is an already developed area that should be designated for development and you need to determine the density caps you need to consider for the area. How do we manage the density credits being sent to a parcel so that it does not overwhelm the parcel, septic capacity, water capacity on site, remove wetlands from calculations, so the overall acres available for development are shrunk down. Ms. Hewins-ANR lots need to be about 70% upland. Mr. Walsh-you could look at the site where you would have multiple dwelling units on one parcel but there would not necessarily be multiple individual land

parcels. You could create more buffer along the edges and concentrate the homes in the center. People may like that as an alternative. Make it so that you could have a close knit neighborhood where you could meet the neighbors and have private areas. But you could have lots of open space areas for walking and hiking. And maybe there is an opportunity to provide access to the Atwood Reservoir where people can put in their canoes and kayaks. Discussion ensued about the Atwood Reservoir and access to the parcel.

Ms. Bogart-Being a TDR sending area would not prevent the area being developed as a conservation subdivision. I am thinking down the road the Town may need additional municipal land for a future use. There are not many plots of land that are available that are level and open and potentially developable for municipal use. Discussion ensued. Questions arose about if designated a sending area then the land would be placed in a trust and could not be developed for any use. Mr. Shea-If the land were a Receiving Area it is large enough for a small village. That could save multiple other acres in the Town. Ms. Bogart-the town is going to grow and grow and we need land for town purposed in the future. Ms. Hewins-It would be expensive to acquire the land-it's a big piece of land, where would we get the money? Mr. Shea, I would leave it and hope that we could keep people coming into King Richard's Faire and then if it is not working bring some resources together and then bring them in.

Ms. Hewins-it is also possible to do some of the things that Mr. Walsh outlined and the outlying areas will be protected. Mr. Shea mentioned it does not have a public water supply. Ms. Hewins-It does not have to have a municipal water supply to be a receiving area. Somebody could build on the cleared areas like Mr. Walsh was describing and have multiple wells. Mr. Maki-When you are looking a big piece of property like that you have room for multiple wells and septic so that you could space them apart. If you have a small lot you it's harder to separate the wells and the septic systems. I can see it both ways. But you can accommodate different developers and sending areas on this parcel. If you could cluster the development and have trails going out to the reservoir and stuff like that it would be really nice. My wife and I are always looking for places to hike, walk and bike, so its nice for to have a purpose for the properties we are saving. In other towns the have paved bike trails so that people can walk and bike next to the road and they connect the trails to the schools and other areas. The parcel is in a great location for development because it is off of Route 58 and it connects to Route 44 and Route 495, it is ideal because of its location.

Ms. Bogart-This could be a meaningful property for the Town and putting it in a sending area does not have to happen, I just like the idea of telling a developer that the town values this land.

Ms. Hewins-Ms. Bogart, I love that idea too, but as Mr. Maki pointed out, the parcel is in a pretty appropriate place for someone who may want to develop, but having said that there might be ways for the developer to be encouraged to protect most of it. I would like the town to buy most of what comes to it, but it come to the question of where are we going to get the money. That is a big parcel. Makepeace owns 3,000 acres in Carver and this parcel is smaller than that and I would prefer to protect the parcel on Bunny's Road.

We have to make some decisions. Mr. Napolitano-it doesn't have to be an either/or, so long as you have the tools at your disposal in the appropriate situations. When a developer comes to town they will look at your master plan, they will look at your bylaws and they will look at your subdivision rules and regulations, open space plan and any regional plans before they even approach the town. When they come in to approach the town they are going to be familiar with your plans. So it is a matter of knowing how to use those tools. The master plan is the vision for Carver.

Mr. Walsh-It is getting to 6:30, are there some other areas that should be included for sending areas? Do we want to have some criteria for sending areas?

Ms. Hewins-Could you send us the map? I may have some additional sending areas to suggest after I look at my maps.

Mr. Shea-Not everyone is here. People will have to do some reading of the TDR bylaws to suggest language. We are looking at what to keep, save and develop.

Mr. Napolitano-We can start to develop some of the language based on what we have been doing with the mapping based on our notes.

Mr. Shea-It appears that there is a lot of sending areas but when you factor in wetlands and cranberry bogs there is not really a lot.

Ms. Hewins-can you send the maps with the parcels and the wetlands?

Ms. Zircavage-I will send a map where you turn the layers on and off.

Next meeting is May 3rd.

Meeting adjourned at 7:00 pm.