



TOWN OF CARVER

Office of Planning & Community Development

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Planning Board Minutes November 5, 2013

Posted in Accordance with the Provisions of M.G.L. Chapter 30A, Section 20B, authorized person Jack Hunter.

The Carver Planning Board met on November 5, 2013, at the Carver Town Hall, Meeting Room # 1, 108 Main Street, Carver, MA. Mr. Bruce Maki opened the meeting at 7:00 pm.

PRESENT: Bruce Maki, Chair; Rosemarie Hanlon, Vice Chair; Kevin Robinson, Secretary; Chad Cavicchi, Member; William Sinclair, Member

ALSO PRESENT: Jack Hunter, Director of Planning and Community Development; Brandon Vicente, Carver Power Equipment; Bill Madden, GAF Engineering; George Rogers, AD Makepeace; Michael Utle, Crop Production Services; Kathy Seely, Carver Animal Control Officer; Stephanie Billings, Aunt Steph's Doggie Daycare; Michelle & Matthew Deignan; members of the public.

NEW BUSINESS:

A. Sign Permit - Brandon Vicente/Carver Power Equipment – 49 North Main St (#P-426-13-S)
(Exhibit 2)

Mr. Hunter introduced the sign application for Mr. Brandon Vicente of Carver Power Equipment and told the Board that the sign was already up, on the posts with the sign for Emerald Landscape Supplies. Mr. Vicente apologized for not applying for the permit before mounting the sign. Ms. Hanlon asked if there was any lighting on the sign. Mr. Vicente said there is not, but believes it is wired for landscape lighting, which was permitted for Emerald Landscape.

MOTION: by Mr. Sinclair to approve the sign permit application for Carver Power Equipment

SECOND: by Mr. Robinson

APPROVED UNANIMOUSLY

Mr. Hunter didn't know if the sign required a building permit, but believes it would be included in the permit for Emerald Landscape.

B. Receipt of Plans – AD Makepeace/Read Custom Soils – Federal Road (#P-427-13-SPR)

Mr. Bill Madden of GAF Engineering and Mr. George Rogers of AD Makepeace appeared before the Board to present the plans of Read Custom Soils (Exhibit 3) for the construction of two interim mixing pads and five temporary storage enclosures off Federal Road. Mr. Madden presented the specifics for the pads and bins, stating that there would be no electricity and no heat.

Mr. Sinclair asked Mr. Hunter if this is part of a future development, if the company plans to come before the Board with a site plan review request. He also wanted to know what would happen if the pads are built and the SPR not approved. Mr. Hunter explained that there is no

building permit needed because there are no abutters, no utilities and this would not be a permanent foundation.

Mr. Madden said they are processing plans for the facility and would present the Board with a SPR application by June or July at the latest. He explained that they are presenting these plans to the Board now, before a formal site plan review submission, due to the necessity to get the pads constructed before the winter comes. The current location of the mixing facility for Read Custom Soils will be closing earlier than expected and the pads need to be before the spring.

Mr. Cavicchi noted that site work can be done with no permission required. Mr. Maki questioned if this even needed to come before the Planning Board. Mr. Sinclair asked if there would be any public visitation at the site and was concerned about fire safety. Mr. Rogers said there would be no public, only trucks visiting the site. He was not sure if the Planning Board had any jurisdiction over this, but wanted to inform the Board.

MOTION: by Mr. Sinclair to waive the site plan review for two pads and five structures, contingent upon any public safety issues or comments and a review by the Town Engineer, to be addressed at the Planning Board meeting on November 19, 2013

SECOND: by Mr. Robinson

APPROVED UNANIMOUSLY

OLD BUSINESS:

C. 7:15 PM Public Hearing (continuation) – Crop Production Services - Special Permit/Site Plan Review: Warehouse/Retail Space (#13-SP/SPR-414)

Mr. Mike Utley presented the Board with a list of items to be stored (Exhibit 4-A), a fence cut sheet (Exhibit 4-B), and a picture of the sign (to be reduced 6 sq inches and have address at bottom) (Exhibit 4-C). He informed the Board that the budget had been set and that the building size will need to be reduced to accommodate the budget and to prevent the need of a sprinkler system. The estimate for the sprinkler system (Exhibit 4-D) required for the planned building puts the business way over budget. Mr. Utley said they are considering having the office space in a building separate from the storage, but it would need to be 40' away from the storage building. They will come back before the Board once Mr. Utley, the CPS corporate office, and the fire department have worked through the details.

There were no public comments.

MOTION: by Mr. Sinclair to continue the Public Hearing for Crop Productions Services to December 3, 2013, at 7:15pm.

SECOND: by Ms. Hanlon

APPROVED UNANIMOUSLY

APPOINTMENT

D. Auntie Steph's Doggie Daycare – Annual Review (#12-SP-387)

Mr. Hunter read out condition #20 of the Decision of October 17, 2012, for Auntie Steph's Doggie Daycare, which states:

This permit is valid for one (1) year from the date of issuance, at which time the Planning Board shall conduct a meeting with the applicant at a regularly scheduled Planning Board meeting and all abutters shall be notified. At that time a progress report shall be given by all parties including the Animal Control officer. At that time the Board may take any action necessary to further mitigate the proposal or may initiate proceedings to rescind the application.

The Board was presented with a memo (Exhibit 5-A) from Kathy Seely, the Animal Control Officer (ACO), of a list of complaints and responses with regard to the Daycare, an ACO inspection report of the Daycare (Exhibit 5-B), and a list of dogs that are cared for at the Daycare (Exhibit 5-C). Mr. Hunter informed the Board that there were three options the Board could pursue: the conditions could be mitigated or added to; the Decision could be rescinded for violations, which would require a public hearing; or they can leave the Decision as is.

Ms. Seely was present and told the Board that she had received several complaints involving the Daycare and had followed up on the calls, but found the Daycare not to be in violation of anything, that it was clean and had all the licensing and vaccinations up to date. There had been no vicious dog complaints.

Ms. Michele & Mr. Matthew Deignan of 59 Center Street, direct abutters, spoke in objection to the Daycare. Ms. Deignan refuted Ms. Seely's statement that she had followed up on the complaints, as she made complaints and was not contacted by Ms. Seely for more information or to respond to the complaints.

Mr. Hunter reminded the Board that the ACO is under the authority of the Town Administrator, not the Planning Board.

Mr. Sinclair inquired of Ms. Stephanie Billings, the Daycare owner, how the business is doing, how many clients she has, and if her records are up to date. Ms. Billings answered that the business is doing well, that she has 16 or 17 clients, and that her records are up to date. Mr. Sinclair noted that one of the conditions of the Decision was to install a stockade fence between the Billings' and the Deignan's properties within two years. Ms. Billings told the Board that it has not been done yet, but she is planning to do it within the year.

Mr. Sinclair said he did not see that the Daycare was in violation of any of the conditions set forth by the Planning Board. Ms. Hanlon asked the Deignan's if they had observed any violations. They said that they never saw any trash pick-up or a receptacle. One of the conditions is that there be trash pick-up a minimum of twice a week. Ms. Billings responded that there was such little trash produced that they disposed of it directly at the dump, and asked if the condition could be changed.

Mr. Hunter suggested that both the Board and Ms. Billings should submit a list of any changes to the conditions they would like to have considered, and that the Deignans should submit a list of all the violations they believe the Daycare has committed. He also told the Board that all abutters had been notified of the meeting.

MOTION: by Mr. Sinclair to continue the annual review for Auntie Steph's Doggie Daycare to November 19, 2013, at 7:30pm.

SECOND: by Ms. Hanlon

APPROVED UNANIMOUSLY

OTHER BUSINESS:

E. Planning Board Notes: None.

F. Planner's Notes:

Mr. Hunter told the Board he is working with SRPEDD and the Building Study Committee for the Master Plan revision (draft Exhibit 6). He said he will probably recommend it to be placed on the warrant in February for Town Meeting.

Mr. Hunter showed the Board a photo (Exhibit 7) of the site at Wrightington Gas, showing that the storage building would not be seen from the road.

Carver Gas submitted (too late for this meeting) an image of the directional sign (Exhibit 8) they would like to install, and will be on the agenda for November 19, 2013.

G. Approval of Minutes: October 15, 2013 (Exhibit 9)

MOTION: by Mr. Sinclair to approve minutes of October 15, 2013 as written

SECOND: by Ms. Hanlon

APPROVED UNANIMOUSLY at 8:45pm

H. Correspondence:

Mr. Hunter received a letter from the Crystal Lake Community Garden Sub-Committee (Exhibit 10) thanking him for help with the garden. The trees have been cut down but the stumps are still there.

I. Adjournment:

MOTION: by Mr. Sinclair to adjourn

SECOND: by Ms. Hanlon

APPROVED UNANIMOUSLY

The Carver Planning Board meeting was adjourned at 8:47pm on November 5, 2013.

Table of Documents

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| Exhibit 1 | Meeting Agenda – November 5, 2013 |
| Exhibit 2 | Sign Permit Application, Brandon Vicente |
| Exhibit 3-A | Read Custom Soils mixing pad plans |
| Exhibit 4-A | Crop Production Services memo of items to be stored |
| Exhibit 4-B | Crop Production Services fence cut sheet |
| Exhibit 4-C | Crop Production Services sign photo |
| Exhibit 4-D | Crop Production Services sprinkler quote |
| Exhibit 5-A | Animal Control complaint memo |
| Exhibit 5-B | Animal Control Kennel Inspection Report of 10/2/13 |
| Exhibit 5-C | Auntie Steph's Doggie Daycare list of dogs |
| Exhibit 6 | Carver Master Plan SRPEDD Price Estimate |
| Exhibit 7 | Wrightington Gas photo |
| Exhibit 8 | Carver Gas directional sign image |
| Exhibit 9 | Planning Board Minutes of October 15, 2013 |
| Exhibit 10 | Crystal Lake Community Garden Sub-Committee letter of 10/30/13 |