



# TOWN OF CARVER

## Office of Planning & Community Development

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### Planning Board Minutes May 20, 2014

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

The Carver Planning Board met on May 20, 2014, at the Carver Town Hall, Meeting Room # 4, 108 Main Street, Carver, Massachusetts. Ms. Rosemarie Hanlon opened the meeting at 7:02 pm.

**PRESENT:** Rosemarie Hanlon, Chair; Jim Hoffman, Secretary; Chad Cavicchi; Kevin Robinson

**ABSENT:** Bruce Maki, Vice-Chair

**ALSO PRESENT:** Jack Hunter, Director of Planning and Community Development; Mark Cohenno, National EMS Institute; Brian Grady, GAF Engineering; Bob Belbin; Kathy Kay, Administrative Assistant

#### NEW BUSINESS

**A. Receipt of Plans: Sign Permit – National EMS Institute – 90 Main St (#P-436-14-S): discussion and possible vote (Exhibit 2)**

Mr. Mark Cohenno of National EMS Institute presented his sign permit application to the Board. The Institute has been located in South Carver but has run out of space and are moving into the old Sedell's plaza, with a lease to buy. The Institute has three locations in Massachusetts and hopes to have eleven more by next year. There will be adult education in the old pharmacy area, and they will have a café for the students.

The Board raised questions of Fire approval, parking spaces, and internally lit signs. Mr. Hunter will check on the number of parking spaces and said that the signs are grandfathered for internal lighting (the only thing changing is the message), and noted that they have gone through the occupancy permit process.

**MOTION:** by Mr. Cavicchi to approve the National EMS Institute sign package

**SECOND:** by Mr. Hoffman

**APPROVED UNANIMOUSLY**

#### OLD BUSINESS

**B. Discussion and possible endorsement – F. Van Johnson - Form A – 82 Forest Street (#P-557-14-A) (Exhibit 3)**

Mr. Brian Grady of GAF Engineering reviewed the Form A application of Van Johnson for 82 Forest Street, noting that it did not receive a rear lot designation in 2003 because it

was intended to be a cranberry bog. It was not excavated deeply enough for a bog, so they went before the Conservation Commission and the land was designated as upland. It meets the qualifications for a rear lot with 50' of frontage, upland, and acreage. Mr. Kevin Forgue of GAF Engineering confirmed that Mr. Robinson is not an abutter.

**MOTION:** by Mr. Cavicchi to endorse the Form A, as a rear lot

**SECOND:** by Mr. Hoffman

**APPROVED UNANIMOUSLY**

**C. Discussion and possible endorsement – Charles Johnson - Form A – 28 Fosdick Road (#P-558-14-A) (Exhibit 4)**

Mr. Brian Grady of GAF Engineering reviewed the Form A application of Charles Johnson for 28 Fosdick Road, noting that it is a division of one lot into two, both with the appropriate frontage and acreage and no wetlands.

**MOTION:** by Mr. Cavicchi to endorse the Form A for Charles Johnson

**SECOND:** by Mr. Hoffman

**APPROVED UNANIMOUSLY**

**D. 7:15 PM PUBLIC HEARING – to provide interested parties with an opportunity to comment on proposed changes to the Carver Zoning Bylaws, including the following: changes to Section 2110 of Article II and Section 3570 of Article III; creating a new Section 4680; deleting Section 4950; and adding a new Section 4950 of Article IV: discussion and possible vote**

Ms. Hanlon opened the public hearing at 7:22pm, reading out the public hearing notice (Exhibit 5-A) for the proposed changes to the Carver Zoning Bylaws.

**DISCUSSION - Internally Lit Signs** (Exhibit 5-B: red print proposed changes, blue print Town Counsel suggestions): Mr. Hunter stated that the current bylaw prohibits internally lit signs without applicants going before the Zoning Board of Appeals, after applying to the Planning Department. The proposed change would allow internally lit signs with a Special Permit approved by the Planning Board, in specific zones. Mr. Hunter said it is good for business and primarily affects gas stations.

**PUBLIC COMMENT:** Mr. Robert Belbin of 26 Gate Street, Carver, noted that the proposed zoning amendments were not on record with the Town Clerk's office as stated in the public hearing notice and asked the Board to postpone the vote and readvertise. Mr. Hunter said he had received no requests for the information except from Mr. Belbin, to whom he gave the proposals, but recommended that the Board continue the hearing to June 3, 2014. He would check with Town Counsel about legalities of the posting.

**DISCUSSION – North Carver Landfill Overlay District** (Exhibit 5-C): Mr. Hunter said that the Selectmen had asked for a solar array on the North Carver landfill but a zoning amendment is needed as solar is not allowed in General Business zones.

**PUBLIC COMMENT:** Mr. Belbin again noted that the proposed zoning amendments were not on record with the Town Clerk's office. He also asked if the amendment would apply to all landfills and suggested that the setback from the road be 100' rather than 50'. Mr. Hunter answered that the amendment is specific to the North Carver Landfill and that the 50' setback is in the existing requirements.

**DISCUSSION – Medical Marijuana Facilities (Exhibit 5-D):** Mr. Hunter noted that this bylaw was written by the Medical Marijuana Moratorium Committee that was chaired by Ms. Hanlon, working with Town Counsel.

**PUBLIC COMMENT:** Mr. Belbin suggested several changes to the bylaw, which Mr. Hunter asked he submit in writing so the Police Chief and Town Counsel could review, to which Mr. Belbin agreed. There was no further public comment.

**MOTION:** by Mr. Hoffman to continue the public hearing to June 3, 2014, at 7:30pm

**SECOND:** by Mr. Cavicchi

**APPROVED UNANIMOUSLY**

**E. 7:20 PM PUBLIC HEARING, in conjunction with the Road Commissioners – to receive comment regarding the street acceptance for Morrissey Drive, which will be presented at the Annual Town Meeting on June 2, 2014: discussion and possible vote (Exhibit 6)**

Ms. Hanlon opened the public hearing for the street acceptance. Mr. Hunter told the Board that before he retired, Mr. William Halunen asked that Morrissey Drive be accepted as a public way.

**MOTION:** by Mr. Robinson to continue the public hearing to June 3, 2014, at 7:35pm, with the understanding that Town Meeting was moved to June 16, 2014.

**SECOND:** by Mr. Hoffman

**APPROVED UNANIMOUSLY**

**F. 7:30 PM PUBLIC HEARING – Marketplace Square LLC – 124-128 Main St. – Special Permit – Apartments Above Commercial and Minor Modification (#P-433-14-SP/MM): discussion and possible vote**

Mr. Hunter asked that the public hearing be continued, as the applicant recently had surgery.

**MOTION:** by Mr. Hoffman to continue the public hearing to June 3, 2014, at 7:45pm

**SECOND:** by Mr. Robinson

**APPROVED UNANIMOUSLY**

**OTHER BUSINESS**

**G. Planning Board Notes:** None.

**H. Planner’s Notes**

Mr. Hunter informed the Board that he had met with Mr. Robert Moore, Mr. Cavicchi, Mr. Peter Allegrini, and the Police Chief at the Plymouth-North Main Street site being leased by Moore Dogs. They came to a mutually agreed upon solution to the traffic issue, using traffic cones and “No Left Turn” signs. Ms. Hanlon thanked Mr. Cavicchi for his work.

Mr. Hunter showed the Board a plan (Exhibit 7) showing the actual location of Federal Road, as surveyed for the Makepeace solar project, vs. the location on paper. The paved road runs on land owned by Makepeace, and Town Counsel is working with them to resolve the issue.

Mr. Hunter told the Board that the BDC promotional video is being made. They have interviewed some business owners and done a fly-over of the town.

Mr. Hunter informed the Board that the Governance Committee is having a public hearing about their suggested changes of how to do business.

Mr. Hunter said that he had attended a meeting with Edaville and the neighborhood group, which has been meeting every three months. Edaville is looking for a rescission of a subdivision so sidewalks can be installed.

**I. Approval of Minutes: May 6, 2014 (Exhibit 8): discussion & possible vote**

**MOTION:** by Mr. Hoffman to accept the minutes of May 6, 2014

**SECOND:** by Mr. Robinson

**APPROVED 3-0-1**

AYE: Hanlon, Hoffman, Robinson

ABSTAIN: Cavicchi

**J. Correspondence**

Ms. Lynn Doyle, Town Clerk, has asked that all Board members be reminded to sign that they received a copy of the Summary of the Conflict of Interest Law (Exhibit 9) and complete the online training program every two years.

**K. Adjournment**

**MOTION:** by Mr. Cavicchi to adjourn

**SECOND:** by Mr. Hoffman

**APPROVED UNANIMOUSLY**

**The Carver Planning Board meeting was adjourned at 8:19pm on May 20, 2014.**

Respectfully submitted,  
Kathy Kay

**Table of Documents**

Exhibit 1	Meeting Agenda – May 20, 2014
Exhibit 2	National EMS Institute Sign Permit application
Exhibit 3	Van Johnson Form A application for Forest Street
Exhibit 4	Charles Johnson Form A application for Fosdick Road
Exhibit 5-A	Public Hearing Notice for proposed changes to Zoning Bylaws
Exhibit 5-B	Proposed Bylaw change for internally lit signs
Exhibit 5-C	Proposed Bylaw change for Landfill Overlay District
Exhibit 5-D	Proposed Bylaw change for Medical Marijuana Facilities
Exhibit 6	Public Hearing Notice for Morrissey Drive street acceptance
Exhibit 7	Plan of Federal Road on Makepeace property
Exhibit 8	Planning Board meeting minutes of 5/6/14
Exhibit 9	Summary of Conflict of Interest law
Exhibit 10	Planning Board 5/20/14 meeting sign-in sheet