

## Wade Street Timeline Detail

#10 During the RDA Nov 12, 2010 meeting, concern was growing as the RDA was learning that the adjacent lot owned by the Boulay's was encroaching the Recreation Area lot on a slow but steady basis by building several stone walls, making a paved entrance onto the property into the direction of their property and electrifying underground from the telephone pole to a building on their property. A letter was drafted and signed by the Chairman Will Sinclair and requested the Town Planner (Jim Walsh) to send out a "Cease & Desist order" letter to the Boulay's. The letter was sent certified and sent on Nov 26, 2019. Discussion again during the RDA meeting of Dec 10, 2019 only to learn that the letter was never picked up by the Boulay's. **Jim Walsh's certified letter and pictures are attached for reading including the recent taken on July 30, 2022. As an outstanding issue which exist today, one needs to talk about enforcement.**





appraised  
12/10/19

Meeting Minutes for November 12, 2019 at 5:30 PM, Carver Town Hall, Room 3

This meeting was videotaped for cable cast area 58, channel 15.

Attendees: Savery Moore, Vice Chair; Brian Abatiello; Sharon Clarke

Also in attendance: Jim Walsh, Planning Director

Absent: William Sinclair, Chairman; Johanna Leighton

Meeting opened by Mr. Moore at 5:30 PM

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*Motion to enter executive session at 5:31PM: Ms. Clarke*

*Second: Mr. Abatiello*

*Approved Roll Call all affirmative (3-0-0)*

Forest Street Project

- Update from Vice Chair on sale of property

Mr. Moore – I believe Mr. Sinclair was going to put this property on the Central Registry but I have no information on that. Ms. Clarke – We set a price at our last meeting of \$175K but we don't know if it made it to the site.

*Motion to table until the next meeting: Mr. Abatiello*

*Second: Ms. Clarke*

*Approved: Unanimous (3-0-0)*

Treasurer's Reports:

Johanna is not here tonight. She noted that there was a typo on the Excel sheet, page 2. She asked to delay review until the next meeting.

Bills –

James Toner appraisal invoice and the Clancy Appraisal -



Discussion – Mr. Moore We have invoice from Clancy as well. We should have Mr. Walsh request additional money from Rte. 44 Developers, to the refill the account. Ask him for \$7000. We will table paying them until money is in the account.

*Motion to have Mr. Walsh contact Rte. 44 for additional \$7000 to pay for appraisal costs: Mr. Abatiello*

*Second: Ms. Clarke*

*Approved: Unanimous (3-0-0)*

**Discussion on Wade Street property:**

Ms. Clarke - Did the cease and desist letter go out? Mr. Walsh – No it did not. I am not sure exactly where the 25' entrance is. Should we have a surveyor come out? Mr. Abatiello showed Mr. Walsh exactly where it is marked on the map. It is not wide enough to have a road in there which is why it was never used for that. Ms. Clarke – It is 20' on the map. The abutter put up a stone fence and it needs to be removed. Mr. Abatiello – It has caused issue with snow removal there as well. Ms. Clarke – Before we go to the expense of having a surveyor come out, I think we should proceed with the cease and desist letter via certified mail. Mr. Moore – The rock wall looks to be on the abutters property? Ms. Clarke – No. Ms. Clarke and Mr. Abatiello showed Mr. Moore and Mr. Walsh the layout on the map. Ms. Clarke – That parcel is actually owned by the RDA. We will follow up with Will when he returns.

*Motion to move the discussion for the Wade Street property with a reminder to Will to write the Cease and Desist*

*Letter: Ms. Clarke*

*Second: Mr. Abatiello*

*Approved: Unanimous (3-0-0)*

**Minutes:**

*August 13, 2019, Executive Session*

*September 9, 2109 Executive Session*

*October 8, 2019 and October 8, 2019 Executive Session*

Discussion – We can not vote on Executive Sessions Minutes yet.

*Motion to approve the 10/8/19 Meeting Minutes, as written: Mr. Abatiello*

*Second: Ms. Clarke*

*Approved: Unanimous (3-0-0)*

**Next Meeting:**

*Motion to schedule the next meeting on December 10, 2019 at 5:30 PM: Ms. Clarke*

*Second: Mr. Abatiello*

*Approved: Unanimous (3-0-0)*





108 Main St, Carver, MA 23330

DELIVERED BY CERTIFIED MAIL

November 26, 2019

Charles and Mary Boulay or  
Owners of Record  
16 Wade Street  
Carver, MA 02330

Dear Mr. and Mrs. Boulay,

The Carver Redevelopment Authority (CRA) owns the property located at 0 Wade Street (Assessor's Map 112, Lot 3-B). The CRA owns the 25-foot right-of-way located between your property at 16 Wade Street and the abutting property at 17 Wade Street. It has come to the CRA's attention that a stone/brick wall was built across the CRA's right-of-way that matches the construction of the wall located in front of your property.

The CRA is requesting that you take action to remove the wall in front of the CRA's right-of-way. Please respond to this letter by December 3, 2019 to let us know your intentions and timeline for removing the wall. Thank you for your cooperation.

Regards,

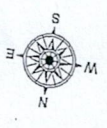
Will Sinclair,  
Chairman

CC: CRA Members  
Town Administrator

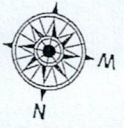
Attachments



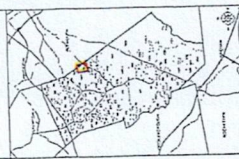
PROPERTY MAP  
Town of Carver  
MASSACHUSETTS



**Disclaimer**  
This map is for assessment purposes. It is not valid for legal description or conveyance.  
The information shown on this map was obtained from the Assessor's Office, Town of Carver, Massachusetts, and is not guaranteed to be accurate. Original property maps were prepared by the Assessor's Office and are available for review and reproduction in January 2025 for AppGco Inc. at the Assessor's Office, 100 State Street, Carver, MA 01917.



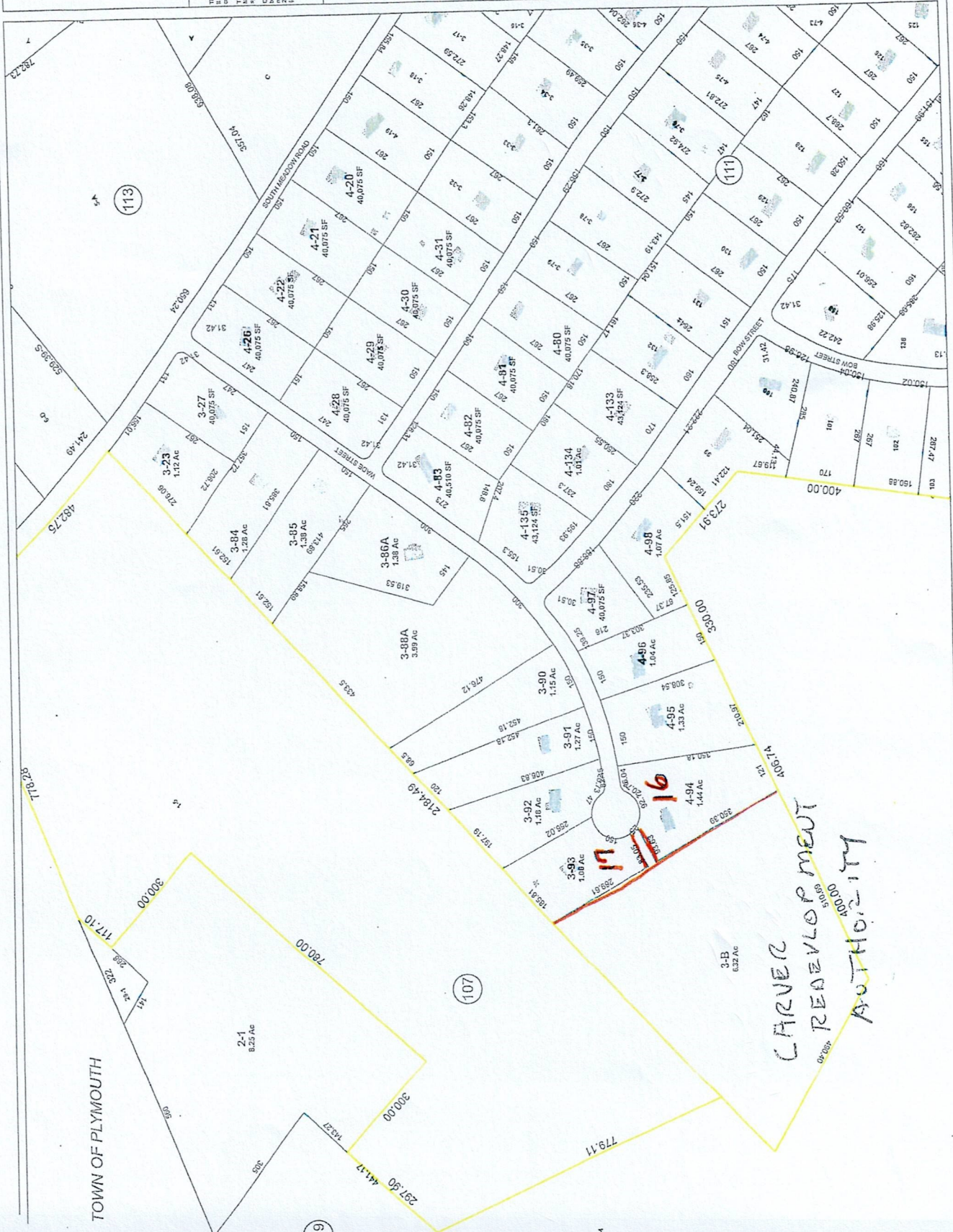
1 inch = 100 feet  
0 50 100  
Feet



Map Legend

- Parcel
- Public Road
- Unpaved Road
- Building
- Easement
- Adjacent Map No.
- Pond, Lake
- Town Boundary

MAP NO. 112



CARVER  
REDEVELOPMENT  
AUTHORITY

TOWN OF PLYMOUTH





OCT 8 →

SEND CEASE & DESIST ORDER

















TAKEN 7-30-2022

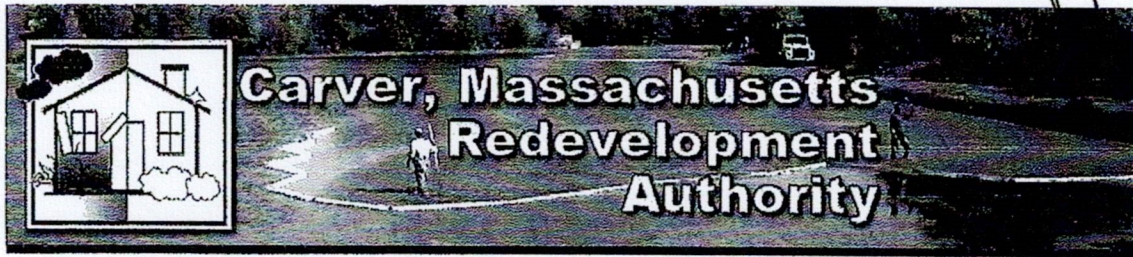




TAKEN 7-30-2022



approved  
1/14/2020



Meeting Minutes for December 10, 2019 at 5:30 PM, Carver Town Hall, Room 3

This meeting was videotaped for cable cast area 58, channel 15.

Attendees: Will Sinclair, Chairman; Savery Moore, Vice Chair; Sharon Clarke; Johanna Leighton

Also in attendance: Jim Walsh, Planning Director; Michael Milanoski, Town Administrator

Absent: Brian Abatiello

Meeting opened by Mr. Sinclair at 5:33 PM

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Executive Session – Move to go into Executive Session pursuant to G.L. c.30A, 21(a)(6) if discussing the matter in open session with respect to land acquisition via eminent domain as approved in the Urban Renewal Plan; (Parcel 22-3-1-R, 7.9 acres, owned by Mr. David Borofski of Plymouth) may have a detrimental effect on the bargaining position of the Redevelopment Authority if held in open session, and to reconvene in open session for purpose of adjournment.

*Motion to enter executive session at 5:34 PM: Mr. Moore*

*Second: Ms. Clarke*

*Approved Roll Call all affirmative (4-0)*

Forest Street Project

- Update from Vice Chair on sale of property -

Mr. Moore – We thought that based on a previous meeting, this would go to the Central Registry at the same time it was posted. Mr. Sinclair – At that stage, I had stepped away from the project. Mr. Walsh – I don't think that was done. Mr. Sinclair – That would need to be done. Mr. Walsh will follow up on that. Mr. Moore – The decision was made, on the minutes, that the Central Registry would be done at the same time, with a price of \$175K. Ms. Leighton – I believe someone else was interested in the property? Ms. Clarke – Jack Williams was interested. Mr. Moore – I haven't heard from anyone but it is not listed anywhere. Ms. Leighton – Jim can you communicate with Savery so that he can manage the advertising piece?

- Wade Street –



We sent a letter to the Boulays, regarding encroachment. We have not received the card back as of today and have not received a call from them. Mr. Walsh – I suggest sending a new one with some method of tracking. Ms. Leighton – At the Select Board meeting, Wade Street came up. They voted to approve accepting the property back and go to the Registry of Deeds. Mr. Moore – They voted a long time ago to take it back (around 3/2010) and never did the paperwork. Mr. Sinclair – Are you thinking we should not send a new letter? Ms. Leighton – No, I don't think we should. Mr. Walsh – Should we send a letter to the Select Board? Mr. Moore – Yes, we should tell them about it and let them follow up. Mr. Sinclair – Do we have any expenditures on that property? We are supposed to get it back if there are any. Ms. Leighton will check on that. Ms. Clarke – Jim will provide a copy of the letter that was sent to the Boulays to Mr. Milanoski.

#### Treasurer's Reports:

The \$7K check was given to Ms. Leighton. We are waiting for money to pay the appraisals.

*Motion to authorize Ms. Leighton to pay the bills with the money that just came in: Ms. Clarke*

*Second: Mr. Moore*

*Approved: Unanimous (4-0)*

The balances, in the following accounts, are as of November 2019

- Checking - \$ 463.28
- Urban Renewal Plan Account - \$ 3015.85
- Savings Account - \$30,261.37

Savings interest YTD is \$ 91.73

Urban Renewal interest YTD \$0.83

*Motion to accept the treasurers report for November, 2019: Mr. Moore*

*Second: Ms. Leighton*

*Approved: Unanimous (4-0)*

Ms. Leighton – Mr. Moore and Ms. Clarke need to go to Rockland Trust to do signature cards. I will let them know you are coming.

#### **Bills –**

James Toner appraisal invoice -

Clancy Appraisal Co.-

Discussion:

Carver Redevelopment Authority 12/10/19



## **Wade Street Timeline Detail**

#11 On Dec 3, 2019, the RDA learned that SB Bob Belbin's request to talk about Wade St. came to fruition with action from the SB Chairman Ron Clarke. There was a vote of the members to take action, have the new Wade St. deed created and filed at the registry and have it secured with the town.





## CARVER SELECT BOARD-REVISED

### AGENDA

December 3, 2019

7:00PM Town Hall – Meeting Room #1

Posted in accordance with the provisions of M.G.L. Chapter 30A, §20b

**Announcements:** This meeting is being cablecast by Area 58-Community Access Media, Channel 15. There are openings on several Committees - please refer to Select Board page on our website for a listing and application.

*The Board chairman reasonably anticipates the following matters will be discussed and/or voted on at this meeting:*

- 7:00PM Pledge of Allegiance & Community Prayer  
7:05PM Citizens Participation  
7:10PM Public Hearing: Carver EEN Beverages, LLC DBA Carver Spirits (133 North Main St.) & Commonwealth EEN AB, LLC DBA Carver Beer & Wine (303 Tremont St.) & Application for Common Victualler License for each location  
7:15PM Fence Viewer appointment: Donna Forand  
7:20PM Wenham Shores Conservation Restriction: Johanna Leighton  
7:30PM Select Board Votes
- Discussion and possible vote on dissolving of long standing committees that no longer meet or serve its original purpose: Audit Committee, Bike Path Committee, Carver Municipal Affordable Housing, Municipal Playground, OPEB Study, Open Space Committee, Tax Relief Study Committee, Town Building's Study Advisory Committee & Pre-Disaster Mitigation Committee.
  - Carver, Marion, Wareham Regional Refuse Disposal District:
    - Need to book a hazardous waste day now for next year
    - Does the SB support the CMWRRDD as a District or to reduce to a "skeleton committee"?
    - Does the SB support continuing a transfer station through the Waste District or a Municipal Agreement with Wareham?
    - Does the SB have any interest in including Rochester or another Town into the district or Municipal agreement?
    - Will the SB support a 2 year with a possible 1 year extension period for the Waste District or Municipal Agreement to continue the availability of having a Transfer Station located in Rochester or Wareham?
    - Is SB interested in having its own Transfer Station in Carver?
    - Is there any other option for reduced costs of household waste?
    - If support of the District or a Municipal Agreement with Wareham or others municipals, is the Town interested in having a Preferred Hauler?
  - Wade St. deed (requested by Belbin)
  - 2020 License Renewals: Liquor, Common Victualler, Automatic Amusement, Entertainment, Class I, II, III, Commercial Garage - *see attached list for renewals*
  - ABCC Approval of Seasonal Population
  - KP Law hourly rate change to \$195.00
- 8:15PM Town Administrator Update:
- Police Station Contract Awarded in amount of \$7M for only construction of base building and project budget
  - Capital Budget as approved for next 10 years.
  - 10 year forecast and free cash for ATM.
  - Presentation on Community Living and Finance Re-structure plan as well as Cap Outlay and FinCom
  - Update on MassWorks Grant for Urban Renewal Plan and Rt. 44 Development
  - Update on Tree Funds donations for town hall complex and other key areas in town
- 8:55PM Minutes/Licenses/ Topics not reasonably anticipated by the Chairman 48 hours in advance of meeting
- Amended Minutes of 11/5/19
  - Request for One Day Special License for Extension of one hour: Tiki Kye on New Year's Eve 1/1/2020
  - Next Meetings: 12/17/19, 1/7/20, 1/21/20, 2/4/20, 2/18/20, 3/3/20, 3/17/20, 4/7/20, 4/21/20, 5/5/20, 6/2/20, 7/7/20, 8/4/20, 9/15/20, 10/6/20, 11/17/20, 12/1/20

*Discussion during Board meetings should always be courteous and respectful and should be confined to the subject under consideration. Sarcasm is generally not respectful, and the subject under consideration does not include the individuals involved in the debate. During each topic, there will be no questions from the audience. Even if the public raises their hands, they may not be recognized during topic discussion. All statements and questions should be directed to the Chairman during the public comment period, who will ask the appropriate person to respond, comments should be kept to three minutes or less. This is to try to keep the meeting on schedule and not run behind. This meeting will be recorded as an official record. If you wish to record the meeting in any manner you must advise the chair prior to the start of the meeting. A copy of documents used in a presentation or comments must be provided to be kept as part of the official record.*



**Carver Select Board  
Meeting Minutes  
Carver Town Hall, 2<sup>nd</sup> Floor  
December 3, 2019 - 7:00pm**

In Attendance: Chairman Ronald Clarke, Vice Chairman Mark Townsend, Alan Dunham, Sarah Hewins, Robert Belbin, Town Administrator Michael Milanoski & Shelby Blair

Chair led the meeting with the Pledge of Allegiance and Townsend read the community prayer.

**Citizens Participation:** None

**Fence Viewer Appointment - Donna Forand:**

Forand came up and introduced herself including name & address. Discussion on previous meeting votes and reasoning for the outcome. Dunham requested the letter between Forand and Chairman Clarke to be added to tonight's minutes. Clarke responded that if that is legal and proper they will be included.

Motion to nominate Forand as Fence Viewer by Townsend, second by Dunham  
Vote 3-2

**Public Hearing: Carver EEN Beverages, LLC DBA Carver Spirits (133 North Main St.) & Commonwealth EEN AB, LLC DBA Carver Beer & Wine (303 Tremont St.) & Application for Common Victualler License for each location.**

Carolyn Conway introduced herself in which she was representing Ismael Santiago Jr. who is the Manager for 133 North Main Street. Conway explained the alteration of premises along with the transfer of license. The employees and hours of operation will be staying the same. Townsend questioned what type of liquor & manager experience Mr. Santiago Jr. has. Mr. Santiago responded with having 21 years of convenience store experience along with being TIPS certified. Belbin questioned if Mr. Santiago has any other liquor licenses. Mr. Santiago & Conway responded with that he does not. Belbin also questioned how often Mr. Santiago will be present. Conway responded that he will be Full-time in the beginning and further down the road they will see if a current employee would want a promotion. They assured to The Board that there will be a backup plan to make sure there won't be a gap in-between managers. Dunham questioned relating to the alteration of space becoming smaller, what the old space will be used for. Conway responded that Nouria Energy will be the ones to use this space for the Wine & Malt. Clarke questioned if the supervision of wine & malt will be the same. Conway explained that these changes will definitely enhance the supervision.

Motion to approve the wine & malt application for 133 North Main Street by Dunham, second by Townsend  
Vote 5-0 unanimous.



Conway introduced Nicholas DiMambro who is the manager for 303 Tremont Street. Conway also introduced Judy Catino who represented Nouria Energy. Conway explained that this location is similar to the application at 133 North Main Street. Clarke questioned what the difference between the two were and Conway responded that they have separate ownerships but have the same purchase & sales. DiMambro explained his experience with being a manager and is also TIPS Certified.

Motion to approve the wine & malt application for 303 Tremont Street by Dunham, second by Townsend

Vote 5-0 unanimous

Motion to approve Common Victualler License for 133 North Main Street by Belbin, second by Dunham.

Vote 5-0 unanimous

### **Wenham Shores Conservation Restriction: Johanna Leighton**

Johanna Leighton at 4 Wenham Shores introduced herself and along with Tom Mannix at 15 Cranberry Circle. Leighton read letter handout (attached) from Joan Pierce, and also reviewed map.

TA explained that this topic has been discussed previously and will be a place holder for Town Meeting. The Select Board shows support to Leighton and directs her to work with TA and Townsend to create the article with the appropriate wording. Dunham thanked that residents that came out tonight.

### **Select Board Votes:**

#### **Dissolving of long standing committees (listing attached):**

1. Audit Committee – Motion to dissolve this committee by Dunham, second by Townsend.  
Vote 5-0, unanimous
2. Bike Path Committee – Motion to keep this committee by Belbin, second by Dunham.  
Vote 5-0, unanimous
3. Carver Municipal Affordable Housing – Motion to keep this committee by Belbin, second by Hewins. Vote 5-0, unanimous
4. Municipal Playground – Motion to dissolve this committee by Belbin, second by Dunham  
Vote 4-1
5. OPEB Study – Motion to dissolve this committee by Townsend, second by Dunham  
Vote 5-0, unanimous
6. Open Space Committee – Motion to dissolve this committee by Dunham, second by Townsend. Vote 4-1
7. Tax Relief Study Committee – Motion to dissolve this committee by Dunham, second by Townsend. Vote 5-0, unanimous



8. Town Building's Study Advisory Committee – Motion to dissolve by Dunham, second by Townsend. Vote 5-0, unanimous
9. Pre – Disaster Mitigation Committee – Motion to dissolve by Belbin, second by Dunham  
Vote 5-0, unanimous

A Committee listed on attached handout that was not on the agenda was not voted on (Fire Station Building Committee).

**Carver, Marion, Wareham Regional Refuse Disposal District:**

- **Need to book a hazardous waste day now for next year –**
- **Does the SB support the CMWRRDD as a District or to reduce to a “skeleton committee?” –**
- **Does the SB support continuing a transfer station through the Waste District or a Municipal Agreement with Wareham?**
- **Does the SB have any interest in including Rochester or another Town into the district or municipal agreement?**
- **Will the SB support a 2 year with a possible 1 year extension period for the Waste District or Municipal Agreement to continue the availability of having a Transfer Station located in Rochester or Wareham?**
- **Is SB interested in having its own Transfer Station in Carver?**
- **Is there any other option for reduced costs of household waste?**
- **If support of the District or a Municipal Agreement with Wareham or others municipals, is the Town interested in having a Preferred Hauler?**

Belbin reviewed and explained the above questions in detail to Board. Belbin recommended that reducing to a “Skeleton Committee” would be a good decision for the Town. Belbin would like direction from the Board so he will have an update for CMWRRDD. TA explained that reducing down to a Skeleton Committee would give the three towns direction.

Motion by Dunham to support the District by reducing down to a Skeleton Committee and with OPEB Liability & Pension, second by Townsend.

Vote 4-1

**Wade Street Deed:**

The Board to instruct office to have the deed be filed at the registry and have it secured with the Town.

**2020 License Renewals:** Motion to approve Liquor, Common Victualler, Automatic Amusement, Entertainment, Class I, II, III and Commercial Garage 2020 licenses conditional upon taxes being paid up to date or payment plan by Townsend, second by Dunham.

Vote 5-0, unanimous



## Wade Street Timeline Detail

#12 Today we are discussing Wade St. again because “the rumormill has it or just hearsay” that Weather Vane property owner adjacent to Vaughn Estates wants to buy the “recreation area” 6.320 acres from the town. However, the RDA has now come to know that the SB for all of these days and all of these times of meeting to discuss has taken “no action”. Technically, the RDA still owns the property and as **Kathleen O’Donnell stated in her last line of the letter ....I recommend that the CRA proceed as planned and transfer the lot to the Conservation Commission.**

#13 As one of the RDA members .....I too make that **recommendation but first, the RDA must survey the property with concrete boundaries and replace the benchmark (located on the cul-de-sac circle).**

#14 As one of the RDA members .... I also recommend the **RDA take the action that Kathleen O’Donnell suggested within the letter (last paragraph) ....In my opinion, the CRA has a binding agreement with the Town of Carver to transfer the lot for the consideration of \$19,000. The Town has agreed to accept the lot notwithstanding the fact that the lot is still subject to a potential restriction based on the designation recited on the 1976 subdivision plan**



Here you go I am not sure what letter he had in addition to these?

**From:** K Odonnell [mailto:kmeodonnell@verizon.net]  
**Sent:** Tuesday, April 10, 2012 9:58 PM  
**To:** Jack Hunter  
**Subject:** Wade Street - Confidential - Executive Session Material Only

Carver Redevelopment Authority ("CRA")  
c/o Mr. Jack Hunter  
Director of Planning and Community Development

Re: Sale of Wade Street

Dear Members of the Redevelopment Authority:

The CRA executed a Purchase and Sale Agreement on October 11, 2011 with A.D. Makepeace Company agreeing to sell a lot located at the end of Wade Street to A. D. Makepeace. The sale was conditioned upon the CRA obtaining a decision from the Planning Board that would modify the 1976 subdivision plan that restricted the lot as "Recreation Area" to allow cranberry operations. The Planning Board did not reach a decision in time for the closing date. The CRA terminated the Purchase and Sale Agreement over the objections of the buyer.

After the termination of this Agreement, the CRA agreed to transfer the lot to the Town acting by and through the Conservation Commission. A deed has been prepared, reviewed and approved for execution by the CRA. I understand that at the last meeting, members of the CRA sought to rescind this transfer to sell the lot on the open market.

In my opinion, the CRA has a binding agreement with the Town of Carver to transfer the lot for the consideration of \$19,000. The Town has agreed to accept the lot notwithstanding the fact that the lot is still subject to a potential restriction based on the designation recited on the 1976 subdivision plan. It could seek to enforce the sale by suit. Should the CRA renew its request to the Planning Board so it could convey clear title to a third party, I suspect that the former buyer would seek to enforce its Purchase and Sale Agreement, arguing bad faith on the part of the CRA. In light of these risks, I recommend that the CRA proceed as planned and transfer the lot to the Conservation Commission.

Kathleen M. O'Donnell, Esq.  
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