

CARVER PLANNING BOARD  
MINUTES OF February 20, 2024

Approved  
3/26/2024

Chairman Cornelius Shea, John Gaskey (via video), Kevin Robinson, Ellen Sordillo, Donald Williams, Bill Cullum, Andy Glines of Fuss & O'Neil, the town's consultant engineer, and Thomas Bott, Town Planner.

Meeting was called to order at 7:07PM

Pledge of Allegiance is recited.

The proceedings will be videotaped and rebroadcast by Area 58 TV

ANR:

1. The purpose of this plan is to create 4 lots for Derek Varley, (Assessor's Map 126 Lot 25-0) and located at 278 Tremont Street in the Residential Agricultural (RA) Zoning District  
Filed: 2/8/2024      Deadline: 2/29/24

Joe Webby of Webby Engineering and Scott Farley represent this matter. Chairman Shea indicates no rear lot can be created if the property hasn't been held in common ownership prior to May 4, 1998 according to the zoning by-laws. After a discussion with the Board about the common ownership of the property, it is decided by Mr. Webby and Mr. Farley to Withdraw the ANR without Prejudice. Chairman Shea will accept a motion for the applicant to withdraw the ANR without Prejudice. Said motion is made by Donald Williams and it's seconded by Kevin Robinson. Chairman Shea takes a roll call vote and John Gaskey vote's aye, Kevin Robinson vote's aye, Ellen Sordillo vote's aye, Donald Williams vote's aye, and Chairman Shea vote's aye. Unanimously approved 5-0-0.

2. Plus Power – 31R Main Street:

- a. Decommissioning Bond discussion prior to issuance of electrical permit per Special Permit Condition 19'.

Chris Quaranta represents Plus Power and indicates the lights are going to be manually controlled. Andy Glines of Fuss & O'Neil, the town's consulting engineer indicates the applicant provided cut sheets for the proposed lighting and confirms the lighting will be dark sky compliant. Mr. Glines also indicates Fuss & O'Neil reviewed the decommissioning bond estimate and they are recommending a \$2 Million Dollar bond. Mr. Bott indicates Town Council will continue their review of the bond amount and will forward their conclusion to the Planning Board.

- b. Lighting Plan for approval prior to issuance of electrical permit per Special Permit Condition 20.

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Kevin Robinson asks for clarity regarding storm water runoff and Mr. Glines responds he believes this will have to be reviewed during the final construction inspection. Mr. Quaranta states a plan was submitted to the Building Commission and a building permit was issued so the project is in construction.

Chairman Shea will accept a motion to approve the decommissioning bond and the lighting plan for Plus Power for 31 Rear Main Street. Said motion is made by Kevin Robinson and it's seconded by Ellen Sordillo. Chairman Shea takes a roll call vote and John Gaskey vote's aye, Kevin Robinson vote's aye, Ellen Sordillo vote's aye, Donald Williams vote's aye, and Chairman Shea vote's aye. Unanimously approved 5-0-0.

**Public Hearing Cont'd:**

3. On the application of Plymouth Elks Lodge #1476 requesting a Site Plan Review pursuant to Sections 3100 of the Carver Zoning By Law, for property located at 169 South Meadow Road in Carver, MA (Assessors Map 113 Lot 7-0-E (portion of) in the Airport (AP) Zoning District. Applicant proposes to construction a 2,520 s.f. building with all associated parking, driveways, stormwater management, utilities landscaping and appurtenances.

Filed: 11/30/2023      Open Hearing: 1/9/2024      Deadline: 1/29/24 Extended:  
2/27/2024

Chairman Shea will accept a motion to continue, at the applicant's request, the public hearing on the application of the Plymouth Elks Lodge #1476 requesting a Site Plan Review to February 27, 2023 at 7:00PM, Room 1, Carver Town Hall. Said motion is made by Kevin Robinson and seconded by Ellen Sordillo. Chairman Shea takes a roll call vote and John Gaskey vote's aye, Kevin Robinson vote's aye, Ellen Sordillo vote's aye, Donald Williams vote's aye, and Chairman Shea vote's aye. Unanimously approved 5-0-0.

**Other**

4. On the application of Route 44 Development, LLC. requesting a Definitive Subdivision approval entitled "Definitive Subdivision Plan for Route 44 Development, LLC Route 44 Commerce Park" pursuant to the Carver Subdivision Control by Law, for property located at off Green Park Way (formerly known as Montello Street) Assessors Map 20, Lots 2, 2-1 & 14 and Map 22, Lots 3, 3A, 3B, 3C, 3-1, 4, 5A, 10, 10-1 & 11 in Carver, MA showing 4 proposed non-residential lots in the Green Business Park (GBP) District.

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Filed: 10/18/23 - Open Hearing: 11/28/23    Deadline: 1/13/2024 Extended: 2/13/2024

Mr. Bott indicates he received an email today from Jennifer Hughes at MEEPA who indicates the draft decision was reviewed and she suggests they include in the draft that MEEPA staff did wish to clarify future requirements noting that a Notice of Project Change may be required by the MEEPA office when a new or amended project is submitted. Chairman Shea and Mr. Bott have a discussion about clarifying where the water for this project will be coming from. Zackery Richards with Bohler Engineering represents the applicant and indicates the applicant has described the ability to provide both water and sewer which has been captured in memos and been reviewed by the peer review consultant and has been found acceptable. Chairman Shea states the details regarding water and sewer need to be noted in the draft decision. Chairman Shea and Mr. Bott go over the conditions listed in the draft decision with Mr. Richards to fine tune and clarify said conditions.

Steve, a resident whose property is behind the site is concerned about water. Chairman Shea indicates the DEP seemed fairly positive the water will not be coming from the North Carver water district. Steve is also concerned how the area may become a hang-out place for kids. He doesn't think the project should be approved until there is a definitive answer on water. Chairman Shea indicates they can put a road in but cannot build anything until water's been approved through the state. Andy Glines agrees with this and believes there are sufficient conditions in the draft decision to allow the town to revisit the bigger picture of this subdivision.

Robert Belbin of 26 Gate Street, Carver indicates the applicant have to provide a water tower to decrease pressure from the North Carver water district. He also indicates there is a by-law that restricts anybody else coming into the town to provide water to the town residents. The only one exemption was in North Carver where one goes to fill up water jugs. He continues that the town will never sell their water to somebody else.

Chairman Shea will accept a motion to close the public hearing on the application of Route 44 Development, LLC. requesting a Definitive Subdivision approval. Said motion is made by Ellen Sordillo and seconded by Kevin Robinson. Mr. Bott reads aloud the full list of conditions and as he is doing so members of the Board discuss adding amendments to some conditions. Chairman Shea takes a roll call vote and John Gaskey vote's aye, Kevin Robinson vote's aye, Ellen Sordillo vote's aye, Donald Williams vote's aye, and Chairman Shea vote's aye. Unanimously approved 5-0-0.

Chairman Shea will accept a motion to approve the application of Route 44 Development, LLC. Definitive Subdivision Plan with conditions as listed in the final

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decision. Said motion is made by Ellen Sordillo and seconded by Donald Williams. Chairman Shea takes a roll call vote and John Gaskey vote's aye, Kevin Robinson vote's aye, Ellen Sordillo vote's aye, Donald Williams vote's aye and Chairman Shea vote's aye. Unanimously approved 5-0-0.

**Other Business:**

5. Request from Earth Removal Comm for comments RE: E.J. Pontiff Cranberries 104 Tremont St. Map 123 Lot 13-0.

Mr. Bott indicates the earth removal by-law says the Earth Removal Committee will submit plans to the Conservation Planning Board. He continues the Planning Board deals with site plans except it does not do site plans for earth removal. The Board discusses different approaches that could be taken to reduce the amount of dirt that is carried from construction sites via heavy truck tires to roads because too much dirt left behind by truck tires could cause problems with nearby catch basins. Also discussed is how to handle the coming and going of trucks concerning the width of the road since the road is not wide enough to have two trucks pass each other at the same time. Chairman Shea recommends making the road one-way and Mr. Bott suggests perhaps having pull-out areas for trucks to pass each other. Chairman Shea also would like to see a spill plan which should be approved by the fire department. Chairman Shea lists aloud the special considerations for the project that will be listed in the final decision.

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- A. Planning Board Member Notes-Chairman: Chairman Shea brings up an increase of the stipend for the members for the 2025/2026 budget. The members discuss this.
- B. Town Planner Notes – Discussion about Town Meeting Articles and Hearing Schedule:

Mr. Bott indicates they are waiting for the final draft of Zoning Bylaws so advertising online can take place. The hearings for the articles will be scheduled for March 12, 2024. He continues about possible changes to the frontage size of lots since this was addressed in 2001 Master Plan written 25 years ago. Chairman Shea lists the benefits of the by-laws regarding this matter, i.e.; to lower density in the residential/agricultural district, to encourage development towards conservation/cluster subdivisions, transfer of development rights, and village centers. Chairman Shea states that it is part of our mission to slow down the sprawl and concentrate development towards areas the town has deemed appropriate to protect open space and our natural resources as well as providing a wider mix of housing stock. Specifically, the benefits, as listed in the Master Plan are to protect the rural character, the impact on the Town's budget, Town services, to protect ground water, protection of agricultural lands, resource areas, open space and

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the environment. Chairman Shea is asking the Board to bring this to Town Meeting and let the Town decide. The Board discusses the pros and cons of this matter.

Chairman Shea will accept a motion to bring this matter to the Public Hearing for Town Meeting. Said motion is made by Donald Williams and seconded by Ellen Sordillo. Chairman Shea takes a roll call vote and John Gaskey vote's aye, Kevin Robinson vote's aye, Ellen Sordillo vote's aye, Donald Williams vote's aye and Chairman Shea vote's aye. Unanimously approved 5-0-0.

- C. Discussion: Donald Williams announces he will be leaving the Planning Board, so his seat will have to be filled.

- D. Minutes – 12/5/2023 and 12/19/2023:

Chairman Shea will accept a motion to approve the minutes of 12/05/2023. Said motion is made by Kevin Robinson and seconded by Ellen Sordillo. Chairman Shea takes a roll call vote and John Gaskey vote's aye, Kevin Robinson vote's aye, Ellen Sordillo abstains, Donald Williams vote's aye, and Chairman Shea vote's aye. Approved 4-0-1.

Chairman Shea will accept a motion to approve the minutes of 12/19/2023. Said motion is made by John Gaskey and seconded by Donald Williams. Chairman Shea takes a roll call vote and John Gaskey vote's aye, Kevin Robinson vote's aye, Ellen Sordillo vote's aye, Donald Williams vote's aye, and Chairman Shea vote's aye. Unanimously approved 5-0-0.

- E. Adjournment: Chairman Shea will accept a motion to adjourn. Said motion is made by Ellen Sordillo and seconded by Donald Williams. Chairman Shea takes a roll call vote and John Gaskey vote's aye, Kevin Robinson vote's aye, Ellen Sordillo vote's aye, Donald Williams vote's aye, and Chairman Shea vote's aye. Approved 5-0-0.

**Future Meetings**

**February 27, 2024**

Weathervane at Silva Street, LLC. requesting a Special Permit and Site Plan Review  
Filed: 6/15/23 Open Hearing: 8/19/23 Deadline: None to vote Special Permit

**March 12, 2024**

Hearings Open for Town Meeting Articles  
K&G Development Corp. requesting a Special Permit and Definitive Subdivision  
Filed: 2/5/24 Open Hearing By: 4/10/24 Subdivision Deadline: 6/19/24

**March 25, 2024**

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**April 9, 2024                      Annual Town Meeting**

Documents for 2/20/2024 PB Meeting

ANR application with plans for 278 Tremont Street

2-9-2024 email from A. Glines to T. Bott re: 31R Cranberry Point Energy Storage  
Decommissioning Bond

2/9/2024 email from R. Dewar to T. Bott re: 169 South Meadow Road – Plymouth Elks Lodge  
confirming extended site plan review until 2/27/2024

2/13/2024 memo from A. Glines to planning board re: 169 South Meadow Road – Plymouth  
Elks Lodge

Elevations/lighting plan re: 169 South Meadow Road – Plymouth Elks Lodge

2/20/2024 Memo from J. Boyle to T. Bott re: 169 South Meadow Road – Plymouth Elks Lodge

2/20/2024 Ltr from R. Dewar to T. Bott re: 169 South Meadow Road – Plymouth Elks Lodge  
request for continuance to next meeting (2/27/2024)

Draft decision re: Route 44 Development

Memo from Earth Removal Committee to Planning Board re: 104 Tremont Street with map