

**MINUTES OF THE SELECTMEN'S MEETING
DECEMBER 3, 2018**

PRESENT: Matthew J. Furlong (Chairman), Arthur P. Boyle, Jr. (Vice-Chairman), John G. Brown, Jr. (Selectman), Daniel W. Trabucco (Selectman), Edwin J. Thorne (Town Administrator), Louis Cassis, Andrew Herman, Eric Herman, Judith Kelly (Robinson Creek Rd Abutter), J. Michael Hill (Fire Chief), Brooke Young, Brandon Gulnick (Administrative Assistant) and others.

NOTE PRESENT: Willard J. Boulter, Jr. (Clerk)

At 7:00 pm, Mr. Furlong opened the meeting with a moment of silence to honor the passing of President George H. W. Bush. Mr. Furlong advised that this meeting is being made available to the public through a live video and audio broadcast on Comcast Government Access Channel 15 and is also being recorded for airing on the channel at future dates. Comments made in open session will be recorded.

ASK THE SELECTMEN

John Mahoney of the Plymouth Board of Selectmen was present to discuss the upcoming tax possession property auction scheduled for Thursday, December 14, 2018. Wildlands Trust has an interest in 326 West Elm Street adjacent to conservation land.

VOTE TO ACCEPT THE RESIGNATION OF JANET LABERGE FROM THE COUNCIL ON AGING BOARD

Mr. Brown moved to accept the resignation of Janet LaBerge effective immediately, with regret. Mr. Trabucco seconded the motion. The vote was unanimously in favor.

VOTE RECOMMENDATION OF RECREATION COMMISSION TO APPOINT TIMOTHY FOLAN OF 325 FOREST STREET

Mr. Trabucco moved to approve the appointment of Timothy Folan to the vacancy on the Recreation Commission, term to expire 2020; Mr. Brown seconded the motion. The vote was unanimously in favor.

VOTE TO APPROVE MINUTES OF NOVEMBER 19 AND NOVEMBER 26, 2018

Mr. Brown moved to accept the minutes of November 19th as presented; Mr. Trabucco seconded the motion. The vote was unanimously in favor. Mr. Brown moved to accept the minutes of November 26th as presented; Mr. Trabucco seconded the motion. The vote was unanimously in favor.

VOTE RENEWAL OF ELIGIBLE COMMON VICTUALER LICENSES

Mr. Trabucco moved approval of the Common Victualer's licenses as printed on the agenda; Mr. Brown seconded the motion. The vote was unanimously in favor.

TOWN ADMINISTRATOR'S REPORT

Town Manager Special Act

Mr. Thorne reported that the Act is in the Senate; they have recommended changes that are predominantly of a minor, grammatical nature. The House had passed the Act with reconfiguration of the final section, approved by town counsel, to clarify the DPW Commissioners as the Board of Water Commissioners only, and to define what that role is, as voted at town meeting.

Budget Presentation

Mr. Thorne and Town Accountant Mike Buckley will present a preliminary budget Monday, December 10th and he stated that he is appreciative of the Department Heads accelerating the process two months to allow for further review.

ASK THE SELECTMEN (continued)

Further discussion ensued on the tax possession parcel referred to by Mr. Mahoney. Consensus was achieved on following the prescribed process in place as the parcel in question is a developable piece of land.

MINUTES OF THE SELECTMEN'S MEETING

At 7:18 pm, Mr. Furlong read the upcoming issues listed on the agenda. Mr. Trabucco moved to enter executive session under M.G.L. c.30A, Sec. 21 (2) to conduct contract negotiations with non-union personnel; Fire Chief's contract. Mr. Brown seconded the motion and Mr. Furlong stated that the Board will return to open session. The vote, by roll call: Brown – yes, Trabucco – yes, Furlong – yes.

At 7:30 pm, the Board re-entered regular session and Arthur Boyle entered the meeting. Mr. Trabucco moved to approve the Pembroke Fire Chief contract as presented; Mr. Brown seconded the motion. The vote was unanimously in favor.

7:30 GENERAL ON PREMISES (GOP) LIQUOR LICENSE APPLICATION: LOUIS CASSIS FOR YEM, LLC d/b/a SOUNDCHECK STUDIOS, 150 CORPORATE PARK

Attorney Louis Cassis was present before the Board on behalf of Yem, LLC d/b/a Soundcheck Studios for a General on Premises, all alcohol liquor license to be exercised at 150 Corporate Park Drive, a music rehearsal and performance venue. Mr. Cassis indicated that the building is located at the end of Corporate Park Drive and is approximately 12,000 sf divided into two sides, with left side measuring approximately 4,000 sf and the right side measuring approximately 8,000 sf. Mr. Cassis stated that there are four 20'x20' soundproof rehearsal studios on the right side, and seven on the left; they are rented out to aspiring musicians to play, learn and practice. On the left side there is a small stage area and bar with the right side still unfinished. The applicant's business model is to hold live mic nights on the left side; the bands will come in to play with their friends and family able to come hear them. If this model is successful, the right side will be developed to host functions with at most one event per month. There is no kitchen or food facility, with snacks on site and availability for pizza to be ordered in as well. The Pembroke ZBA has approved their application for a Special Permit to operate a music venue with liquor service to 12am. Abutter Judith Kelly from Robinson Creek Road stated that four houses on her street directly abut their parking lot and there are young children in the neighborhood who go to bed early. Ms. Kelly stated that there has been no issue to date but she has concerns. Attorney Cassis stated that the neighborhood is a quarter of a mile away through the woods and the entire building is soundproofed. Discussion ensued. Andrew Herman explained that there are live bands paying there nightly and they have tested the decibel levels outside with little to no impact since July 1st and no complaints. Eric Herman stated that they intend to be the best neighbors and will always listen to neighborhood concerns. Mr. Trabucco stated that the Board has experience with working with businesses to resolve noise and sound issues; families need to be protected but businesses need to thrive as well. Ms. Kelly stated that all has been well but she has concerns once liquor is introduced. Discussion ensued on a music venue versus a nightclub. Eric Herman stated that they have young families as well so they understand, plus they have a large financial commitment invested that they want to protect. Ms. Kelly suggested that the Board consider continuing the hearing one week. Mr. Trabucco and Mr. Boyle stated that the Board can immediately suspend a license if merited and no reason has been given to withhold approval. Mr. Trabucco moved to grant the application of Yem, LLC d/b/a Soundcheck Studios for a New General on Premises All Alcoholic Beverages license to be exercised at 150 Corporate Park Drive, "a single story building containing approximately 12,000 square feet; one side contains four rehearsal rooms, a small stage and two handicapped bathrooms. The other side contains seven rehearsal rooms, a large stage and two bathrooms" subject to the conditions of the ZBA and the approval of the ABCC. Mr. Boyle seconded the motion. The vote was unanimously in favor. Mr. Trabucco moved to invite the applicant plus the neighbors sometime in March to have a community discussion; Mr. Boyle seconded the motion. The vote was unanimously in favor. Mr. Trabucco moved to amend his motion to include "hours to comply with ZBA conditions"; Mr. Boyle seconded the motion. The vote was unanimously in favor. Mr. Furlong declare the hearing closed.

At 8:10 pm, Mr. Trabucco moved to adjourn; Mr. Boyle seconded the motion. The vote was unanimously in favor.

MATERIALS & EXHIBITS

Email, J. LaBerge RE: Resignation (BOS/TA Office)

Email, S. Roche and Vacancy Application, T. Folan RE: Appointment to Recreation (Rec/BOS/TA Office)

Complete Application with Addenda, Soundcheck Studios for ABCC GoP License (BOS/TA Office)

Draft Minutes of November 19 and November 26, 2018 (BOS/TA Office)