



PEMBROKE PLANNING BOARD MINUTES

MONDAY, JANUARY 9, 2017

PRESENT: Daniel Taylor (Chairman), Rebecca Coletta (Vice-Chairman), Brian VanRiper (Board Member), Andrew Wandell (Board Member), Matthew Heins (Planning Board Assistant), Stephen Kotowski, Eoghan Kelley and Carl McPhee.

Chairman Daniel Taylor opened the meeting by reading the Chairman's statement.

EQUESTRIAN ESTATES ROAD ACCEPTANCE

Eoghan Kelley came before the board to discuss how the road acceptance process is advancing. Mr. Heins explained that Peter Palmieri and Gene Fulmine have both approved the road as being ready for town acceptance. The board and Mr. Kelley discussed the location of a fence near the road.

The board discussed the mechanics of how the road acceptance goes as an article into the warrant and to the town meeting. Ms. Coletta made a motion to place the Equestrian Estates road acceptance on the town warrant, Mr. Wandell seconded the motion, and the board voted unanimously in favor.

REVIEW OF ROUTINE ADMINISTRATIVE MATTERS

Mr. Wandell made a motion to accept the minutes of Monday, December 12, 2016 as presented, Mr. VanRiper seconded the motion, and the board voted unanimously in favor.

The board discussed how the King's Highway Park project is progressing. Mr. VanRiper made a motion to give an extension of time for completion for Site Plan #SP1-09 King's Highway Park to January 11, 2018. Mr. Wandell seconded the motion, and the board voted unanimously in favor.

The board had a back-and-forth discussion about the clearing of various parcels, the fines assessed for these actions, and the future of a parcel on Oak Street. Ms. Coletta noted the possibility of applying for District Local Technical Assistance funding from Old Colony Planning Council.

Mr. Wandell made a motion to give an extension of time for completion for Subdivision Plan #8940 Corporate Park to January 20, 2018. Mr. VanRiper seconded the motion, and the board voted unanimously in favor.

Mr. Wandell made a motion to give an extension of time for completion for Subdivision Plan #9628 Corporate Park Extension to January 20, 2018. Mr. VanRiper seconded the motion, and the board voted unanimously in favor.

Mr. Heins noted that he has prepared the legal advertisements for the two public hearings on the two proposed zoning bylaw changes, for the elimination of the mixed use option and the specification of the 300-foot setback, in the Center Protection District. The board members had a discussion of the reasons for, and the ramifications of, these possible bylaw changes. Mr. VanRiper made a motion that the board authorize the advertisements for these public hearings. Mr. Wandell seconded the motion, and the board voted unanimously in favor.

DISCUSSION OF PREVIOUSLY PROPOSED FORM A FOR SITE ON VALLEY STREET

The board members and Stephen Kotowski (of Webby Engineering) engaged in a detailed discussion about a Form A, for a site on Valley Street, that was recently denied without prejudice by the Planning Board. Mr. Kotowski advocated for the board to reconsider its position. This Form A was submitted by Brainfrank Nominee Trust, drawn up by Webby Engineering, and previously presented to the board by Mr. Kotowski.

Mr. Kotowski and the board discussed the land ownership patterns of the site, the site's history, and the location of the wetlands. Ms. Coletta expressed particular concern that approving this Form A would have consequences the town could not control in the future, especially inasmuch as it would essentially create a new road and subdivision. The issue of illusory access was also discussed, and the advice received from town counsel was referenced.

Mr. VanRiper noted that another option is to build a cul-de-sac giving access to the lot. Ms. Coletta pointed out that a key issue is whether the frontage access to the lot is genuine or illusory, and the board believes it is illusory. She mentioned that approving this Form A would essentially be creating a retreat lot, and said there might be public safety issues as well.

The board members were in general agreement that they are not willing to approve this Form A. Mr. Kotowski and the board talked about other possible options for developing the site.

DISCUSSION OF PROPOSED FORM A FOR SITE ON DWELLEY STREET

Carl McPhee and Mr. Kotowski came before the board, to describe the proposed Form A submitted by Mr. McPhee, and drawn up by Mr. Kotowski's firm Webby Engineering, for a site on Dwelley Street. Mr. McPhee and a few of his relatives live in the vicinity, and they wish to adjust certain ownership boundaries, and to create a new non-buildable parcel.

The board members had no objections to this Form A, and were of the opinion that it is valid. Mr. Wandell made a motion that the board endorse the Form A, Mr. VanRiper seconded the motion, and the board voted unanimously in favor. Since the board's clerk Thomas Irving was not present, the board's chairman Mr. Taylor signed the mylar copy of the drawing.

GOING INTO EXECUTIVE SESSION

The board members and Mr. Heins discussed the procedures for going into executive session.

Mr. Wandell made a motion that the Planning Board go into executive session, to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares, regarding the mixed use project at 220 Center Street. Mr. Taylor so declared, under Massachusetts General Law, Chapter 30A, Section 21(3). The board voted by roll call on whether to enter executive session:

Daniel Taylor: Yes

Brian VanRiper: Yes

Andrew Wandell: Yes

Rebecca Coletta: Yes

Mr. Taylor declared that the board was in executive session. He stated that the board would return to open session after the completion of executive session.

The minutes of executive session are kept separately.

The board returned to open session. There were no further matters to discuss.

Ms. Coletta made a motion to adjourn the meeting, Mr. Wandell seconded the motion, and the board voted unanimously in favor.

The next regular meeting of the Planning Board will be held Monday, January 23, 2017 at 7:00 pm.

Respectfully submitted,

Matthew Heins, Planning Board Assistant