

PEMBROKE PLANNING BOARD MINUTES
MONDAY, NOVEMBER 9, 2015

PRESENT: Daniel Taylor (Chairman), Rebecca Coletta (Vice-Chairman), Thomas Irving (Clerk), Andrew Wandell, Brian VanRiper, Paul Whitman, James Noone, Linda Osborne, Owen Kelley, Steve Kowtoski, Daniel Sullivan, Carolyn Cleary Sullivan, Nigel Harding, Don McGill, Attorney Paul Rufo and Marilyn Zechello.

PLANS:

Opening of Sealed Bids for Tree Replacement on Crescent Hill Farm Estates
Center Protection District Sign Permit Public Hearing for Council On Aging
Plan #0506 Equestrian Estates-Review
Plan #1503 Form A for Valley Street
Informal Site Plan – 590 Washington Street

The Chairman opened the meeting by reading the Chairman’s Statement.

MINUTES: Mr. Irving moved, seconded by Ms. Coletta, “That the Planning Board minutes dated Tuesday, October 6, 2015 are accepted as printed.” Voted unanimously

Mr. Whitman moved, seconded by Mr. Irving, “That the Planning Board minutes dated, Monday, October 19, 2015 are accepted as printed.” Voted unanimously

OPENING OF SEALED BIDS FOR REPLACEMENT TREES FOR CRESCENT HILL FARM: The Chairman opened five bids that were received to replace the trees. The following are the five bids:

- Central Nurseries, P O Box 19477, Johnston, Rhode Island 02919-\$26,068.00.
- Seoane Landscape Design, 551 Bedford Street, Abington, MA 02351-\$28,500.00.
- Vetelino Landscape, 600 Washington Street, Pembroke, MA 02359-\$27,740.00.
- Tomasi Nurseries, Inc., 299 Oak Street, Pembroke, MA 02359-\$24,700.00.
- Dandel Construction Inc., 1 Liberty Street, Hanson, MA 02341-\$19,950.00.

Dandel Construction Inc. was awarded the contract to replace the trees.

- Replace 38 dead trees with Pyrus Calleriana/Cleveland Select 2 ½ “-3” caliber.
- Disposal of dead trees.
- Planting of new trees following the requirements of the Planning Board Rules and Regulations and the recommended guidelines of the American Nursery and Landscape Association.
- Loam and seed all areas disturbed by the removal and replacement of trees.
- Clean up work area.
- Provide care instructions for the trees for each resident.

Mr. VanRiper moved, seconded by Mr. Whitman, “That the Board votes to accept the Dandel Construction bid submitted on November 6, 2015 to replace the thirty-eight (38) trees and they provide

a one year warranty and further that the Board of Selectmen agree that payment of the funds be made from the Planning Board Road Bond Account.”

Voting in favor: VanRiper, Whitman, Wandell and Taylor

Opposed: No one

Abstaining: Irving and Coletta

CENTER PROTECTION DISTRICT PUBLIC HEARING FOR COUNCIL ON AGING SIGN PERMIT: The Chairman read the following legal notice: “Notice is hereby given that the Planning Board will hold a public hearing on Monday, November 9, 2015 at 7:30 p.m. in the Planning Board Room, Town Hall, Pembroke, MA 02359 on the application of Council On Aging/ Anna Seery Director, 144 Center Street, Pembroke, MA 02359 for a sign permit for Council On Aging Building, 144 Center Street, Pembroke, MA 02359 as required by the Zoning By-laws of the Town of Pembroke, Sec. IV., Para 7, Center Protection District.” Daniel Taylor-Chairman

As advertised in the Pembroke Mariner & Express newspaper on Friday, October 23, 2015 and Friday, October 30, 2015.

Linda Osborne came before the Board to discuss the new sign that they would like to place in front of the Council On Aging building. The sign will be pretty much like the Library sign with the same colors. They would like to have a changeable sign on the bottom showing coming events. This additional piece would hang on an as needed basis and removed when not in use. The building inspector could issue a temporary sign as needed for “coming events”. The Board stated that this was not allowed in the Center Protection District. The colors chosen are from the Benjamin Moore Historical Collection.

1. Coventry Gray HC-169
2. Dorset Gold HC-8
3. New London Burgundy HC-61

Mr. VanRiper moved, seconded by Mr. Whitman, “That the Planning Board votes to approve the sign submitted by the applicant minus the removable sign as shown on the drawing.” Voted unanimously
Mr. VanRiper moved, seconded by Mr. Whitman, “That the Planning Board votes to close the public hearing for the sign permit for the Council On Aging.” Voted unanimously

PLAN #0506-EQUESTRIAN ESTATES: Owen Kelley came before the Board to discuss what was remaining to be done on the subdivision. They will be placing the final coat on the roadway this week. The question was the cul-de-sac and the sidewalk at the end of the property. The fence is owned by Lot #6 and is one foot off the property line because the trees run down the property line and they felt it would ruin the look of the lot if the trees were taken down. This was a deviation for the plan so that the sidewalk did not have to bend. Only eight feet of the fence is on town property and can be moved easily. The fence company can come in and bend the fence around so that it all will be on Lot #6 property. A discussion was held about the grass strip as it is a 5 foot strip that goes to 2 foot strip as per the plan. It has been determined that the cul-de-sac is not in the wrong place and the sidewalk will be adjusted with a two foot wide grass strip. The final course on the roadway will be placed tomorrow November 10th. The sidewalk final course will be placed after the adjustments are made.

PLAN #1503-FORM A VALLEY STREET: Steve Kotowski came before the Board representing his client. The lot was created in 1977 and we are now in the process of trying to develop the lot on Valley Street. My client owns all the land back to High Street. We are proposing to include Parcel A and combine in into lot #29 an existing lot that was approved. Our access will be from the frontage on Valley Street as it has 150 feet of frontage and using the 50 foot utility easement as the gravel driveway to one house. A Form A for Lot #29 was created in 1977 with frontage on Valley Street. The water service because of the long service would be better as a well. They also talked about signing the Form A with the notation that it is "not a buildable lot". After a lengthy discussion concerning the utility easement as a access and Conservation not allowing to cross Lot 29 because of the wetlands the Board decided to talk to Kopelman & Paige as this lot does not get its frontage from the way and it does not meet Form A requirements. Two members of the Board will call Joel Bard to discuss and answer questions about this Form A next week. Mr. Kowtoski stated that he would postpone his meeting next Monday with Conservation. The applicant will be returning to the Planning Board on Monday, November 23, 2015.

INFORMAL SITE PLAN FOR 590 WASHINGTON STREET: Mr. McGill and his Attorney Paul Rufo came before the Board informally to talk about site plan approval and special permitting authority. They have gone before the ZBA for Non-Conforming Property for the construction of townhouses and Uses Allowed by Special Permit and a Variance. The ZBA decision was to grant three variances and special permit authority they felt should be the Planning Board. A question has come up to the Zoning By-law as to who has the authority to issue special permits in the Residential-Commercial District. The Board is waiting until the decision is written by the ZBA to see what will be needed when a plan is submitted for site plan approval. The Center Protection District is the only district in town that the Planning Board as special permit authority.

The developer is planning to build nine (9) multi-family townhouses development. The property contains approximately 5.54 acres of land of which 2.27 acres of land approximately 109,000 square feet are upland. The remainder of the property consists of wetlands. A Traffic Impact Analysis has been done by McKenzie Engineering Group, Inc. dated October 30, 2015. The site has historically been a light industrial use. Their findings was the proposed residential project will result in a significant reduction in traffic volume compared to the historical industrial use and will therefore result in a reduction of impact to abutting properties and existing traffic operations on local roadways.

The Board has a concern about the entrance to the development as it has to cross over a very busy state road to get out onto Route 53. During the summer this is very busy as the cars park along the state road to gain entrance to the Dairy Twist Ice Cream site.

After a lengthy, the question is does the ZBA issue the special permit or does the Planning Board. The Board is waiting until the decision is made from the ZBA. A formal site plan will be submitted to the Planning Board for site plan approval. He asked about the foundation only permit and the building department stated that they would issue the permit at his own risk. The Board wants to wait about the ZBA decision is granted for the variance then a decision can be made.

OLD BUSINESS:

A Form A was created in 1997 on Holmes Avenue and the owner would like to sell it as a buildable lot now. Holmes Avenue is an unaccepted road. The Board reviewed the plan and in 2005 they had an Adequacy of the Road public hearing and approved the plan that was submitted.

A motion was made and seconded that the Planning Board meeting be adjourned at 9:55 p.m.

The next regular meeting of the Planning Board will be held on Monday, November 23, 2015 at 7:30 p.m.

Respectfully Submitted,

Marilyn Zechello-Planning Board Assistant