



PEMBROKE PLANNING BOARD MINUTES

MONDAY, FEBRUARY 25, 2019

BOARD MEMBERS PRESENT: Rebecca Coletta (Chairman), Andrew Wandell (Vice-Chairman), Thomas Irving (Clerk), John Scholl, Daniel Smith, Jr., and Daniel Taylor.

BOARD MEMBERS ABSENT: James Noone.

OTHERS PRESENT: Matthew Heins (Planning Board Assistant), Peter Palmieri (Merrill Engineers and Land Surveyors), Kenneth McCormick (Deputy Fire Chief), Michael Johnson, Thomas Godfrey, Jim Bristol, Steven Bristol, Walter "Wally" Roenick, Lenny Rowe, Barbara Kilnapp, David Kilnapp, Tom Costello, David Christensen, Nancy Solomon, Michelle Yacorone, Gary Pelletier, Gary Sjolín, Evelyn Sjolín, Donna Bagni, Louann MacDonald, Joann O'Donnell, April Czaplicki, Andrea Dargie, Carol Federico, Richard Federico, Joseph Federico, Melissa Hogan, Mauren Mansfield, Robert Mansfield, Greg Howell, Cara Howell, Frank Femino, Amy Femino, Joshua Doner, David Haughn, Lauren Hiller, Andrew Hiller, Thomas Lee, Betty Hiltenbrand, Lawrence Fitzpatrick, Clifford Youse, John Gioioso, Kevin Welch, Darren Grady, Stephen Dimaio, Genile Dimaio, Sarah MacDonald, Darren MacDonald, Carol Mont, Barbara Flaherty, Barbara Lanzillotta, Joseph Lanzillotta, Jr., Leann James, Jason Federico, Brian Cross, and others.

Chairman Rebecca Coletta opened the meeting by reading the Chairman's statement.

SIGNING OF FINAL ENGINEERING DRAWINGS FOR SITE PLAN #SP5-18 URGENT CARE FACILITY AT 296 OLD OAK STREET

The appropriate board members signed the final version of the engineering drawings for recently approved Site Plan #SP5-18 Urgent Care Facility at 296 Old Oak Street.

REVIEW OF ROUTINE ADMINISTRATIVE MATTERS

Mr. Wandell made a motion that the board approve the minutes for Monday, February 11, 2019, as presented. Mr. Scholl seconded the motion, and the board voted unanimously in favor.

Mr. Scholl made a motion that the board approve the minutes for Monday, January 28, 2019. Mr. Irving seconded the motion, and the board voted unanimously in favor.

Ms. Coletta noted that the board had received the draft of the proposed zoning bylaw amendment warrant articles, and that the board would need to hold public hearings for all these proposed zoning bylaw changes. The board agreed to have these public hearings on March 25.

DECISION TO REDUCE ENGINEERING REVIEW DEPOSIT FOR POSSIBLE SITE PLAN AT LUCKY DAWG TAVERN AND GRILLE AT 242-244 MATTAKEESETT STREET

Michael Johnson, the owner and operator of Lucky Dawg Tavern and Grille at 242-244 Mattakeesett Street, came before the board to discuss a possible site plan to build an elevated outdoor seating area and bar, in close proximity to Furnace Pond. (The site is in Business District A, Residence District A and the Water Resource and Groundwater Protection Overlay District.) In particular, Mr. Johnson requested the board reduce the amount of the required engineering review deposit for the site plan application, since the project is smaller and simpler than a typical site plan.

The board agreed to reduce the amount of the required engineering review deposit for the site plan application to \$1,000, with the understanding that the applicant (Mr. Johnson) would need to pay any additional amount that is necessary.

Mr. Taylor made a motion to reduce the amount of the engineering review deposit for the Lucky Dawg Tavern and Grille at 242-244 Mattakeesett Street to \$1,000, with the understanding that the applicant must pay any additional amount that is needed. Mr. Wandell seconded the motion, and the board voted unanimously in favor.

DISCUSSION ABOUT POSSIBLE 55 AND OVER HOUSING DEVELOPMENT AT PEMBROKE COUNTRY CLUB AT 94 WEST ELM STREET, AND POSSIBLE ASSOCIATED ZONING BYLAW CHANGES

The board began a discussion about a possible 55 and over cluster housing development being proposed for the site of the Pembroke Country Club at 94 West Elm Street, and also about a possible amendment to the zoning bylaws that would enable the project by allowing cluster developments of greater density. (The site is in Residence District A and partially in the Water Resource and Groundwater Protection Overlay District.) A large number of members of the public were present.

Thomas Godfrey, Jim Bristol and Steven Bristol, of Bristol Brothers Development, and another person were present representing the proposed project. Mr. Godfrey introduced the development, explaining that it would consist of age-restricted (55 and over) market-rate housing on the site of the Pembroke Country Club, while preserving the 18-hole golf course. The project would contain about 150 housing units.

Mr. Godfrey said that under current zoning bylaws a subdivision of about 150 single-family houses could also be built, but that would necessitate eliminating the golf course. Mr. Godfrey explained that the land is in Chapter 61B, and so the town would have the right of first refusal to buy this land if it left Chapter 61B.

Ms. Coletta and Mr. Wandell asked whether some units in the project could be classified as affordable, to help the town reach its 10% goal for affordable housing. A conversation followed, and Mr. Godfrey indicated this could be discussed further.

Mr. Godfrey described where the new housing could be placed on the site, and explained that some of the golf course's holes might need to be spatially reconfigured. The golf course would count toward the open space as per the requirement for open space in the proposed cluster development zoning bylaw. Mr. Godfrey said there appears to be enough space to keep the 18 holes, but that it would depend on the final layout of the project.

Mr. Scholl asked about a previous Bristol Brothers Development project, the Weathervane in Weymouth, and Jim Bristol described it. The Weathervane, containing 149 units of housing and a 9-hole golf course, is roughly 125 acres, about half the size of the proposed project in Pembroke. Jim Bristol explained that for the Pembroke project, the housing would help make the golf course economically viable.

Ms. Coletta opened the meeting to comments from the public.

Greg Howell, a resident near the proposed project, spoke at length and emphasized several drawbacks to the project. He noted that Pembroke Country Club is one of the few golf courses in the area. He explained that West Elm Street is a narrow, winding country road, and so the impact of the additional traffic would be substantial, both in terms of construction and the finished project. He noted the potential issues of sewage and wastewater.

Ms. Coletta mentioned that the property could also be developed with a conventional subdivision, so it's relevant to compare the two possible outcomes. Mr. Howell explained that the rural feel of Pembroke is an important attraction for its residents, and expressed concern that a dense cluster development would alter the town's character. In reply to questions, Jim Bristol said the project would consist of both attached and detached residential units.

Joseph Lanzillotta, Jr., a member of the public, stated that he helped build the country club with other members of his family, and that it's an especially beautiful site and he hopes it will remain that way.

A member of the public asked if the property has been sold, and the answer was no. She suggested that if more townspeople joined the club or even bought the property, the golf course could be preserved.

Donna Bagni, a resident near the proposed project, expressed concern that two points of egress would not be sufficient for the development's traffic, given it would consist of new housing and the golf course.

Walter "Wally" Roenick, whose family owns the country club, explained that they've been improving the golf course over the past decade, and they've rejected past offers to buy the property because they want the course to remain. He said they chose this development option because it would allow the course to be preserved and used.

Leann James, a resident near the proposed project, expressed concern about high volumes of traffic and accidents on West Elm Street. This led to a conversation about subdivisions and traffic in general.

Jason Federico, a member of the public, asked about spot zoning and the town's master plan. A discussion took place about the proposed cluster zoning bylaw, and the advantages and drawbacks of cluster zoning in general.

A member of the public emphasized the amount of traffic that moves on West Elm and Dwelley Streets, and the deterioration and backups that occur.

Clifford Youse, a resident near the proposed project, suggested the town buy the property and maintain it as a municipal golf course. A discussion followed about Chapter 61B and the town's option to buy the land.

A member of the public asked if the lots of the proposed project would be smaller than one acre, and Ms. Coletta explained that the proposed cluster zoning bylaw would allow a density of housing greater than one unit per acre, but the overall density would stay roughly the same because open space would be required.

Brian Cross, a resident near the proposed project, said that a 55 and over cluster development would have dramatically less impact in terms of schoolchildren and traffic than a conventional subdivision, and so this project deserves serious consideration.

A member of the public asked if the cluster zoning bylaw would be decided on at town meeting, and Ms. Coletta said that was the case.

A member of the public emphasized that the town's rural character should be preserved, and a discussion ensued about zoning and property.

PUBLIC HEARING FOR PROPOSED SITE PLAN #SP2-19 AT 171 MATTAKEESETT STREET

Ms. Coletta opened the public hearing for proposed Site Plan #SP2-19 at 171 Mattakeesett Street, to construct three new 7,000-square-foot buildings of warehouse, storage and/or industrial use, and to construct new parking areas, behind two existing buildings. The property is located in Business District A and the Water Resource and Groundwater Protection Overlay District.

Ms. Coletta announced that the public hearing would start at 8:10 pm because it was taking time for people to leave the room. At 8:10 pm, she re-opened the public hearing.

Ms. Coletta explained that the application for this site plan was filed by someone who does not own the property, and that the property owner has communicated that he does not support the application.

Kevin Welch addressed the board. He explained that he has submitted the application, and that he currently leases the property and his lease has an option to buy it. But he prefers not to buy the property until the site plan application is approved. He suggested that some sort of contingency that he buy the property could be included as a condition in the site plan approval.

John Gioioso addressed the board and explained that his father owns the property. He said that his father could not come to the meeting, and he stated that his father is reluctant to have construction done on the property until it has actually been purchased.

Ms. Coletta suggested that Mr. Welch and the property owner needed to reach agreement between them regarding this issue. Some board members opined that the hearing should not proceed further until this is resolved.

Mr. Taylor made a motion that the public hearing be continued to March 18, 2019.

Darren Grady, the project engineer, asked if he could continue to work with Peter Palmieri, the board's peer review engineer for the project, on revisions to the design. Mr. Palmieri was also present. Ms. Coletta answered in the affirmative, but cautioned it was at the applicant's own risk given the project's uncertainty.

Ms. Coletta agreed to allow a few minutes for Mr. Welch to describe the project, and for the abutters who were present to speak.

Having expressed concern about whether the public hearing should continue given the uncertainty as to the property ownership, Mr. Taylor left the room.

Mr. Grady introduced the project. The existing site is 7.3 acres and two buildings currently exist on the property. He described the utilities that currently exist, and described the proposed buildings, parking area and stormwater system.

The board and Mr. Welch discussed the current and proposed uses on the property. Mr. Grady said the new buildings would be about 30 feet high, and a discussion took place about how close the buildings would be to the nearest houses.

Stephen Dimaio, an abutter, said that from his house he can see the boats stored on the property. He expressed concern about the new buildings being visible from his house, and also mentioned that the noise from the current light industrial uses on the property is a problem.

The board members and Mr. Palmieri discussed how the zoning bylaws for Business District A, and the site plan rules & regulations, apply to the project. Mr. Palmieri described some zoning and site plan issues.

Kenneth McCormick, the Deputy Fire Chief, talked about what the Fire Department would require for the project.

Darren MacDonald, an abutter, asked if boats would still be stored outside, and also asked how many boats were allowed to be there. Sarah MacDonald said they were once told that the limit is 15 boats. She emphasized that some type of screening is necessary. A discussion ensued about how many boats were allowed by the previous site plan approval decision.

A conversation took place about the waiver being requested of the requirement for a 50-foot buffer adjacent to a residential property, the variance being requested for an expansion of an existing nonconforming use, the special permit being requested for the use in Business District A, and the request for an expansion of use in the Water Resource and Groundwater Protection Overlay District.

Mr. Wandell made a motion that the public hearing be continued to March 18, 2019, at 6:45 pm, Mr. Irving seconded the motion, and the board voted unanimously in favor.

Mr. Taylor returned to the room.

DISCUSSION ABOUT POSSIBLE CHANGES TO ZONING BYLAWS

The board discussed the amendments being proposed to the zoning bylaws, as described in the draft warrant for town meeting.

The board members talked about the proposed community center overlay district, and its possible ramifications, in particular. The discussion also encompassed how the new community center and nearby apartments will ultimately turn out. Some board members were concerned that the housing might be constructed first and then it would be uncertain whether the community center itself gets built.

The board conversed about the process of how proposed zoning bylaw changes are adopted, including the public hearings and town meeting. The board members discussed the verbiage of the proposed community center overlay district in detail.

It was agreed to talk about the proposed zoning bylaw changes again on March 11, and to hold the public hearings for them on March 25.

REVIEW OF ROUTINE ADMINISTRATIVE MATTERS

The board and Mr. Heins talked about the conflict of interest training and documents.

Ms. Coletta said that Daley & Wanzer, the moving company on Oak Street, wishes to use another of their existing curb cuts for tractor-trailer trucks entering and leaving their facility.

The board and Mr. Heins discussed the 5,000-square-foot garage recently approved by the Zoning Board of Appeals as an accessory structure to a home-based business at 420 Washington Street, and some board members expressed concern about this decision and about the building inspector issuing a building permit for the project.

Ms. Coletta noted that the Zoning Board of Appeals' decision granting variances to the 204 Center Street project had been issued, and the board discussed this briefly. Ms. Coletta said that the board (Planning Board) might need to meet in executive session within the next several days.

Mr. Irving made a motion to adjourn the meeting, Mr. Taylor seconded the motion, and the board voted unanimously in favor.

Respectfully submitted,

Matthew Heins, Planning Board Assistant