



PEMBROKE PLANNING BOARD MINUTES

MONDAY, APRIL 22, 2019

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

BOARD MEMBERS ABSENT: Andrew Wandell (Vice-Chairman), Daniel Taylor, and James Noone.

OTHERS PRESENT: Matthew Heins (Planning Board Assistant), Michael Hill (Fire Chief), Peter Palmieri (Merrill Engineers and Land Surveyors), Brian Murphy, Douglas Arsham, Sean Foster, and others.

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

DISCUSSION ABOUT SUBDIVISION #8940 CORPORATE PARK AND SUBDIVISION #9628 CORPORATE PARK EXTENSION

The board discussed Subdivision #8940 Corporate Park and Subdivision #9628 Corporate Park Extension, both of whose deadlines for completion recently expired, with Brian Murphy, who is the owner and/or developer of the subdivisions. The two subdivisions together make up Corporate Park Drive, and are in Industrial District A.

The board and Mr. Heins briefly discussed the road bond and engineering review funds for the two subdivisions, which possibly may be returned to the applicant.

Mr. Murphy and the board discussed the two subdivisions, the progress of construction, and whether Corporate Park Drive could become a public, accepted way in the future.

Mr. Murphy and the board talked about what engineering standards would be required for Corporate Park Drive to become a public way and/or for the road bond funds to be returned. A key question is whether the applicable engineering and building code standards should be those of when the subdivisions were originally approved, were built out, or at present. A discussion took place about the road's condition, current ADA and stormwater requirements, and other factors.

The board directed Mr. Heins to communicate with town counsel to determine how to handle these issues.

The board and Mr. Murphy discussed the zoning bylaws, how they apply to the Industrial A District, and possible changes to them.

The board and Mr. Murphy agreed to talk again at the board meeting on May 20.

DECISION TO APPROVE ALTERATIONS TO STORMWATER SYSTEM AND TOPOGRAPHY AS MINOR MODIFICATION TO SITE PLAN #SP4-16 BRIDGES AT PEMBROKE

The board discussed proposed alterations to the stormwater system and topography at previously approved Site Plan #SP4-16 Bridges at Pembroke, in Industrial District B. This project has been built and is occupied, but the high water table is a problem and stormwater is not draining out of the detention basins properly.

Douglas Arsham, representing the developer National Development, and Sean Foster, an engineer with Stantec working on the project, were present. The board's peer review engineer for the project, Peter Palmieri, was also present.

Mr. Arsham described the stormwater and water table problems at the Bridges at Pembroke, and explained that they wish to enlarge one of the two drainage basins, and to convert both basins from detention basins ("dry basins") to retention basins ("wet basins").

Ms. Coletta asked about how the appearance would be altered, and Mr. Foster explained that the vegetation would change somewhat, and that the ground would not be raised (rather, the bottom of the basin will be made lower). Ms. Coletta asked whether a wet basin will attract more insects, and this issue was discussed.

Mr. Irving mentioned the drainage problems in the parking lot, and he discussed this with Mr. Foster and Mr. Arsham.

The board and Mr. Palmieri discussed whether or not the proposed changes would constitute a major or minor modification. Further conversation took place about various aspects of the project and the proposed changes. The board members suggested the appearance of the wet basin close to Route 139 could be made more natural. The board and Mr. Arsham agreed that a row of trees or shrubs would be planted there, to shield the basin from view or improve the appearance generally.

Mr. Scholl made a motion to approve the proposed changes as a minor modification, contingent on further soil testing (as Mr. Palmieri had previously noted), the submission of a signed letter from a particular abutter (Mr. Ludlow) accepting the changes, and the planting of shrubs or trees to improve the appearance around the wet basin near Route 139. Mr. Irving seconded the motion, and the board voted unanimously in favor.

DECISION TO APPROVE PRELIMINARY SUBDIVISION ENTITLED TREE STAND WOODS, LOCATED NEAR HIGH STREET AND FOREST STREET

The board discussed the preliminary subdivision application entitled Tree Stand Woods, which was recently submitted and was discussed by the board and the applicant's engineer at the previous board meeting on April 8, 2019. The proposed subdivision is located off High Street with access through 385 High Street, and also borders Forest Street. It lies in Residence District A.

By Massachusetts General Law and the subdivision rules and regulations, the Planning Board is required to render a decision on a preliminary subdivision application, though this is not in any way binding on the board if and when the project is submitted as a definitive subdivision application.

Ms. Coletta noted that the board rarely receives preliminary subdivision applications, and a discussion followed about the appropriate procedures for handling such an application.

One key issue of the project is that the proposed length of the cul-de-sac is longer than what the subdivision rules and regulations normally allow, and so a waiver would be required. Michael Hill, the Pembroke Fire Chief, was present, and so the board discussed fire safety and road length with him.

Mr. Heins had prepared a letter stating that the board approved the preliminary subdivision application. On further discussion, it was agreed that the Chairman of the board, Ms. Coletta, would sign the letter.

Mr. Irving made a motion that the board issue a letter stating that the preliminary subdivision application, for the proposed subdivision entitled Tree Stand Woods, had been approved by the board, but that this did not constitute a definite approval of the subdivision. Mr. Scholl seconded the motion, and the board voted unanimously in favor.

REVIEW OF ROUTINE ADMINISTRATIVE MATTERS

Ms. Coletta noted that she and Mr. Wandell would discuss the proposed cluster development zoning bylaw at the next meeting of the Board of Selectmen.

Ms. Coletta explained that David Norman, a member of the public, requested that his letter regarding proposed Site Plan #SP1-19 at 50 Mattakeesett Street be included in the minutes for April 8. The board discussed the request, and directed Mr. Heins to include the letter in the minutes.

Ms. Coletta explained that the applicant for proposed Site Plan #SP1-19 at 50 Mattakeesett Street, which has been withdrawn, was requesting return of the remaining balance of the engineering review account. Mr. Irving made a motion that the remaining balance of the engineering review account be returned to the applicant for the proposed site plan at 50 Mattakeesett Street, Mr. Smith seconded the motion, and the board voted unanimously in favor.

The board discussed the peer review engineer's report on the as-built plans and as-built condition of Site Plan #SP2-13 at 593-595 Washington Street (Jefferson Square). The board agreed to wait until the possible erosion problems around two rain gardens are corrected before returning the remaining balance of the engineering review account.

The board discussed Site Plan #SP5-16 Arrow Restaurant at 300 Center Street and the remaining balance of the engineering review account for this project. The board agreed to wait to hear back from the applicant.

The board discussed the peer review engineer's report on the as-built plans and as-built condition of Site Plan #SP7-16 Hobomock Solar Project. The board directed Mr. Heins to ask the developer to install the check dams which are mentioned in the report as not having been built.

Ms. Coletta noted that the Board of Selectmen is considering purchasing the Pembroke Country Club property once it leaves Chapter 61 status, and a discussion followed.

With regard to the recently submitted application for Site Plan #SP3-19 Lucky Dawg Tavern and Grill, Ms. Coletta explained that the payment of \$1,000 originally submitted toward engineering peer review was insufficient for a full review. The board and Mr. Heins discussed this, and the board directed Mr. Heins to request an additional payment from the applicant.

The board and Mr. Heins discussed the process by which the Planning Board approves building permit routing slips, and whether it can be streamlined.

The board talked about a potential problem with an easement at Subdivision #1802 Lisa's Lane (formerly known as Libby's Lane).

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

Respectfully submitted,

Matthew Heins, Planning Board Assistant