



PEMBROKE PLANNING BOARD MINUTES

MONDAY, JULY 22, 2019

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

BOARD MEMBERS ABSENT: Daniel Taylor.

OTHERS PRESENT: Matthew Heins (Planning Board Assistant), Peter Palmieri (Merrill Engineers and Land Surveyors), Kenneth Staffier, Edward Mullin, Christina Moreau, Lenny Rowe, Darren Grady, Kevin Welch, Christopher King, Charles Kovacic, Anthony Johnson, Brian Murphy, Scott Radwin, Douglas Bailey, and others.

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

DISCUSSION ABOUT PROPOSED SIGNAGE IN PARKING LOT OF STOP AND SHOP SUPERMARKET AT 24 MATTAKEESETT STREET

The board discussed proposed signage for the parking lot of the Stop and Shop Supermarket at 24 Mattakeesett Street in the Center Protection District. The supermarket is creating a service to allow people to order ahead of time and have their groceries brought to their car outside, and they wish to install several small directional signs in the parking lot to direct customers to the "pick-up" parking spaces.

Christina Moreau of Agnoli Sign Company was present representing the project, and she described where the signs would be located and how traffic would move through the parking lot. She showed the board images of what the signs would look like, and a map of where they would be placed.

The board and Ms. Moreau discussed the proposed signage, and how the zoning bylaws regulate signs in the Center Protection District.

Some board members explained that signs in the Center Protection District are not allowed to display phone numbers, and this led to further conversation. It was also clarified that the signs should have a more historical appearance, and be made of wood or a wood-like material. The board and Ms. Moreau talked about some of the other regulations that apply to signs in the Center Protection District.

It was agreed that Ms. Moreau would revise the design and appearance of the proposed signs, and would return to seek approval for them at a future board meeting.

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

Ms. Coletta re-opened the public hearing (continued from February 25, 2019, March 18, 2019, April 8, 2019, May 20, 2019, and June 17, 2019) 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.

Darren Grady and Kevin Welch were present; Mr. Grady is the project engineer, and Mr. Welch is the developer who is currently leasing the property. Peter Palmieri (of Merrill Engineers and Land Surveyors), the board's peer review engineer for the project, was also present.

Mr. Heins explained that the Building Department and Fire Department are satisfied with the progress made in dealing with the building code and fire code violations on the property, and so they have no objections to the site plan application being approved.

Mr. Grady described the current design of the project, which had been modified from the previous design submitted. The board, Mr. Grady and Mr. Welch discussed the proposed storage of boats on the property. Ms. Coletta emphasized that the storage of boats, and their location, is a crucial issue, and Mr. Grady agreed to create a new site plan drawing showing where the boats would be.

A dialogue took place about the amount of paving on the site, and whether gravel counts as paving for the purposes of calculating the coverage. Other aspects of the design were also discussed.

Since the Zoning Board of Appeals was still considering the project, the board could not make any decision and so it was necessary to continue the public hearing. It was agreed to continue the hearing to August 26.

Mr. Wandell made a motion to continue the public hearing for Site Plan #SP2-19 at 171 Mattakeesett Street to August 26, 2019, at 7:00 pm, and Mr. Irving seconded the motion. (Ms. Coletta clarified that maintaining the board's quorum for the project's hearings would be possible.) The board voted unanimously in favor.

REVIEW OF ROUTINE ADMINISTRATIVE MATTERS

Mr. Wandell made a motion to approve the minutes of July 8, 2019, as presented, Mr. Scholl seconded the motion, and the board voted unanimously in favor.

Ms. Coletta explained that in the case of Site Plan #SP4-18 at 212 Schoosett Street, the Magical Years Preschool, it was unclear if the required construction inspections by the board's peer review engineer (Mr. Palmieri) would take place. The project appeared to be on the verge of construction, with the demolition and some excavation already done, and the applicant had not been in communication with Mr. Heins or Mr. Palmieri. Mr. Heins had prepared a letter to the applicant about these issues, which the board reviewed, and the board directed Mr. Heins to send the letter to the applicant and to the project engineer.

DISCUSSION ABOUT AS-BUILT DRAWING AND CONSTRUCTION ISSUES OF SITE PLAN #SP2-17 AT 260-280 OAK STREET

The board discussed the as-built drawing, and certain issues relating to the final built condition of the project, for Site Plan #SP2-17 at 260-280 Oak Street, which was recently completed. Brian Murphy,

the developer of the project, was present. Mr. Palmieri, the board's peer review engineer for the project, was also present.

Mr. Palmieri went over some of the issues raised in his review letters, which the board and Mr. Murphy discussed. Conversations took place about the caliper of the newly planted trees, the drainage in general, and the need for gas traps in the catch basins along Oak Street.

There was a discussion about the configuration of the access drive where it intersects with Oak Street and another parking lot, which Mr. Palmieri believed was confusing and possibly dangerous for drivers. A similar though less problematic issue was identified at another location on the site. Ms. Coletta noted that these changes to the designed plan should have been brought to the attention of the board during the construction process. It was agreed that the project's engineer would suggest a new layout for this portion of the access drive, which Mr. Palmieri would evaluate.

A conversation also took place about the landscaped buffers in the design and in the project's final built form. The board members agreed that the caliper of the trees was not a problem.

PUBLIC HEARING FOR PROPOSED SITE PLAN #SP5-19 HERRING BROOK SOLAR PROJECT

Ms. Coletta opened the public hearing for proposed Site Plan #SP5-19 Herring Brook Solar Project, to construct a large-scale ground-mounted solar facility, with the solar panels to cover about 13 acres, which would generate roughly 4.1 megawatts of direct current electricity. The property is located in Residence District A and Business District B, at 0 Hobomock Street (between 132 Hobomock Street and 11 Hil's Mill Road), Pembroke, MA 02359, as shown on Assessors' Map D6, Lot 1.

Christopher King (of Atlantic Design Engineers), one of the project engineers, was present. Mr. Palmieri, the board's peer review engineer for the project, was also present. Mr. King introduced the project. He explained that the development footprint was limited to areas that had previously been used or disturbed, in particular an old excavation area, and that they sought to minimize the clearing of trees. He noted that they are currently in the public hearing process (notice of intent) before the Conservation Commission.

Mr. King explained that the solar array would generally be over 100 feet from the boundaries of adjacent residential land, but at one point it would be 78 feet from town-owned land, which he requested the board allow. He described the extent of the project's likely visibility from nearby properties, and went over some other details of the design. He discussed how the project was being designed to accommodate the needs and requirements of the Fire Department, described the stormwater system and how drainage would be handled, and talked about the necessary test pits.

In reply to a question from Mr. Scholl, Mr. King said that from the street there would be little visibility of the project, due to the topography. A discussion followed about the views from the residential parcels on Hil's Mill Road, and Mr. King indicated that these abutters generally wouldn't see much of the project.

Mr. King explained that they are currently working with the Conservation Commission on issues relevant to that board.

A conversation took place about whether the board could waive the 100-foot buffer adjacent to residential properties (and/or properties in the residential A zone) which is specified by the zoning bylaw for large-scale ground-mounted solar projects.

Mr. Noone asked if the solar panels would be visible from Hobomock Street. Mr. King said a direct sightline study had not been done, but judging from the grades and topography, he believed they would not be seen. Further conversation ensued about the possible views from various locations around the site. Anthony Johnson (of Centrica), also representing the project, contributed to the discussion.

Mr. King and the board talked about the remaining items to be addressed and the process going forward. Mr. King asked if the board was amenable to the waivers being requested.

Some of the board members stated they would go near the site and check out its visibility from adjacent areas. A conversation took place about the financial surety requirement for decommissioning. The board members talked about the requested waivers. There was a discussion about drainage and the test pits being a condition of approval.

Mr. Wandell made a motion to continue the public hearing to August 12, 2019, at 6:30 pm, Mr. Irving seconded the motion, and the board voted unanimously in favor.

DECISION TO APPROVE CHANGES TO SITE PLAN #SP5-18 URGENT CARE FACILITY AT 296 OLD OAK STREET AS MINOR MODIFICATION

The board discussed some proposed changes to the design of Site Plan #SP5-18 Urgent Care Facility at 296 Old Oak Street, currently under construction. Kenneth Staffier, the project engineer, and Edward Mullin, one of the property owners, were present. Mr. Palmieri, the board's peer review engineer for the project, was also present.

The design revisions involve altering the loading dock of the existing Sun & Ski building, shifting the location of the dumpsters, turning some vertical granite curbing into Cape Cod berms, and a few other minor changes. The board had discussed these proposed modifications at a previous board meeting.

Mr. Mullin explained that the Fire Department had approved the revised design. Mr. Staffier briefly went over the proposed changes, which the board agreed were acceptable.

Mr. Wandell made a motion to approve the proposed changes to Site Plan #SP5-18 Urgent Care Facility at 296 Old Oak Street as a minor modification to the site plan. (Mr. Palmieri confirmed that the proposed changes were acceptable to him.) Mr. Irving seconded the motion, and the board voted unanimously in favor.

DISCUSSION ABOUT EXISTING EASEMENT ON PROPERTY OF SUBDIVISION #1802 LISA'S LANE, AND ABOUT ANOTHER REQUIRED EASEMENT TO THE TOWN

The board discussed certain issues relating to Subdivision #1802 Lisa's Lane (formerly known as Libby's Lane) with an abutter to the subdivision, Scott Radwin. Douglas Bailey of Grady Consulting, the engineering firm handling Libby's Lane, was also present. The project is currently under construction.

Mr. Radwin possesses an existing easement on the subdivision's property for an electric power line running from his house, and was worried that this was shown incorrectly on the subdivision drawings. He had also expressed concern as to whether the board is enforcing condition #1 of its final conditions of approval for Libby's Lane Subdivision, a standard requirement for all subdivisions

in Pembroke which specifies an (entirely different) easement that the developer must grant to the town.

Mr. Bailey explained that he had prepared an 81-X easement plan of lot 7 of the subdivision, which properly shows the preexisting easement for Mr. Radwin's property, and had recorded it at the Registry of Deeds. The board discussed this with Mr. Radwin.

With regard to condition #1 of the final conditions of approval for the subdivision, the board reviewed a draft easement legal document which the developer had provided. The board members talked about the document, and about easements for subdivisions (so that the town can access the road, drainage areas, and other portions of a subdivision if necessary).

Mr. Wandell made a motion to approve the form of the grant of easement to the Town of Pembroke from K&G Development Corporation, as provided to the Planning Board on this date. Mr. Irving seconded the motion, and the board voted unanimously in favor.

Ms. Coletta directed Mr. Heins to communicate with town counsel about such easements in general, and about the verbiage of this particular easement.

REVIEW OF ROUTINE ADMINISTRATIVE MATTERS

Ms. Coletta explained that the Board of Health Office had acquired a large-format copier-printer-scanner, and that the Planning Board Office and other departments could use it provided they contribute \$200 annually for its maintenance and paper. The board agreed this would be worthwhile.

Mr. Wandell made a motion to allocate \$200 toward the large-format copier-printer-scanner in the Board of Health Office. Mr. Irving seconded the motion, and the board voted unanimously in favor.

The board and Mr. Heins discussed Subdivision #0408 Stone Meadow Farm, and whether to remind the developer to request an extension of the deadline for completion.

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

Respectfully submitted,

Matthew Heins, Planning Board Assistant