



## PEMBROKE PLANNING BOARD MINUTES

**MONDAY, NOVEMBER 18, 2019**

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

**BOARD MEMBERS ABSENT:** Daniel Taylor and Daniel Smith, Jr.

**OTHERS PRESENT:** Matthew Heins (Planning Board Assistant), Edwin Thorne (Town Manager), Peter Palmieri, Alysha Perry, Christopher Perry, Stephan Roundtree, John Poirier, Paul Overgaag, Tyler Nims, Brandon Gulnick (Selectmen's Office), and others.

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

### **ENTERING EXECUTIVE SESSION**

Ms. Coletta explained that the board would go into executive session pursuant to G.L. c. 30A, Section 21(a), for these purposes:

- Purpose number 6: "To consider the purchase, exchange, lease or value of real estate, if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body." Specifically, the Board will discuss the property at 660 Washington Street (Assessors' Map F9 Lot 1).
- Purpose number 7: "To comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements." Specifically, the Board will approve the minutes for previous executive sessions.

Mr. Wandell made a motion to go into executive session, and Mr. Noone seconded the motion.

Ms. Coletta explained that the board would return to open session at the conclusion of executive session.

The board voted by roll call on whether to enter executive session:

Rebecca Coletta: yes

Andrew Wandell: yes

Thomas Irving: yes

James Noone: yes

John Scholl: yes

The motion passed.

Any people present left the room, other than the Planning Board members, Edwin Thorne (Town Manager), and Mr. Heins. All recording devices were turned off.

The board entered executive session.

***The minutes of executive session are a separate document.***

#### **DECISION ABOUT PEER REVIEW ENGINEERING CONSTRUCTION INSPECTION ESTIMATES**

The board returned to open session.

Peter Palmieri (of Merrill Engineers and Land Surveyors), the board's peer review engineer for most projects, came before the board to discuss the estimates for the construction inspections that are typically done for site plans and subdivisions.

Mr. Heins explained that these estimates typically are less than what the construction inspections ultimately cost, due to the varied unforeseeable problems and complications inherent in construction. It can be difficult to get the developer to replenish the engineering review account during the construction process.

The board, Mr. Palmieri and Mr. Heins talked about these issues in detail. It was agreed to add a 20% contingency to the construction inspection estimates, and also to require an additional payment as appropriate if there is a project modification during construction.

#### **DISCUSSION ABOUT POSSIBLE DEVELOPMENT OF PROPERTY AT 326 WEST ELM STREET**

Alysha Perry came before the board to discuss options for the development of the property at 326 West Elm Street, and the applicability of various zoning bylaws to the property. Ms. Perry owns the property through an L.L.C.

Ms. Coletta stated for the record that Ms. Perry ran against Ms. Coletta in an election for a seat on the Planning Board. Ms. Coletta stated that she did not believe this would impact her ability to consider the situation and examine the property without bias, and that she did not have any financial interest in the outcome.

Mr. Wandell stated for the record that his wife is the listing (real estate) agent for the property, and so therefore he would recuse himself from the discussion.

At this time Mr. Wandell left the room.

Ms. Perry asked about the provisions of the new zoning bylaw allowing age-restricted cluster developments, and a discussion followed. The board and Ms. Perry talked about how this applies, and in particular about the rule that a cluster development cannot have more units than an ordinary subdivision could have.

Ms. Coletta described the recent history of the property, and the process by which it was sold at town auction. She stressed that the town created the cluster development option while still not wanting to allow more total density in general.

The board and Ms. Perry discussed the possibility of creating a project that connects with Standford Hill Road.

Ms. Coletta described how the zoning bylaw allowing cluster development was created, and some of the rationales behind it. Ms. Perry explained her perspective on the property. Further conversation ensued about development options, especially about the requirement that a cluster development cannot have more units than an ordinary subdivision could have (and thus a developer must prove how many units could be built through an ordinary subdivision).

There was more discussion about development possibilities. The role of the Conservation Commission was considered, given the wetlands on the property.

**DECISION TO APPROVE PROPOSED RESTAURANT WITHIN EXISTING BUILDING OF SITE PLAN #SP3-18 AT 340 OAK STREET AS MINOR MODIFICATION TO SITE PLAN**

Mr. Wandell returned to the room.

John Poirier and Paul Overgaag came before the board to discuss their proposed restaurant within the existing building at 340 Oak Street, the Wolves Den Sports Complex. This property is being improved with a new parking area, access drive and stormwater system as Site Plan #SP3-18, currently under construction. (Most of this work is done or almost done.) The restaurant would be located entirely within the existing building, which currently contains several basketball courts along with some other facilities and uses.

In particular, Mr. Poirier, Mr. Overgaag and the board sought to resolve the question of how much parking was necessary to accommodate the restaurant.

Tyler Nims, the board's peer review engineer for this project, was present, as was Peter Palmieri, the project's engineer. The board members reviewed Mr. Palmieri's letter regarding parking, which states that the new parking area (recently constructed) has enough parking spaces for the proposed restaurant along with the existing uses.

Mr. Nims said he had gone over Mr. Palmieri's letter and was in general agreement with it. Mr. Palmieri spoke and explained his reasoning, describing various factors related to parking on the property. He acknowledged that given the proposed combination of uses, it is very difficult to come up with exact figures for the necessary amount of parking spaces. Mr. Nims and Mr. Palmieri discussed various aspects of the parking situation. It was noted that the property owner across the street has agreed to allow some additional parking spaces there to be used, if necessary.

Mr. Noone asked about the walkway and steps shown on the drawings leading towards the Brigham & Women's medical building's property, and a discussion followed. It was explained that the Fire Department had requested this.

The board and Mr. Nims briefly discussed his most recent review letter about the ongoing construction of the project (Site Plan #SP3-18).

The board members were in agreement that it would be reasonable to approve the proposed restaurant as a minor modification to the site plan.

Mr. Noone made a motion that the board approve the proposed restaurant as a minor modification to Site Plan #SP3-18 at 340 Oak Street. Mr. Irving seconded the motion, and the board voted unanimously in favor.

Mr. Noone made a motion that the board authorize Mr. Heins (the Planning Board Assistant) to sign the building permit for the proposed changes to Site Plan #SP3-18 at 340 Oak Street. Mr. Irving seconded the motion, and the board voted unanimously in favor.

**DISCUSSION ABOUT POSSIBLE SUBDIVISION OF PROPERTY AT 65 FOREST STREET, AND POSSIBLE DEVELOPMENT OPTIONS FOR PROPERTY AT 55 FOREST STREET**

Stephan Roundtree came before the board to discuss the possible subdivision of the property at 65 Forest Street. Mr. Roundtree lives at the adjoining property, 55 Forest Street. The owner of 65 Forest Street, Steven Cogliano, was unable to attend the board meeting.

Mr. Roundtree explained that he and Mr. Cogliano had discussed subdividing off a portion of Mr. Cogliano's property at 65 Forest Street, and selling it to Mr. Roundtree. It would be added to Mr. Roundtree's property at 55 Forest Street, which then might possibly be subdivided or further developed in some manner. One possible complication is that 65 Forest Street is currently a nonconforming property for its single-family residential use, due to its irregular shape.

Mr. Roundtree explained that his property at 55 Forest Street was formerly a cranberry bog, and he hopes to make it into a blueberry and strawberry farm but its hydrology has problems due to previous work done there. Mr. Roundtree said that he wishes to use the added land he hopes to acquire from 65 Forest Street to build another house on his property.

Discussion ensued. Several board members explained that shared driveways are not allowed in Pembroke, so another house would need its own driveway and have to be on its own lot. It was clarified that Mr. Roundtree's property has about 370 feet of frontage.

The board and Mr. Roundtree discussed various possible configurations and layouts of the property, and Mr. Roundtree described some of the ecological and hydrologic challenges of the site. Mr. Roundtree said he would look over the situation and possibly return to talk with the board again.

**DISCUSSION ABOUT COMPLETE STREETS PROGRAM, AND APPOINTMENT OF TWO BOARD MEMBERS TO COMPLETE STREETS WORKING GROUP**

Brandon Gulnick, of the Selectmen's Office, came before the board to discuss the town's application for the Complete Streets Program. This program makes streets more accessible for pedestrians and bicyclists, and also makes them safer through traffic calming and other methods. He explained that the town is now working on its Complete Streets Prioritization Plan.

Conversation followed about the Complete Streets Program, about the condition of the town's roadways, and about the need for sidewalks and bike paths. Mr. Gulnick described some of the plans and funding mechanisms for streets, sidewalks, bike paths and other infrastructure. Ms. Coletta noted the enduring need for a master plan for the town, and a discussion took place about this. The board members, Mr. Gulnick and Mr. Heins talked about various aspects of masterplanning and how a master plan could be done.

Mr. Gulnick explained that it is necessary to form a Complete Streets Working Group, which will have representatives from various town departments, offices, boards and committees. Thus he requested that one or two people from the Planning Board serve on the Complete Streets Working Group. The board discussed this, and it was agreed that James Noone and Thomas Irving were willing to serve on this group.

Mr. Wandell made a motion that the board appoint James Noone and Thomas Irving to the Complete Streets Working Group. Mr. Scholl seconded the motion, and the board voted unanimously in favor.

**REVIEW OF ROUTINE ADMINISTRATIVE MATTERS**

Mr. Wandell made a motion to approve the minutes for November 4, 2019, Mr. Irving seconded the motion, and the board voted unanimously in favor.

Mr. Wandell made a motion that the board authorize Mr. Heins (the Planning Board Assistant) to sign the building permits for the lots that have already been released in Subdivision #1701 Bristol Estates and Subdivision #1802 Lisa's Lane. Mr. Noone seconded the motion, and the board voted unanimously in favor.

The board talked about whether to authorize Mr. Heins to sign every building permit associated with projects that went through the board (i.e., site plans and subdivisions), rather than having many of them come before the board.

Mr. Irving made a motion that Mr. Heins be authorized to sign the building permits that he feels confident about approving, and have others come before the board. Mr. Noone seconded the motion. Discussion followed among the board members and Mr. Heins, and it was agreed to leave the system the way it is. Mr. Noone withdrew the motion.

Ms. Coletta said the work has been completed for the minor modification to Site Plan #SP4-16 Bridges at Pembroke. The board's peer review engineer for the project, Peter Palmieri, will review the work and the as-built drawing.

The board briefly discussed the review letter about the construction progress of Subdivision #0408 Stone Meadow Farm, written by Tyler Nims, the board's peer review engineer for the subdivision.

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