



PEMBROKE PLANNING BOARD MINUTES

MONDAY, JANUARY 6, 2020

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

BOARD MEMBERS ABSENT: James Noone and Daniel Taylor.

OTHERS PRESENT: Matthew Heins (Planning Board Assistant), Peter Palmieri, Thomas Osborne, Debi Breen, Ellen Bayliss, Stacy Minihane, Jonathan Cohen, and others.

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

REVIEW OF ROUTINE ADMINISTRATIVE MATTERS

Mr. Scholl made a motion to approve the minutes for December 16, 2019, Mr. Irving seconded the motion, and the board voted unanimously in favor.

The board and Mr. Heins discussed the scheduling of agenda items for the board's meeting on January 27, 2020, and agreed to meet on February 10 and 24.

The board members talked about how to change the signage on Route 3 so that Pembroke will be indicated on the appropriate sign.

A conversation took place about zoning bylaw changes that may be proposed at the upcoming annual town meeting, especially with regard to affordable housing, uses in the Center Protection District, and single-family residences in the industrial zones.

The board, Mr. Palmieri and Mr. Heins discussed whether common ownership is required for all the properties in a site plan.

PUBLIC HEARING FOR PROPOSED SITE PLAN #SP7-19 CAMP PEMBROKE YURT VILLAGE

Ms. Coletta re-opened the public hearing for proposed Site Plan #SP7-19 Camp Pembroke Yurt Village, to construct new buildings and facilities to expand an existing summer camp, at 306 Oldham Street (also known as 290 Oldham Street), located in Residence District A and the Water Resource and Groundwater Protection District. The hearing was continued from December 16, 2019.

Stacy Minihane, of Beals and Thomas, and Jonathan Cohen, president of the Cohen Camps (which owns and runs Camp Pembroke), were present to represent the project.

Ms. Minihane described the revisions made to the plan since the previous submission. She noted that the stormwater design had been changed, with the infiltrator moved out of Zone A. She and Mr. Cohen mentioned the title search and property ownership issue.

Mr. Palmieri said the applicant had requested the site lighting design and soil testing be made conditions of approval.

The issue of noise, coming from certain evening events at the camp, was raised. Mr. Heins said that he had talked with the Selectmen's Office and the Chief of Police, and both had said they don't have any major problems with the camp, and that the noise is a relatively minor issue which only happens a few times each summer.

Mr. Cohen explained that the events which cause noise always end by 9:30 pm.

Debi Breen, an abutter who lives very close to the building from which the noise (primarily music from dance events with a D.J.) comes, addressed the board. She said that for her the noise is a major problem, especially since the events are on Sunday nights and she gets up very early on weekdays for work. She complained that in general the camp is not a good neighbor and causes problems during the summer. She said that she has called the police on many occasions about the camp.

Mr. Cohen explained that the number of activities which cause noise has been reduced over the years to four or five per summer, and they end at 9:30 pm. He said that the camp's counselors are generally well behaved, and that the campers are supervised.

Mr. Cohen and the board members talked about the events and when they take place, and where the recreation building (in which the musical events are held) is located.

Ms. Coletta and Ms. Breen discussed the project and various aspects of the site plan.

Ellen Bayliss, an abutter to the camp, said that the noise has gotten worse over the years, and complained about the camp and its activities in general.

In reply to a question, Mr. Cohen said that the camp's enrollment has declined slightly in the past 7 or 8 years.

Ms. Minihane mentioned that in the public hearing for the recreation building about 15 or 20 years ago (i.e., before the musical events began in that building), there were also noise complaints from some neighbors.

Ms. Coletta talked about the music issue.

In reply to a question, Mr. Cohen said the camp's enrollment would rise from 300 to 325 with the addition of the "yurt village" in this site plan.

Mr. Wandell, speaking from experience as an abutter, said the camp has been a good neighbor in general.

Ms. Coletta asked if sound buffering could be added to the recreation building, and a discussion followed.

Mr. Cohen said the number of musical events has been reduced to four or five per summer, and they end by 9:30 pm. A discussion ensued.

Mr. Cohen offered to eliminate loud activities on Sunday night, and to stop the noise by 9:00 pm on other nights. Conversation followed. Some board members suggested planting trees near the recreation building to dampen the sound.

Thomas Osborne, an abutter to the project who lives on Oldham Street, said that he has lived there for many years and has no complaints about the camp, and no objections to the project.

Mr. Scholl made a motion to close the public hearing, and Mr. Irving seconded the motion. Ms. Coletta, Mr. Irving, Mr. Scholl and Mr. Smith voted in favor, Mr. Wandell abstained (because he is an abutter to the site plan), and the motion passed.

Mr. Irving made a motion to approve the site plan, subject to conditions to be written at the next board meeting that would include the planting of arbor vitae by the recreation building, soil testing, site lighting, the elimination of loud music on Sunday nights, and the ending of loud music by 9:00 pm on other nights. Mr. Scholl seconded the motion. Ms. Coletta, Mr. Irving, Mr. Scholl and Mr. Smith voted in favor, Mr. Wandell abstained (because he is an abutter to the site plan), and the motion passed.

The board and Mr. Heins briefly talked about getting the site plan's decision and conditions done at the board meeting on January 27.

REVIEW OF ROUTINE ADMINISTRATIVE MATTERS

The board and Mr. Heins discussed the executive session the board was about to enter, and briefly conversed about the possible zoning bylaw changes and the state's M.E.P.A. review of large projects.

ENTERING EXECUTIVE SESSION

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

- 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.
- Purpose number 3: "To discuss strategy with respect to...litigation if an open meeting may have a detrimental effect on the...litigating position of the public body and the chair so declares." Specifically, the Board will discuss and take appropriate action with respect to the matter of Town of Pembroke Planning Board, et al. v. Town of Pembroke Board of Zoning and Building Law Appeals, et al., Plymouth County Superior Court Case No. 1983CV00239 regarding Pembroke Center Street, LLC, and the property located at 204 Center Street in Pembroke. Further, the Chair declares that having such discussion in open session would have a detrimental effect on the Planning Board's litigating position.

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

Rebecca Coletta: yes

Andrew Wandell: yes

Thomas Irving: yes

Daniel Smith, Jr.: yes

John Scholl: yes

The motion passed.

Ms. Coletta explained that the board would not return to open session at the conclusion of executive session, except to adjourn.

Any people present left the room, other than the Planning Board members and Mr. Heins. All recording devices were turned off.

The board entered executive session.

The minutes of executive session are a separate document.

Respectfully submitted,

Matthew Heins, Planning Board Assistant