



## PEMBROKE PLANNING BOARD MINUTES

MONDAY, OCTOBER 19, 2020

**BOARD MEMBERS PRESENT:** Daniel Taylor (Chairman), Andrew Wandell (Vice-Chairman), Alysha Siciliano-Perry (Clerk), Rebecca Coletta, and James Noone.

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

**OTHERS PRESENT:** Matthew Heins (Planning Board Assistant), Kenneth McCormick (Fire Chief), Peter Palmieri, David Klenert, Alan Dias, Heather Tremblay, Andrew Herman, Eric Herman, and others.

Due to the coronavirus pandemic, this meeting of the Planning Board was held by remote participation using the internet, through the Zoom software platform arranged by PACTV, with nobody in physical proximity.

### **OPENING THE MEETING**

At 7:00 pm, Mr. Taylor opened the Planning Board meeting. He read a modified version of the Chairman's statement, adjusted for the circumstances of the coronavirus pandemic and remote participation:

This meeting of the Pembroke Planning Board on October 19, 2020, is now open. Please note that this meeting is being made available to the public through an audio and/or video recording which will be used to ensure an accurate record of proceedings produced in the minutes of the meeting. All comments made in open session will be recorded.

Pursuant to Governor Baker's March 12, 2020, Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §20, and the Governor's March 15, 2020, Order imposing strict limitations on the number of people that may gather in one place, this public meeting of the Pembroke Planning Board is being conducted via remote participation.

No in-person attendance of members of the public will be permitted, but the public can view and listen to this meeting while in progress. PACTV is providing this service live on Comcast Government Access Channel 15, and for those without cable, on their PRIME streaming channel by visiting [www.pactv.org/live](http://www.pactv.org/live).

Members of the public attending this meeting virtually will be allowed to make comments if they wish to do so during the portion of any public hearing designated for public comment, by emailing [mheins@townofpembrokemass.org](mailto:mheins@townofpembrokemass.org) or calling Matthew Heins at 781-709-1433. The public also has the option to participate interactively through the Zoom software application, if technically feasible. For the necessary Zoom access information, please email [mheins@townofpembrokemass.org](mailto:mheins@townofpembrokemass.org) or call 781-709-1433.

All votes taken during this meeting will be roll call votes. At the start of this meeting, and at any time when a member of the Planning Board enters or leaves the meeting, we will identify the board members participating and note the time.

## **PUBLIC HEARING FOR APPLICATION TO IMPROVE CRESCENT AVENUE TO MEET THE DEFINITION OF A WAY**

Mr. Taylor reopened the public hearing (continued from September 14, 2020) for the application of Roger Warren, P.O. Box 2447, Basseterre, St. Kitts, West Indies, for Improvements to a Private Way or Paper Street to Meet the Definition of a Way under the Zoning Bylaws of the Town of Pembroke Section V.9. (Determination of Adequacy of the Way Policy and Procedures). The applicant proposes to improve Crescent Avenue, in order for it to meet the definition of a way, through improvements to its width, paving, grading, drainage, layout and configuration. Crescent Avenue is located in southwestern Pembroke in Residence District A near the border with Halifax. The properties adjacent to it are 439 Plymouth Street, 445 Plymouth Street, 10 Crescent Avenue, 9 Crescent Avenue, 0 Crescent Avenue, 0 Crescent Avenue, 0 Thompson Street, 0 Crescent Avenue (Halifax), and 0 Thompson Street, as shown on Assessors' Map B2, Lot 47, Lot 48, Lot 2594, Lot 2390, Lot 2262, Lot 2459, Lot 2446, Lot 27 and Lot 2533. A copy of the application is available in the Office of the Planning Board.

The project engineer David Klenert (Collins Civil Engineering Group) was present. The board's peer review engineer for the project, Peter Palmieri (Merrill Engineers and Land Surveyors), was present as well. Kenneth McCormick, the town's Fire Chief, was also present.

Mr. Klenert requested to immediately continue the public hearing, to give Mr. Palmieri time to review the revised stormwater management report which had just been submitted that day. Mr. Heins noted it was necessary to extend the deadline for the board to issue its decision, and Mr. Klenert agreed to ask for a 60-day extension.

Ms. Coletta made a motion to extend the deadline for the board to issue its decision by 60 days, Ms. Siciliano-Perry seconded the motion, and the board voted unanimously in favor by roll call.

Mr. Wandell made a motion to continue the public hearing to November 16, 2020, at 7:00 pm, Ms. Siciliano-Perry seconded the motion, and the board voted unanimously in favor by roll call.

## **ELEVEN PUBLIC HEARINGS FOR ELEVEN PROPOSED ZONING BYLAW AMENDMENTS**

Mr. Taylor reopened eleven public hearings running concurrently (continued from March 16, 2020, April 27, 2020, May 4, 2020, June 8, 2020, July 27, 2020, and September 28, 2020) for eleven proposed amendments to the zoning bylaws. (There were originally twelve proposed amendments to the zoning bylaws intended to be on the warrant for annual town meeting and so in the beginning there were twelve public hearings, but the public hearing titled Flood Plain District was closed on April 27, 2020.) These eleven proposed zoning bylaw amendments are titled (in the legal advertisements) as follows: Definition: Residential Affordable Housing Development; Industrial District A, Residential Affordable Housing; Industrial District B, Residential Affordable Housing; Residential Affordable Housing, Special Permit; Industrial District A, Prohibition of Houses; Industrial District B, Prohibition of Houses; Industrial District A, Prohibition of Accessory Dwelling Units; Industrial District B, Prohibition of Accessory Dwelling Units; Water Resource and Groundwater Protection District; Kennels; and Center Protection District, Mixed-Use.

The board members discussed the date the next town meeting will take place, that being when these proposed zoning bylaws will likely be considered.

Mr. Wandell made a motion to continue the public hearings for the proposed zoning bylaw amendments to December 7, 2020, at 7:00 pm, Ms. Siciliano-Perry seconded the motion, and the board voted unanimously in favor by roll call.

**VOTE TO RECOMMEND AND JOINTLY APPOINT HEATHER TREMBLAY AND STEPHAN ROUNDTREE TO SEATS ON PLANNING BOARD**

Mr. Taylor mentioned that Christopher McGrail had decided to accept a vacant seat on the Zoning Board of Appeals, and thus was no longer under consideration for the vacant interim seat on the Planning Board. He suggested the board vote to recommend both Heather Tremblay and Stephan Roundtree (the other two candidates for the vacant interim seat) to interim seats on the board, with Ms. Tremblay to take the currently vacant seat and Mr. Roundtree to take the seat that will become vacant when Ms. Coletta resigns from the board.

Mr. Wandell made a motion that, contingent upon the resignation of Rebecca Coletta from the Planning Board, the board recommend that the Board of Selectmen, in conjunction with the Planning Board, appoint Heather Tremblay and Stephan Roundtree to the Pembroke Planning Board. Mr. Noone seconded the motion, and the board voted unanimously in favor by roll call.

Mr. Heins and the board discussed the process and timeline to put Ms. Tremblay and Mr. Roundtree on the board.

**REVIEW OF ROUTINE ADMINISTRATIVE MATTERS**

Ms. Coletta made a motion to accept the minutes for September 28, 2020, and October 5, 2020, Mr. Wandell seconded the motion, and the board voted unanimously in favor by roll call.

The board and Mr. Heins discussed the request which had been received for an extension of the deadline for completion for the Bristol Estates Subdivision.

Mr. Noone made a motion to extend the deadline for completion for the Bristol Estates Subdivision to November 13, 2021, Mr. Wandell seconded the motion, and the board voted unanimously in favor by roll call.

Mr. Taylor explained that the engineers for the Irving Oil gas station had asked if the required traffic study should be done within the originally specified one-year deadline, or be done later given the effect the coronavirus is having on traffic. The board members agreed it would be sensible to do it later, and thus to extend the deadline.

Mr. Wandell made a motion that the board extend the deadline for the required traffic study for the Irving Oil Gas Station Site Plan to November 1, 2021. Ms. Siciliano-Perry seconded the motion, and the board voted unanimously in favor by roll call.

Mr. Taylor noted that Mr. Heins was working on the decision document for the proposed major modification to the 260-280 Oak Street Site Plan, and a brief discussion ensued.

Mr. Taylor said that the owner of the land behind the Hobomock ice rink is taking the property out of Chapter 61, and so it seems likely the solar project previously approved for that property will be built.

The board took a short recess, as there was some time before the next agenda item.

## **DISCUSSION ABOUT ACTIVITIES AND LAND USE AT SOUNDCHECK STUDIOS AT 150 CORPORATE PARK DRIVE**

Andrew Herman and Eric Herman, the owners and/or operators of Soundcheck Studios at 150 Corporate Park Drive, came before the board to discuss the nature of their business operation at that location and what sort of review the board should undertake to evaluate and/or approve it. (Soundcheck Studios did not receive any type of site plan approval when it moved into an existing building a few years ago, despite being a change of use.) Kenneth McCormick, the town's Fire Chief, was also present.

Mr. Taylor noted that drawings had been submitted to the board showing the building floor plan and parking areas. Andrew Herman put the images of these drawings onscreen, and described the layout of the interior spaces in the building and also the parking lot. Mr. McCormick talked about certain factors related to fire safety and building codes.

A discussion took place about the number of people allowed in the building at present (apart from coronavirus restrictions), and the two performance spaces in the building.

There was also a conversation about the number of parking spaces available to Soundcheck Studios, and what the facility's parking needs are. Ms. Coletta expressed concern that one handicapped space may not be sufficient.

Ms. Coletta suggested that some sort of limited site plan review might be appropriate, so that the board's peer review engineer could analyze parking and other issues.

Andrew and Eric Herman explained that they are still working on construction of the larger performance space, and it should be done in a few months. But it's not clear when it will actually be usable, given the restrictions on people assembling due to the coronavirus.

A discussion took place about the previous use of the building, the technical requirements of "Assembly A," and to what extent the current use is a significant change from the previous use.

Ms. Siciliano-Perry noted that there should probably be at least two handicapped parking spaces. Another conversation took place about parking.

Mr. Taylor suggested doing a limited site plan review for the entire project, including the projected larger performance space and the greater number of people that would potentially assemble there. Discussion followed, and the board members and Andrew and Eric Herman agreed this was the best way to proceed.

## **REVIEW OF ROUTINE ADMINISTRATIVE MATTERS**

A short conversation took place about whether the new sign of the Dunkin' Donuts at 152 Center Street (in town center) conforms with what the board previously approved.

Mr. Wandell made a motion to adjourn the meeting, Ms. Siciliano-Perry seconded the motion, and the board voted unanimously in favor by roll call.

Respectfully submitted,

Matthew Heins, Planning Board Assistant