



PEMBROKE PLANNING BOARD MINUTES

MONDAY, NOVEMBER 15, 2021

LOCATION: Remote Participation with Zoom Software

STARTING TIME: 7:00 pm

BOARD MEMBERS PRESENT: Daniel Taylor (Chairman), Stephan Roundtree (Clerk), James Noone, Daniel Smith, Jr., Heather Tremblay, and Andrew Wandell.

BOARD MEMBERS ABSENT: Alysha Siciliano-Perry (Vice-Chairman).

OTHERS PRESENT: Matthew Heins (Planning Board Assistant), Peter Palmieri, Brenda Mehr, Bijan Mehr, Richard Clemence, Taylor Corsano, Thomas Godfrey, James Bristol, Gabe Crocker, "Steve B," Martin Lavin, Heather King, Brian Ross, Michael Giaimo, Kristen Spirou, Kostandin Butka, John Menezes, Douglas Sheadel, "Pratt Family," Lauren Payne, Megan Hannon, 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

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 November 15, 2021, 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, s. 18, as amended June 16, 2021, and extended to April 1, 2022, 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, via livestream with the link accessible at <https://www.pactv.org/pactv/towns/pembroke> or www.pactv.org/pactv/watch/meetings-streamed-live-youtube.

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 or calling 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 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.

DISCUSSION ABOUT WHETHER TO EXTEND DEADLINE FOR COMPLETION FOR SITE PLAN #SP1-09 KING'S HIGHWAY PARK

Brenda Mehr and Bijan Mehr came before the board to discuss whether the board would be willing to extend the deadline for completion for Site Plan #SP1-09 King's Highway Park. Mr. Taylor recommended they submit a letter officially requesting the extension, and this was agreed.

VOTE TO ENDORSE (I.E., APPROVE) APPROVAL NOT REQUIRED SUBDIVISION APPLICATION (FORM A) FOR PROPERTIES AT 411 SCHOOL STREET AND 0 SCHOOL STREET

The board considered an Approval Not Required Subdivision application (Form A) for properties at 411 School Street (Assessors' Map C4, Lot 12A) and 0 School Street (Assessors' Map C4, Lot 12).

Richard Clemence was present on behalf of the application. He explained that, as shown on the drawing, this would alter the boundary between 411 School Street and 0 School Street by shifting some of the 0 School Street property into the rear of the 411 School Street property. The board members had no objection to this.

Mr. Noone made a motion that the board endorse (i.e., approve) the Approval Not Required Subdivision application (Form A) for 411 School Street and 0 School Street. Mr. Smith seconded the motion, and the board voted unanimously in favor by roll call.

VOTE TO ENDORSE (I.E., APPROVE) APPROVAL NOT REQUIRED SUBDIVISION APPLICATION (FORM A) FOR PROPERTIES AT 0 WEST ELM STREET, 80 WEST ELM STREET, 94 WEST ELM STREET, 54 DWELLEY STREET, 110 DWELLEY STREET, 84 HAZELWOOD DRIVE, AND 58 WEST ELM STREET

The board considered an Approval Not Required Subdivision application (Form A) for properties at 0 West Elm Street (Assessors' Map B10, Lot 4), 80 West Elm Street (B10-4C), 94 West Elm Street (B11-33), 54 Dwelley Street (B12-39), 110 Dwelley Street (A12- 47), 84 Hazelwood Drive (A11-32), and 58 West Elm Street (B10-3).

Taylor Corsano and Thomas Godfrey were present on behalf of the application. They explained that this application is connected to the project to build a cluster residential development at the Pembroke Country Club. Mr. Godfrey said that the developers had acquired several properties around the country club property, and that the application would create three lots.

The drawings for this Approval Not Required Subdivision application (Form A), consisting of six sheets, delineated a very large area and were more complex than usual. Mr. Noone said that he had reviewed the drawings and he believed they met the applicable requirements for an Approval Not Required Subdivision application.

Mr. Godfrey noted that they would soon submit site plan and special permit applications to the board for this project, and that they had already completed the process with the Conservation Commission to have the wetlands delineated.

Mr. Roundtree made a motion that the board endorse (i.e., approve) the Approval Not Required Subdivision application (Form A) for 0 West Elm Street, 80 West Elm Street, 94 West Elm Street, 54

Dwelley Street, 110 Dwelley Street, 84 Hazelwood Drive, and 58 West Elm Street. Mr. Noone seconded the motion, and the board voted unanimously in favor by roll call.

REVIEW OF ROUTINE ADMINISTRATIVE MATTERS

Mr. Wandell made a motion to accept the minutes for October 25, 2021, as presented. Ms. Tremblay seconded the motion, and the board voted unanimously in favor by roll call.

The board and Mr. Heins discussed the schedule of future board meetings and decided to have a meeting on December 20.

It was agreed that the people proposing a butcher-deli at 256 Church Street would come before the board on December 20 to discuss the project.

The board agreed to return the remainder of the road bond balance for the Lisa's Lane subdivision.

Mr. Wandell made a motion that the board return the remainder of the road bond balance for Subdivision #1802 Lisa's Lane. Mr. Smith seconded the motion, and the board voted unanimously in favor by roll call.

PUBLIC HEARING FOR PROPOSED SITE PLAN #SP5-20 CELL TOWER AT 85 WASHINGTON STREET

Mr. Taylor reopened the public hearing (continued from January 11, 2021, February 1, 2021, March 1, 2021, April 12, 2021, May 10, 2021, June 14, 2021, July 12, 2021, July 26, 2021, September 13, 2021, and October 25, 2021) for proposed Site Plan #SP5-20 Cell Tower at 85 Washington Street, being the application of Cellco Partnership d/b/a Verizon Wireless, 118 Flanders Road, 3rd Floor, Westborough, MA 01581, requesting Site Plan approval under the Zoning Bylaws of the Town of Pembroke Section V.7. (Site Plan Approval). The applicant proposes to construct a cell phone tower ("personal wireless service facility") of a monopole design with a height of about 120 feet, with some additional equipment on the ground and enclosed within a 50-foot by 50-foot fenced area. The tower would be in the rear of the property, and a gravel drive would be constructed to provide access to it. The existing building, access drive and parking area on the property would remain. The property is located in Business District B, Residence District A, and the Historic Overlay District, at 85 Washington Street, Pembroke, MA 02359, as shown on Assessors' Map D14 Lot 38.

Michael Giaimo, Kristen Spirou, Brian Ross, Kostandin Butka, Martin Lavin, and John Menezes were present on behalf of the project in various capacities.

The board members and Mr. Giaimo, the attorney representing the project, discussed the necessary quorum of the board.

Mr. Giaimo explained that the cell tower had been redesigned, so that its height was reduced by ten feet (to 110 feet) and its antennas were enclosed to be less visible. The Historic District Commission had approved this revised design.

Peter Palmieri (of Merrill Engineers and Land Surveyors), the board's peer review engineer for the project, explained that he had reviewed the most recent submittal and submitted his report. He also noted that he had received the environmental sound assessment and it was satisfactory in his judgment. He said that most of his comments had been satisfactorily addressed. He expressed concern that the existing septic system of Circle Furniture might be affected by the proposed grading, and suggested calculations should be done to show "breakout" would not occur.

Mr. Taylor asked about the trees that will need to be taken down and replanted, and Mr. Palmieri explained his concern they may not survive. This led to conversation about the issue.

Ms. Tremblay asked about the new appearance of the cell tower with the enclosed antennas, and the project engineer Mr. Butka displayed some renderings of what its appearance would be as viewed from various places. Discussion followed.

The board members discussed the necessary voting quorum and the Mullin Rule. It was agreed that the hearing would have to be continued to allow Mr. Wandell to “catch up” using the Mullin Rule, and for procedural reasons also.

Mr. Taylor opened the hearing to comment from the public.

Heather King, a resident near the project, said she was concerned about her property values and the health of her family. She described how the nearby Irving Oil gas station was designed to have a historically compatible appearance.

Ms. King asked which cellular service companies are in the current cell tower at the former fire station (360-380 Washington Street), and discussion ensued.

Ms. Tremblay noted that significant accommodations, altering the design of the tower to reduce its visibility, had been made by the applicant.

A woman whose Zoom connection was titled “Pratt Family,” who did not give her name but said she is a resident of Canoe Club Lane, addressed the board. She said she felt other possible locations for the tower had not been adequately considered, and expressed her concerns about the project’s impact.

Ms. Tremblay mentioned that a deed restriction prevents the tower from being sited in the park (containing ballfields) on the other side of Washington Street.

“Pratt Family” asked what other approvals the project would need, and Mr. Taylor and Mr. Wandell talked about this.

Lauren Payne, another resident of Canoe Club Lane, asked how it can be assured that if the project is approved, no additional antennas will be added to the tower in the future. Mr. Giaimo said that the site plan approval decision could include conditions about that. Mr. Butka explained that any future antennas would be “in the canister,” i.e., close to the pole and within the canisters.

“Pratt Family” asked if the tower would have 5G capabilities, and Mr. Giaimo said it could have whatever technologies that Verizon uses in the present and future. He noted that antennas and other equipment on cell towers are typically upgraded over time.

Mr. Taylor asked if Verizon uses the cell tower on Birch Street, and Mr. Ross said he would figure that out and have an answer soon. Mr. Lavin said Verizon has cell towers in Pembroke at 171 Mattakeesett Street, on School Street, at 360 Washington Street, and on Valley Street.

Megan Hannon, a nearby resident, expressed her opinion that the tower’s appearance would be ugly, and said she was worried it would be unsafe. She emphasized that the state of medical knowledge regarding cell towers is still evolving. She also stated that she feels it would devalue the area.

Mr. Wandell made a motion to continue the public hearing to December 20, 2021, at 7:30 pm. Mr. Noone seconded the motion, and the board voted unanimously in favor by roll call.

REVIEW OF ROUTINE ADMINISTRATIVE MATTERS

Mr. Heins noted that the application for the cluster housing project at the country club would probably be received soon, and mentioned that the updated version of the zoning bylaws had been posted online.

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

Respectfully submitted,

Matthew Heins, Planning Board Assistant