



## PEMBROKE PLANNING BOARD MINUTES

**MONDAY, MAY 2, 2022**

**LOCATION:** Room 6 (Veterans Hall), Pembroke Town Hall

**STARTING TIME:** 7:00 pm

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

**BOARD MEMBERS ABSENT:** Stephan Roundtree (Clerk) and Heather Tremblay.

**OTHERS PRESENT:** Matthew Heins (Planning Board Assistant), Alexander Weisheit (Town Counsel, KP Law), John Cannon, Mark Stiles, Thomas Houston, Jeffrey De Lisi, Dana Altobello, Andrea Campbell, Earl Campbell, Kurt Moody, Stella Sze, and others.

### **OPENING THE MEETING**

Ms. Siciliano-Perry opened the meeting of the Pembroke Planning Board by reading the Chairman's statement: "Please note that this meeting is being made available to the public through an audio 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."

### **ENTERING EXECUTIVE SESSION**

Ms. Siciliano-Perry announced that the board would go into executive session, and would return to open session at the conclusion of the executive session. She announced that the board was entering executive session pursuant to G.L. c. 30A, Section 21(a):

**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 Grissom Park Co., LLP v. Town of Pembroke Planning Board, Land Court Case No. 20 MISC 000547, regarding the property located at 260-280 Oak 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.

**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.

Attorney Alexander Weisheit, Town Counsel with KP Law, was present.

Mr. Taylor made a motion that the board go into executive session, and Mr. Noone seconded the motion. The board voted unanimously in favor by roll call.

It was confirmed that the meeting was no longer being recorded, broadcast or livestreamed.

From this point until the end of the executive session, participation in the meeting was restricted to the board members, Mr. Heins and Mr. Weisheit.

The board entered executive session.

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

Upon the end of the executive session, the board members returned to open session. Various members of the public now joined the meeting.

**PUBLIC HEARINGS FOR PROPOSED SITE PLAN #SP1-22 AND SPECIAL PERMIT AT 631 WASHINGTON STREET**

Ms. Siciliano-Perry reopened the two public hearings (continued from March 28, 2022, and April 11, 2022) running concurrently on the applications of Nike Construction Services, LLC, 633 Summer Street, Marshfield, MA 02050, requesting Site Plan approval under the Zoning Bylaws of the Town of Pembroke Section V.7. (Site Plan Approval) and a Special Permit under the Zoning Bylaws of the Town of Pembroke Section IV.2.B.3. (Special Permit Required for Multiunit Dwellings in Residential-Commercial District). The applicant proposes to construct a multifamily residential project consisting of two buildings containing a total of nine (9) two-bedroom units in townhouse-style design, along with an access drive, parking area, and infiltration basin. The property is located at 631 Washington Street, Pembroke, MA 02359, in the Residential-Commercial District, as shown on Assessors' Map E10, Lot 10, but access to the project would be from Old Washington Street. A copy of the application is available in the Office of the Planning Board at Pembroke Town Hall.

Jeffrey De Lisi, the attorney representing the project, and Dana Altobello, the project engineer, were present. Thomas Houston of Professional Services Corporation, the board's peer review engineer for the project, was also present.

Mr. De Lisi briefly summarized the project, noting its location and certain other basic facts. He said that he believed the engineering peer review had been successfully completed.

Mr. Altobello described in detail some of the changes made recently to the engineering design. In response to two comments in the peer review engineer's report, he said that the applicant was requesting there be no fencing around the stormwater retention basin and no fencing between the property and the adjacent property to the north. He said that the traffic impacts from the development would be minimal.

The board and Mr. Altobello discussed the adjacent property to the north, and also the stormwater retention basin. A conversation also took place about the mechanics of creating and signing a decision, and formatting the drawings for the Registry of Deeds.

Mr. Houston introduced himself. Mr. Taylor said that the entrance to the project had been shifted from Washington Street to Old Washington Street, and asked if that was advisable. Mr. Houston said that he concurred with this change.

The board members were in general agreement that fencing wasn't necessary around the stormwater retention basin or between the property and the adjacent property to the north. Mr. Houston explained why he had recommended fencing in each case.

A discussion took place about the fire truck access, and Mr. Houston described a potential problem with how a fire truck would negotiate the parking lot. Mr. Houston also explained that since the site has frontage on a state highway (Washington Street), an access permit might be required even though no access drive (curb cut) on the highway was being proposed.

John Cannon of 40 Old Washington Street, an abutter to the project, came before the board. He asked about the retention basin and whether it would always drain in a maximum of 72 hours, and Mr. Houston and Mr. Altobello described this in more detail. Mr. Cannon said that initially he had been strongly opposed to the project, but now he was more open to it and recognized it was less offensive than some other possible uses. He emphasized that water quality is a major issue for development in Pembroke in general.

Mr. Noone made a motion to close the public hearings, Mr. Wandell seconded the motion, and the board voted unanimously in favor.

The board, Mr. Heins and Mr. De Lisi discussed some procedural matters and the need to reformat the drawings.

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

Respectfully submitted,

Matthew Heins, Planning Board Assistant