



## **PEMBROKE PLANNING BOARD MINUTES**

**MONDAY, JULY 18, 2022**

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

**STARTING TIME:** 7:00 pm

**BOARD MEMBERS PRESENT:** Alysha Siciliano-Perry (Chairman), Stephan Roundtree (Clerk), James Noone, and Andrew Wandell.

**BOARD MEMBERS ABSENT:** Daniel Taylor (Vice-Chairman), Daniel Smith, Jr., and Heather Tremblay.

**OTHERS PRESENT:** Matthew Heins (Planning Board Assistant), Steven Ciciotti (Select Board member), Robert Galvin, Matthew Dacey, Sarah Dacey, Thomas Dacey, Richard Grady, Sharon Tyler, 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."

### **DISCUSSION ABOUT, AND VOTE TO APPROVE, NEW REVISED SUBMITTAL FOR SITE PLAN AT 204 CENTER STREET**

Developers Matthew Dacey, Sarah Dacey and Thomas Dacey, along with their attorney Robert Galvin and engineer Richard Grady, came before the board to request approval of the new revised design for the Site Plan at 204 Center Street, a mixed-use project also known as "Pembroke Village."

This project was originally approved about 15-20 years ago, and at that time it was partially built as 15 residential units (in townhouse-style design) were constructed in the rear of the property. A few years ago, the developers received approval to finish the project by building two commercial buildings toward the front of the site. The Zoning Board of Appeals then granted permission for those two buildings to be mostly residential instead of commercial, but the Planning Board appealed this decision to court. A recent settlement agreement and judicial remand order resolved the litigation and sent the project back before the two boards.

Mr. Galvin described the history of the project, and displayed engineering drawings that showed the design and layout. He explained that the two new buildings would each have commercial space on the first floor and four residential units on the second floor. One residential unit in each building would be affordable. The two new buildings would have their own condominium association, entirely

distinct from the current condominium association for the 15 residential townhouse units in the rear of the property.

Mr. Grady described the project's engineering, and explained that the layout of the site had not been significantly changed since the board approved the completion of the project a few years ago.

Mr. Heins and Mr. Galvin discussed how the project was currently before both the Planning Board and the Zoning Board of Appeals, and explained that the latter was holding a public hearing on the project.

Mr. Wandell described the recent history of the project, and noted that it was previously approved as a site plan and underwent engineering peer review. Thus, he suggested, it was not necessary for the board to hold a public hearing. A discussion followed about this, and there was general agreement that a public hearing was not needed and the new design could be approved as a minor modification to an existing site plan.

Mr. Wandell made a motion that the board approve the project as a minor modification to an existing site plan, and recognize that the Zoning Board of Appeals is conducting a public hearing on the project. Mr. Noone seconded the motion, and the board voted unanimously in favor.

#### **DISCUSSION WITH SELECT BOARD MEMBER STEVEN CICIOTTI ABOUT PLANNING-RELATED ISSUES**

Steven Ciciotti, a member of the Pembroke Select Board, came before the board to discuss planning-related issues. He explained that he had been appointed as the Select Board's liaison to the Planning Board.

Mr. Ciciotti asked about the state's new economic development legislation, which contains a requirement for multifamily housing zoning. A conversation took place, and Ms. Siciliano-Perry explained that the board had discussed this with town counsel and was hoping to get a zoning bylaw amendment on the warrant for fall town meeting. At this point, it is intended that the Industrial A District is where multifamily housing would be allowed.

The possibility of amending the zoning bylaws to make it easier to build accessory dwelling units was also discussed. The board members, Mr. Heins and Mr. Ciciotti talked about Pembroke's current rules regarding accessory dwelling units.

#### **ROUTINE ADMINISTRATIVE MATTERS**

Mr. Wandell made a motion that the board approve the minutes for June 13, 2022, and June 27, 2022, as presented to the board. Mr. Noone seconded the motion, and the board voted unanimously in favor.

Ms. Siciliano-Perry explained that the developer of the road improvements project (to meet adequacy of way standards) on Crescent Avenue was asking for the balance of the engineering review account to be returned, since the project was essentially complete. The board discussed this, and agreed that submission of an as-built drawing was not required since the project is not a subdivision. The board members were willing to return the balance of the account.

Mr. Wandell made a motion that the board return the remaining balance of the engineering review account to the applicant at Crescent Avenue. Mr. Noone seconded the motion, and the board voted unanimously in favor.

Ms. Siciliano-Perry explained that another letter had been received from Andrew Timmis, a resident of the Bristol Estates Subdivision, expressing dissatisfaction with the developer's construction work (particularly the site work, rain gardens and drainage system) in this subdivision. Discussion ensued, and Mr. Wandell noted that the board's peer review engineer for the subdivision, Tyler Nims, had issued a letter mentioning similar issues. The board members also talked about the anticipated road acceptance for the subdivision, since during that process some of these problems can be resolved.

Ms. Siciliano-Perry explained that the board's peer review engineer for the Site Plan at 631 Washington Street (a nine-unit multifamily housing project), Thomas Houston, was unsure if his firm would be able to do the construction inspections for this project, which will probably begin construction soon. Mr. Heins explained that Mr. Houston's firm expected to possibly receive a major job soon, which potentially could take up their time and resources. The board and Mr. Heins discussed the matter and agreed that if Mr. Houston's firm could not handle the construction inspections, then it would make sense to ask Tyler Nims (another peer review engineer used by the board) to do them.

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

Respectfully submitted,

Matthew Heins, Planning Board Assistant