



PEMBROKE PLANNING BOARD MINUTES

MONDAY, JANUARY 30, 2023

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

STARTING TIME: 7:00 pm

BOARD MEMBERS PRESENT: Alysha Siciliano-Perry (Chairman), Daniel Taylor (Vice-Chairman), Stephan Roundtree (Clerk), Heather Tremblay, and Andrew Wandell.

BOARD MEMBERS ABSENT: James Noone and Daniel Smith, Jr.

OTHERS PRESENT: Matthew Heins (Planning Board Assistant), Steven Ciciotti (Select Board), Deborah Keller, Jeff Tocchio, James Bristol, Taylor Corsano, Gabe Crocker, Daniel LaCivita, Lenny Rowe, Elin Flashman, Mary Takki, Kevin Mitchell, Lisa Gately, Brian Gately, Paul Hayes, Lori Hayes, Timothy Bennett, Michele Fuller, James Peterson, Clifford Youse, 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."

In addition, Ms. Siciliano-Perry stated: "Board member Stephan Roundtree is participating via remote participation in accordance with the requirements of 940 CMR 29.10 via speakerphone due to personal geographical distance. All votes during this meeting will be made via roll call for that reason."

For the entire meeting, board members Ms. Siciliano-Perry, Mr. Taylor, Ms. Tremblay and Mr. Wandell were present in person, and Mr. Roundtree was participating remotely via speakerphone.

VOTE TO ENDORSE APPROVAL NOT REQUIRED SUBDIVISION (FORM A) FOR PROPERTIES AT 210, 216 AND 0 WEST ELM STREET

Timothy Bennett (of Grady Consulting) came before the board to present the Approval Not Required Subdivision (Form A) application for the properties at 210, 216 and 0 West Elm Street (Assessors' Map B12, Lots 8A, 61H1 and 61H2).

Mr. Bennett explained that there had been a dispute between adjoining property owners, due in part to poor survey plans and incorrect deed descriptions, and an agreement had been reached whereby "lot 3" would be conveyed to the Petersons and another area would be conveyed to the Cronins.

Mr. Bennett and Ms. Siciliano-Perry briefly discussed the properties.

Mr. Taylor made a motion that the board endorse (i.e., approve) the Approval Not Required Subdivision (Form A) application for the properties at 210, 216 and 0 West Elm Street. Ms. Tremblay seconded the motion, and the board voted unanimously in favor by roll call.

Mr. Taylor, as an officer of the board, signed the drawings for the Approval Not Required Subdivision in both regular paper and mylar format.

ROUTINE ADMINISTRATIVE MATTERS

Mr. Taylor made a motion that the board approve the minutes of January 9, 2023, Ms. Tremblay seconded the motion, and the board voted unanimously in favor by roll call.

The board members and Mr. Heins discussed the condition of the 171 Mattakeesett Street property where a construction project is underway (Site Plan #SP2-19 at 171 Mattakeesett Street), in particular the numerous boats being stored on the property's "front lawn" highly visible from the street. Mr. Wandell noted that a special permit is normally required for outdoor display or storage. Mr. Heins agreed to communicate with the developer and also to discuss the matter with the building inspector.

Mr. Heins mentioned that two new site plan applications had been received recently and the public hearings for both would probably take place on March 6.

Mr. Heins briefly summarized the draft verbiage of the proposed zoning bylaw amendment intended to conform with the "MBTA Communities" law. Discussion followed, and some of the board members emphasized the need to advance this amendment at the upcoming annual (spring) town meeting and to be sure that the MBTA Communities requirements are fully understood.

PUBLIC HEARINGS FOR PROPOSED SITE PLAN #SP3-22 AND SPECIAL PERMIT FOR COUNTRY CLUB CLUSTER HOUSING TO CONSTRUCT AN AGE-QUALIFIED CLUSTER DEVELOPMENT OF 172 RESIDENTIAL UNITS, CHANGES TO EXISTING GOLF COURSE, AND OTHER ALTERATIONS NEAR WEST ELM STREET AND DWELLEY STREET

Ms. Siciliano-Perry reopened the two public hearings (continued from September 12, 2022, October 24, 2022, and November 14, 2022) running concurrently on the applications of Weathervane at Pembroke Country Club, LLC, 190 Old Derby Street, Suite 311, Hingham, MA 02043, requesting Site Plan approval under the Zoning Bylaws of the Town of Pembroke Section V.7. (Site Plan Approval) and requesting a Special Permit under the Zoning Bylaws of the Town of Pembroke Section V.13.1.A. (Special Permit From Planning Board Required for Age-Qualified Cluster Developments). The applicant proposes to construct an Age-Qualified Cluster Development consisting of 172 residential units, several access drives and interior roads, a driving range, golf cart paths, a stormwater drainage system, a wastewater treatment plant, reconfigurations to an existing 18-hole golf course, and extensive landscaping, on a property of about 244 acres. The residential units would consist of 163 new single-family houses, 2 renovated existing single-family houses, and a multifamily building of 7

units. [However, the number of total, single-family and multifamily residential units is being adjusted through design revisions during the site plan review and public hearing process.] The access drives to the development would be off West Elm Street, Dwelley Street and Hazelwood Drive. The property is located at 94 West Elm Street, Pembroke, MA 02359, in Residence District A and the Water Resource and Groundwater Protection District, as shown on Assessors' Map B11, Lot 33. (This property formerly consisted of multiple lots, which before being merged were identified as 94 West Elm Street [Map B11, Lot 33], 0 West Elm Street [Map B10, Lot 4], 80 West Elm Street [Map B10, Lot 4A], 54 Dwelley Street [Map B12, Lot 39], 110 Dwelley Street [Map A12, Lot 47], part of 84 Hazelwood Drive [Map A11, Lot 32], and part of 58 West Elm Street [Map B10, Lot 3].) A copy of the application is available in the Office of the Planning Board at Pembroke Town Hall. Certain application materials are also available at <https://www.pembroke-ma.gov/planning-board/pages/applications-received> (scroll to bottom).

Jeff Tocchio, an attorney representing the project, was present. Other members of the project team present were James Bristol, Taylor Corsano and Gabe Crocker.

The board's peer review engineer for the project, Deborah Keller, was also present.

Mr. Tocchio explained that the plan for the project had been adjusted due to comments from the board and the general public, and that Ms. Corsano would describe these changes. He also noted that Daniel LaCivita, of Vanasse Associates, was present to summarize the traffic study.

Ms. Corsano described some of the alterations that had been made to the project's design. She said that the total number of residential units was still 172, consisting of 170 new units and two existing houses. She said that the number of residential units off Dwelley Street had been reduced from 23 units to 18 units, and described some other tweaks made near or along Dwelley Street. She explained that the number of units on the extension of Hazelwood Drive had been reduced from 23 units to 19 units. She described a change to the plan near West Elm Street. She explained that the layout and location of the multifamily units had been tweaked, and that a cart path near Fairway Lane had been moved. She also mentioned that they had begun working with D.E.P. on the wastewater treatment plant.

Ms. Corsano also described the proposed design and appearance of the project's residential entryway. In reply to a question from Mr. Taylor, she said that the project now includes two 8-unit multifamily residential buildings. She agreed to email certain images to Mr. Heins. She and Mr. Tocchio also clarified certain aspects of the design, in particular the entryway areas, and answered some questions from Mr. Wandell.

Mr. Taylor expressed concern about how the project's design would extend the length of Hazelwood Drive, and discussion followed. Ms. Tremblay also expressed concern, and Mr. Tocchio defended this portion of the project. Ms. Keller asked whether the gravel emergency paths had been approved by the Fire Department, and Ms. Corsano discussed this.

The project's traffic engineer, Daniel LaCivita of Vanasse Associates, described the project's anticipated traffic impacts. He noted that the traffic counts were done in January and February of 2022. He said that the project, overall, will not result in a substantial change in motorist delays or vehicle queuing at the study area intersections, with no changes in level of service. He said that no

safety deficiencies were noted at the intersections, and that the lines of sight at each of the four driveways meet the minimum requirements.

Mr. LaCivita mentioned that five unsignalized intersections had been looked at, along with two for future conditions. He described the traffic counts in more detail.

Mr. LaCivita described the trip generation summary for the project, and went over how it was created. He provided figures. He then discussed some of the traffic patterns that would be created by the project, and explained where traffic would increase.

Mr. LaCivita described their recommendations for site access and circulation in detail. He noted that two intersections in Hanover were also analyzed, at the request of the Hanover Planning Board.

Mr. Taylor asked about the traffic counts for Hazelwood Drive, and Mr. LaCivita discussed this briefly. Mr. Wandell asked about the queuing at West Elm Street and Oldham Street, and Mr. LaCivita discussed this. Mr. Roundtree asked if special events held at the country club were taken into consideration, and Mr. LaCivita said they were not, adding that the impact of these would be limited to West Elm Street.

Ms. Keller explained that a traffic consultant, from Ron Mueller's office (which has merged with Chappelle Engineering), had been enlisted to do peer review of the traffic report and supplemental traffic report.

Ms. Siciliano-Perry opened the meeting to comments from the public.

Paul Hayes, a resident of Dwelley Street, asked about the impact of construction vehicles on the nearby roads during the construction process. Mr. Wandell and Mr. Hayes discussed this issue, and Mr. Wandell noted that it partly falls under the building inspector's purview, but that the board's decision could impose some conditions on construction traffic.

Clifford Youse, a resident of West Elm Street, asked if the speed limit could be lowered on West Elm Street, and also asked if the roads could handle the weight of construction vehicles. Discussion followed.

Mr. Roundtree asked if the houses would be on slabs or with basements, and Mr. Bristol said it would probably be a mix. He also discussed the balance of earth moving that they are trying to attain.

Lisa Gately, a resident of Standford Hill Road, asked about the time frame, and Mr. Bristol said he expected to start construction in late 2023 or early 2024. Ms. Gately asked how long construction would last, and Mr. Bristol said it might take 5 or 6 years at a rate of about 30 houses being built annually. Ms. Gately expressed her concern about the deterioration of the nearby roads, and asked if the developer could help mitigate their condition. Mr. Tocchio discussed the tax revenues the project would generate, and said that it would be up to the town to decide how to spend that money and whether to use it to improve the roads. Mr. Tocchio talked about how other towns have handled these issues.

Mr. Taylor asked which portion of the development would be built first, and Mr. Bristol described this briefly.

Ms. Gately asked about the two access points on Dwelley Street, and Ms. Corsano said that one of these would be gated. Conversation followed.

Kevin Mitchell, a resident of Hazelwood Drive, said that when he originally built his house, they were told that nothing could be built further along the road because of the wetlands. He emphasized that Hazelwood Drive is a cul-de-sac with many small children living on it and playing in the street. He suggested, therefore, that the development should not extend Hazelwood Drive any further, but instead the design should be altered in other respects.

Mr. LaCivita described the traffic study regarding Hazelwood Drive, and gave various statistics and figures. Mr. Mitchell disputed some of Mr. LaCivita's conclusions, and discussion ensued. Mr. Tocchio said that the impacts would be quantified, with more complete answers, at a future public hearing.

Mr. Mitchell discussed the marshy areas at the end of Hazelwood Drive, and asked why construction was now possible there. Conversation followed.

Mr. Taylor made a motion to continue the public hearing to March 27, 2023, at 7:15 pm. Ms. Tremblay seconded the motion, and the board voted unanimously in favor by roll call.

VOTE TO APPOINT MEMBERS OF MASTER PLAN STEERING COMMITTEE

The board members discussed the Master Plan Steering Committee, which is a subcommittee of the Planning Board that the board recently created. Thus far nobody had been appointed to it, but various town boards, committees and commissions had nominated members to serve on the committee, and Mr. Taylor and Mr. Roundtree had interviewed candidates for the citizen-at-large positions on the committee.

Mr. Roundtree stated that he and Mr. Taylor had chosen James Eng and Martin Lu for the citizen-at-large positions, and that the third available position should be given to the person nominated (past the deadline) by the Recreation Commission.

In combination with the people the board had previously agreed on, who had been nominated by their town boards, committees and commissions, this meant the committee would have 11 members.

Mr. Taylor made a motion that the board appoint the following people to the Master Plan Steering Committee: Stephan Roundtree (from the Planning Board), Rebecca Coletta (from the Select Board), Steven Ciciotti (from the Select Board), Scott Chaharyn (from the Historical Commission), David Boyle (from the School Committee), Sharon McNamara (from the Affordable Housing Committee), Frederick Casavant (from the Zoning Board of Appeals), Curtis Kuta (from the Council on Aging), James Eng (as Citizen-at-Large member #1), Martin Lu (as Citizen-at-Large member #2), and Mr. Grey [George Grey] (from the Recreation Commission). Mr. Wandell seconded the motion, and the board voted unanimously in favor by roll call.

Mr. Wandell, Mr. Taylor and Ms. Siciliano-Perry emphasized that many strong applications were received for the Citizen-at-Large positions, and encouraged everyone to attend the future meetings of the Master Plan Steering Committee if they are interested.

DISCUSSION ABOUT ANTICIPATED AMENDMENT TO ZONING BYLAWS TO ALLOW HIGHER DENSITY OF MULTIFAMILY HOUSING TO CONFORM WITH “MBTA COMMUNITIES” LAW

The board members began a discussion of the necessary changes to the zoning bylaws to allow a higher density of multifamily housing in order to conform with the “MBTA Communities” state law.

It was noted that apparently Marshfield does not intend to change their zoning bylaws to conform with the law. Ms. Siciliano-Perry emphasized the benefit of making the needed zoning changes, regardless of what some other towns may be doing.

Steven Ciciotti (the Select Board member present) was asked whether the Select Board had discussed the matter, and he said that so far the Select Board was looking to the Planning Board to lead on this.

Discussion followed. Mr. Wandell stressed the need for more housing in Pembroke, and the other benefits of conforming with the law. He noted the need to hold a public hearing also.

The board members discussed the compliance model that needs to be done. Mr. Heins explained that the consulting firm Horsley Witten had been assigned to the town, through the grant the town had received from the state and/or the Massachusetts Housing Partnership, and would do the compliance model. Discussion followed. It was clarified that the zoning districts to which the zoning change would apply would be Industrial A and Industrial B.

Mr. Heins described the process going forward, and said that the consultants might come to town hall to demonstrate how the compliance model works. He suggested that the board authorize him to submit the draft zoning bylaw amendment as a warrant article to the Select Board (for the warrant for annual town meeting), and noted that minor changes can still be made to the verbiage afterwards.

Ms. Siciliano-Perry directed Mr. Heins to submit the draft zoning bylaw amendment as a warrant article, and said it should only apply to the Industrial A and Industrial B zones, not the Center Protection District.

Mr. Taylor 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