



PEMBROKE PLANNING BOARD MINUTES

MONDAY, MARCH 6, 2023

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

STARTING TIME: 7:00 pm

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

BOARD MEMBERS ABSENT: Daniel Taylor (Vice-Chairman), James Noone, and Daniel Smith, Jr.

OTHERS PRESENT: Matthew Heins (Planning Board Assistant), Deborah Keller, William Reed, Kimberly Reed, David Fulton, David Williams, Walter Sullivan, Randy Miron, Christen Robbins, Patrick Dunford, Brian Murphy, Alfons Koka, 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 POSSIBLE EXPANSION AND ALTERATION OF EXISTING MIXED-USE BUILDING AT 217 WATER STREET

William Reed came before the board to discuss a possible expansion and alteration of an existing mixed-use building he owns at 217 Water Street. The building is primarily a retail space and showroom (containing the "Dream Kitchens and More" business), but it also has a residential apartment unit.

Mr. Reed explained that Dream Kitchens and More needs more storage space. The expansion would be two stories high and attached to the existing building. There would be a three-bay garage and storage area on the first floor, mostly for Dream Kitchens and More. There would be three residential units on the second floor (including an expansion of the existing unit), two of which would be one-bedroom units. One of these units would probably be for Mr. Reed's mother to live in.

In reply to a question, Mr. Reed said the size of the addition would be 2,100 square feet on the first floor and 2,480 square feet on the second floor. It would be fairly distant from the property lines.

Mr. Heins said that the property can be regarded as a preexisting nonconforming use, due to the existing mixture of retail and residential uses. Thus, Mr. Heins speculated, the project would need to be approved by both the Planning Board (site plan approval) and Zoning Board of Appeals (special permit to expand or alter a preexisting nonconforming use).

In reply to questions, Mr. Reed explained that the three “garage” bays would be mostly for storage, and described a previous expansion idea that he abandoned. He said that the building has contained a residential unit for a long time.

Mr. Wandell noted the zoning challenges involved, given that a mixed-use property is generally not allowable in any of the town’s zoning districts. A conversation followed. Some board members suggested that the project would need approval from the Zoning Board of Appeals, as an expansion of a preexisting nonconforming use, before going before the Planning Board. Mr. Wandell said that the multifamily idea might not be tenable, but that perhaps one additional residential unit could be allowed as analogous to an in-law apartment.

The board members, Mr. Reed and Mr. Heins discussed the zoning issues raised by the proposed project.

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

The board members and Mr. Heins discussed the anticipated changes to the zoning bylaws to allow a higher density of multifamily housing in order to conform with the “MBTA Communities” state law.

Mr. Heins explained that town counsel had agreed to provide comments and corrections for the draft language of the zoning bylaw amendment by late March. He also said that the consultants would come to the board meeting on April 10 to present and demonstrate the compliance model. He suggested that the public hearing for the proposed zoning bylaw amendment be held on April 10 as well, in order to include the consultants’ presentation, and the board members agreed. A brief conversation followed.

PUBLIC HEARING FOR PROPOSED SITE PLAN #SP2-23 SELF-STORAGE FACILITY ON OLD CHURCH STREET

Ms. Siciliano-Perry opened the public hearing on the application of SDG Development, LLC, P.O. Box 192, Cohasset, MA 02025, 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 self-storage facility, consisting of a four-story building with a footprint of about 26,050 square feet and total floor area of about 104,200 square feet, along with access drives (three curb cuts), parking areas, and landscaping. The property would be about 1.98 acres in size, though currently it is part of a larger lot (containing a Lowe’s home improvement store) of about 19.2 acres that would be subdivided. The property is located at 108 Old Church Street, Pembroke, MA 02359, in Industrial District B and the Medical Marijuana Overlay District, as shown on Assessors’ Map F15, Lots 2, 29, 30, 60B, 65 and 66. A copy of the application is available in the Office of the Planning Board at Pembroke Town Hall.

Walter Sullivan, the attorney for the project, introduced himself. He explained that David Fulton and David Williams, the developers with SDG Development, were present. Also present were the project

architect Christen Robbins, the project engineer Randy Miron, and the traffic specialist Patrick Dunford.

Deborah Keller (Merrill Engineers), the board's peer review engineer for the project, was also present.

Mr. Sullivan noted that the project has already been granted a special permit and variances from the Zoning Board of Appeals.

Ms. Robbins went over the design of the building, describing the materials and the appearance of the façade, and displayed renderings of the building's appearance on different sides.

Mr. Miron described the engineering of the site, and explained that a new parcel for the project would be created through an ANR (Approval Not Required) subdivision application. He said that two parking lots would be created with a total of 21 parking spaces, and noted that Old Church Street is a private right of way maintained by RK Centers. He explained that there would be fencing and a sliding gate through which vehicles would enter. The design would accommodate stormwater drainage, including an underground system.

In response to Mr. Wandell's question, Mr. Miron said there would be a septic system, since they had given up the idea of tying into the Lowe's sewage treatment plant.

Mr. Miron mentioned that arbor vitae would be planted and lighting would be installed. He said that he believed he had addressed the concerns of the peer review engineer and the Fire Department.

Mr. Miron noted that they were requesting a waiver of the rule regarding the leveling area off a roadway. Ms. Keller confirmed that this would be acceptable. She also mentioned that a culvert was now included in the drawings.

Mr. Dunford gave an overview of the traffic. He explained that he had also focused on the surrounding area, including Old Church Street and various driveways. He said that the traffic counts were done while school was in session, per standard practice, and that he had also visited the site several times. He said that the proposed self-storage use would generate from 10 to 21 trips per hour, a low level compared to most commercial uses. He noted that he also checked traffic counts recorded in the past at other self-storage facilities in New England, and they were even lower.

Mr. Dunford said that the parking spaces provided would be sufficient, given counts done at other self-storage facilities. He explained that the movement of traffic in and around the site would be safe, based on the design of the project.

Mr. Wandell asked where the traffic would tend to come and go from other locations, and Mr. Dunford discussed this.

Mr. Sullivan said that he felt the project would be a benefit to the town, and offered to answer any further questions.

Ms. Siciliano-Perry asked about the disconnect between the two parking areas, and Mr. Williams described the parking and site layout. A discussion also took place about the colors of the façade. It was agreed to add a sidewalk linking the parking areas.

There was a conversation about the proposed apartment in the project. Mr. Williams explained that it would only be for the manager of the facility, and would not be rented out to the general public. Ms. Robbins described how the egress requirements would be met for the apartment.

Ms. Siciliano-Perry opened the hearing to comments from the public, but nobody spoke.

Ms. Tremblay asked about the signage, and Mr. Williams said they intend to apply for approval for the signs at a later date. It was agreed to condition the signage in the decision.

A discussion took place about whether or not to continue the public hearing, when to hold the vote to approve or deny the site plan, etc. It was agreed to close the hearing at this time, but to have the vote on March 27 by which time a draft decision could be ready.

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

VOTE TO APPOINT NEW MEMBERS TO MASTER PLAN STEERING COMMITTEE (AKA MASTER PLAN COLLABORATION COMMITTEE)

In the time since the Master Plan Steering Committee was created by the Planning Board, two of its members had decided to leave the committee, with two other people nominated or selected to replace them.

Furthermore, at the Master Plan Steering Committee's first meeting, Mr. Heins explained, the committee members had asked to change its name to the Master Plan Collaboration Committee. The board was in agreement that the committee members could rename the committee if they wished.

Mr. Wandell made a motion to remove Rebecca Coletta and David Boyle from the committee and replace them with Tracy Marino and Susan Bollinger. Mr. Roundtree seconded the motion, and the board voted unanimously in favor.

ROUTINE ADMINISTRATIVE MATTERS

Mr. Wandell made a motion that the board accept the minutes of January 30, 2023, as presented. Mr. Roundtree seconded the motion, and the board voted unanimously in favor.

With regard to Site Plan #SP2-19 at 171 Mattakeesett Street, Mr. Heins explained that the developer had agreed to come before the board on April 10 to discuss the boats being stored outside there. A discussion followed, and the board requested that the building inspector also attend this meeting.

With regard to Site Plan #SP6-19 at 345 Oak Street, Mr. Heins explained that the board's peer review engineer had done an inspection of the site because additional clearing was done there recently, but it was unclear if the developer would make the requested payment to enable the town to pay the engineer's invoice. A brief conversation took place.

PUBLIC HEARING FOR PROPOSED SITE PLAN #SP1-23 AT 29 WINTER STREET

Ms. Siciliano-Perry opened the public hearing on the application of B&M 35 Hanover, LLC, 29 Winter Street, Pembroke, MA 02359, requesting Site Plan approval under the Zoning Bylaws of the Town of Pembroke, Section V.7. (Site Plan Approval). The applicant proposes to construct an ancillary storage building, one-story high and 5,000 square feet in size, along with a parking area, two new curb cuts, a

drainage retention basin, and other improvements, on a property of about 6.36 acres which contains an existing office building that would remain. The proposed building would be for the use of an electrical contractor's business that currently occupies the existing office building. The property is located at 29 Winter Street, Pembroke, MA 02359, in Industrial District A and the Medical Marijuana Overlay District, as shown on Assessors' Map G14, Lot 54. A copy of the application is available in the Office of the Planning Board at Pembroke Town Hall.

Alfons Koka, the project's civil engineer, came before the board. Brian Murphy, one of the owners of the electrical contractor's business, was also present.

Deborah Keller (Merrill Engineers), the board's peer review engineer for the project, was also present.

Mr. Koka explained that the project is a building of 5,000 square feet in size, to serve as storage space for the electrical contractor's business on the property. There would be a driveway and five parking spaces. A stormwater system, including an infiltration detention system, would be constructed, along with a retaining wall.

Mr. Koka explained that they had received approval from the Conservation Commission for an RDA, and that commission had requested the retaining wall.

Mr. Koka described the traffic layout and explained it would avoid trucks having to back up into the road. He said that he had received the peer review comments from Ms. Keller, and did not anticipate any problems satisfying them. He said that they are in the process of getting the septic plan approved by the Board of Health. He also mentioned the utilities.

Mr. Koka went over the materials and colors of the building, and described some other details of its architectural design.

Ms. Siciliano-Perry expressed concern that the building would not be attractive, but Mr. Wandell said he felt this is not an issue and noted it is in an industrial zoning district. Ms. Tremblay asked about the parking spaces, and Mr. Murphy said that there are also many parking spaces at the existing building on the site. Discussion followed.

Mr. Wandell suggested continuing the public hearing, given that another round of engineering drawings and peer review was needed. It was agreed to continue the hearing to March 27, and a discussion took place about what time to choose.

Mr. Wandell made a motion to continue the public hearing for Site Plan #SP1-23 at 29 Winter Street to March 27, 2023, at 8:25 pm. Ms. Tremblay seconded the motion, and the board voted unanimously in favor.

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

Respectfully submitted,

Matthew Heins, Planning Board Assistant