



## **PEMBROKE PLANNING BOARD MINUTES**

**MONDAY, MAY 22, 2023**

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

**STARTING TIME:** 7:00 pm

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

**BOARD MEMBERS ABSENT:** Daniel Taylor (Vice-Chairman).

**OTHERS PRESENT:** Matthew Heins (Planning Board Assistant), Deborah Keller, Donald McGill, Kevin Grady, Denise Moraski, Ellen Soszynski, Peter Soszynski, Sean Dempsey, 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."

### **REORGANIZATION OF THE BOARD**

Since the last board meeting, Scott Martino had been elected to the board, replacing Daniel Smith, Jr., who did not run for reelection. Due to this change in the board's composition, it was appropriate for the board to officially reorganize at this time.

Mr. Roundtree made a motion that the Planning Board reorganize and consider nominations for the following positions: Chairman, Vice-Chairman, Clerk, and take any action on the following: meeting nights and signature of plans. Mr. Wandell seconded the motion, and the board voted unanimously in favor.

Mr. Roundtree made a motion to nominate Alysha Siciliano-Perry as Chairman, and Mr. Wandell seconded the motion. Mr. Roundtree, Mr. Martino, Mr. Noone, Ms. Tremblay, and Mr. Wandell voted in favor, Ms. Siciliano-Perry abstained, and the motion passed.

Mr. Roundtree made a motion to nominate Daniel Taylor as Vice-Chairman, Ms. Tremblay seconded the motion, and the board voted unanimously in favor.

Mr. Wandell made a motion to nominate Stephan Roundtree as Clerk, Ms. Tremblay seconded the motion, and the board voted unanimously in favor.

The board members and Mr. Heins discussed when and how often the board meets.

Mr. Noone made a motion that the board continue to meet on one or more Mondays of every month at 7:00 pm, Mr. Wandell seconded the motion, and the board voted unanimously in favor.

Mr. Wandell made a motion that the Chairman, Vice-Chairman, and Clerk, singularly or collectively, be authorized to sign plans submitted to the Planning Board which are stamped "Not Subject to Subdivision Control," and to certify any action of the board. Mr. Roundtree seconded the motion, and the board voted unanimously in favor.

The board members signed the reorganization form which Mr. Heins had prepared.

#### **ROUTINE ADMINISTRATIVE MATTERS**

Mr. Roundtree made a motion that the board accept the meeting minutes for Monday, May 1, 2023, as submitted. Ms. Tremblay seconded the motion, and the board voted unanimously in favor.

Mr. Heins mentioned that various public hearings of other boards about 98 Barker Street would happen soon, and that someone was discussing the possibility of developing the empty property at 75 Church Street.

The board and Mr. Heins discussed Subdivision #1701 Bristol Estates, which is nearly complete, and talked about the remaining steps for the developer to accomplish.

Mr. Roundtree, who is the Chairman of the Master Plan Collaboration Committee, briefly described some of the work done thus far on the master plan.

The board members signed a form confirming that notices of the public hearing for the zoning bylaw amendment had been mailed to the proper entities as required by state law.

#### **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, November 14, 2022, January 30, 2023, and March 27, 2023) 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).

Ms. Siciliano-Perry explained that the public hearing was to be immediately continued to a future date with no discussion or testimony at this time. Mr. Heins said the developer had requested an immediate continuance of the hearing to August 7. However, Mr. Heins noted that the board had the option of continuing the hearing to a date sooner if the board wanted an update on the project from the developer. The board members felt that August 7 was preferable.

Mr. Wandell made a motion that the board continue the public hearing for proposed Site Plan #SP3-22 and Special Permit to August 7, 2023, at 7:15 pm. Mr. Roundtree seconded the motion, and the board voted unanimously in favor.

**PUBLIC HEARING FOR PROPOSED SITE PLAN #SP4-23 AND SPECIAL PERMIT AT 74 AND 0 CONGRESS STREET (MULTIFAMILY HOUSING)**

Ms. Siciliano-Perry reopened the public hearing (continued from May 1, 2023) on the applications of Whatbarn, LLC, Donald McGill, Manager, 29 Duck Hill Road, Duxbury, MA 02332, 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 IV.2.B.3. (Multiunit Dwellings Allowed by Special Permit in Residential-Commercial District). The applicant proposes to construct a multifamily residential project of eleven two-bedroom units that would consist of ten new single-family detached structures and one former barn converted into a single-family detached structure, along with parking areas, two access drives, a stormwater drainage system, septic systems, landscaping and other improvements. The property, consisting of two adjacent lots, is about 3.3 acres in size and is located at 74 and 0 Congress Street, Pembroke, MA 02359, in the Residential-Commercial District, as shown on Assessors' Map F9, Lots 11 and 12C. A copy of the application is available in the Office of the Planning Board at Pembroke Town Hall.

Donald McGill, the applicant and developer of the project, was present. He said that the project's engineer Kevin Grady had answered many of the peer review engineer's questions. He also explained that a previous version of the project's design [i.e., the design submitted to the Zoning Board of Appeals in the variance application] had consisted of fewer buildings than the current design, though the number of units had not changed.

Mr. McGill noted that the design had changed again since the last public hearing, as one building had been removed and its residential unit transferred into the existing barn (which now contained two units).

Deborah Keller, the board's peer review engineer for the project, was present. She said that she had not yet been able to complete the peer review report for the new design. She noted that she still had some questions about the project, especially the drainage, and emphasized that one of the stormwater basins was a particular issue.

Discussion followed. Ms. Keller and Mr. McGill talked about the fire department's comments on the project, and Mr. McGill said some changes would be made to the design to meet their concerns. Ms. Keller discussed DEP's rules for stormwater basins.

The project's engineer Kevin Grady arrived at this time. For his sake, Ms. Siciliano-Perry summarized what had been discussed already. Mr. Grady described why the residential unit had been moved, and talked about the percolation tests that were done and are anticipated. He said that the design might be altered again depending on the results of future percolation tests. Discussion ensued, and it was agreed to keep the two residential units in the barn for the time being.

Mr. Grady described the drainage basin, the places where infiltration would take place, and the relevant wetlands regulations. Conversation followed, and Mr. Wandell asked a few questions which Mr. Grady answered. Mr. Grady also discussed the fire department's comments, and said he would redesign the access drive and add a fire hydrant to satisfy them. He noted that they have already been before the Conservation Commission.

Ms. Keller noted a discrepancy in the figure for the lot size variance, as listed in two places. Discussion followed and Mr. Grady said he would look into this. The lighting plan and data, or lack thereof, was also discussed.

Ms. Siciliano-Perry gave members of the public the chance to comment and ask questions.

Peter Soszynski, a nearby resident, expressed concern about the water table and drainage, and about the movement of trash collection trucks.

Denise Moraski, a neighbor whose property is directly behind the project, described her opposition to the project and recommended that it have a larger buffer. She also said that the project is too large for the site. In addition, she expressed concern about the lighting.

Sean Dempsey, a nearby resident, said that many condominium units like these wind up becoming rental units, instead of residences for downsizers, and thus have a greater impact than anticipated. He expressed concern about streetlights and excess lighting.

Mr. McGill briefly described the previous multifamily residential complexes he has built in Pembroke and said that so far nearly all the units are owned, not rented.

Mr. Grady discussed the landscaping and buffers proposed for the project. Ms. Moraski expressed concern, and Mr. McGill said he might add more landscaping to the design.

Mr. Wandell made a motion to continue the public hearing for Site Plan #SP4-23 and Special Permit at 74 & 0 Congress Street to June 26, 2023, at 7:30 pm. Mr. Roundtree seconded the motion, and the board voted unanimously in favor.

There was a brief conversation about Cape Cod berms and drainage.

**DISCUSSION ABOUT SUBDIVISION #1701 BRISTOL ESTATES**

The representative of Subdivision #1701 Bristol Estates failed to arrive. The board members discussed the project briefly and were in agreement that the developer should finish work on the “punch list” items. The board and Mr. Heins conversed about some other aspects of the project.

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