

**PEMBROKE PLANNING BOARD MINUTES**  
**MONDAY, MAY 2, 2016**

**PRESENT:** Daniel Taylor (Chairman), Rebecca Coletta (Vice-Chairman), Thomas Irving (Clerk), Brian VanRiper, Paul Whitman, Andrew Wandell, James Noone, Daniel Smith, David Nash, Karen Price, Carol Dodge, Chief Michael Hill, Chief Richard Wall, Michele Burt, Stephen Dodge and Marilyn Zechello.

**PLANS:**

Site Plan #SP2-16 Continued Public Hearing for 43 Mattakeesett Street-Smith

Site Plan #SP2-14 South Paws Doggie Daycare-Review

Discussion on Purchase of Land on Washington Street

**Old Business:**

Sign Conditions of Approval for Letourneau Tree Service

Minutes & Correspondence

Chairman Daniel Taylor opened the meeting by reading the Chairman's statement.

**MINUTES:** Mr. VanRiper moved, seconded by Mr. Wandell, "That the Planning Board minutes dated Tuesday, April 19, 2016 are accepted as printed." Voted unanimously

**SITE PLAN #SP2-16 43 MATTAKEESETT STREET-SMITH CONTINUED PUBLIC HEARING:** Chairman Daniel Taylor opened the continued public hearing by reading the notice: "This is the continued public hearing for Site Plan #SP2-16 Entitled 43 Mattakeesett Street-Daniel Smith requesting Site Plan Approval and Special Permit for outdoor display of goods in the Center Protection District. This meeting was continued from Monday, April 25, 2016 at 8:15 P.M."

The Board members went out to look at where the piles of mulch were to be placed as Mr. Smith had marked the property for them to look at as the appearance is most important. A concern was is this going to be in harmony with the Center Protection District. The piles were going to be bigger than what was thought after going out back to look at what is stored out back. The front end loader will be stored out back and the employee parking will be out back as well.

Ms. Coletta made a motion to issue a three (3) years special permit to allow three (3) mulch piles of natural wood based product as submitted on the drawing and not to exceed one hundred (100) yards per pile. After further discussion, Ms. Coletta made the main motion.

Ms. Coletta moved, seconded by Mr. Irving, "That relative to Site Plan #SP2-16 entitled 43 Mattakeesett Street the Board votes to grant the petitioner Site Plan Approval and a temporary Special Permit for outdoor display of goods for three (3) years for three (3) natural wood based mulch piles as submitted on the drawing dated April 4, 2016 not to exceed one hundred (100) yards per pile to be maintained clean and organized with equipment for the operation to be stored in the rear of the site starting May 2016 ending November 2019."

Voted: 5-2-1: Voting in favor: Coletta, Irving, Noone, Wandell and VanRiper  
Abstaining: Whitman and Taylor  
Opposed: No one

Conditions of Approval were written.

Mr. Wandell moved, seconded by Ms. Coletta, "That relative to Plan #SP2-16 entitled 43 Mattakeesett Street the following conditions are written:

#### FINDINGS OF THE BOARD:

The Board hereby moves that the proposed project as designed and subject to the conditions that the Board is going to adopt that it will not be injurious, noxious, offensive or detrimental to the neighborhood.

The Board's site plan approval is based on the following reasons:

- The Board hereby determines that the petitioner has submitted substantial and credible evidence that, subject to the conditions imposed by this decision, the foregoing project, a permitted use in the Center Protection District has been designed in such a manner as to reasonably protect the abutting properties and neighborhoods, as well as the community of Pembroke, to minimize any alleged offensive or detrimental uses resulting from the development, and to provide traffic safety and access, adequate waste disposal, drainage, parking and environmental protection.
- The Board hereby determines that the approved project, including without limitation, the site plans, Board recommendations and abutter concerns, demonstrates and promotes the convenience and safety of vehicular and pedestrian movement within the site and in relation to abutting ways and properties.
- The Board hereby determines that the project includes and provides for adequate refuse and other waste disposal, proper facilities for drainage of surface water and protection for wetlands, water resource protection areas, flood plains, watersheds, aquifers and well areas.
- The Board hereby determines that the project, as approved, makes adequate provision for lighting, off-street parking, loading and unloading of vehicles and internal traffic controls.

#### CONDITIONS

Site plan approval is subject to the following conditions:

1. All work shall be done in conformance with the drawing submitted by the Petitioner, dated April 4, 2016 and accepted by the Planning Board on May 2, 2016, as well as the following additional conditions.
2. All businesses occupying the building approved herewith must be listed on a sign clearly visible to the travelers on Mattakeesett Street. Said sign must comply with all applicable provisions of the Town by-laws and regulations.
3. The Petitioner shall provide for water as per the regulations of the Department of Public Works.
4. All site work must comply with existing regulatory town by-laws as to times work may commence and end and to days of week when site work can be conducted.

5. Temporary Special Permit for outdoor display of goods for three (3) years for three (3) natural wood based mulch piles as submitted on the drawing dated April 4, 2016 not to exceed one hundred (100) yards per pile to be maintained clean and organized with equipment for the operation to be stored in the rear of the site starting May 2016 ending November 2019.”

The temporary special permit for outside storage, display and sale of goods runs to the Petitioner only and shall not run with the land. Should the Petitioner leave the property, the special permit shall become null and void.

Any judicial appeal from this decision shall be made pursuant to Massachusetts General Laws, Chapter 40A, Section 17 and any such appeal shall be filed within twenty days from the filing of this decision with the office of the Town Clerk of Pembroke.

If substantial use of the rights authorized by this site plan approval are not exercised within two (2) years of the date on which a copy of this decision is filed with the Town Clerk, then this site plan approval shall expire.

Mr. Wandell moved, seconded by Ms. Coletta, “That the Planning Board accepts the Conditions of Approval as written.”

Voted: 5-2-1: Voting in favor: Coletta, Irving, Noone, Wandell and VanRiper  
Abstaining: Whitman and Taylor  
Opposed: No one

Mr. Wandell moved, seconded by Ms. Coletta, “That the Planning Board closes the public hearing for 43 Mattakeesett Street.” Voted unanimously

**SITE PLAN #SP2-14-SOUTH PAWS DOGGIE DAYCARE:** Karen Price came before the Board to request a letter to send to her bank stating the remaining items that need to be done. She had received a temporary occupancy permit to allow her to open as the plants were closing for the winter and the top coat of the road needed to be done. After a lengthy discussion, there were still items that needed to be addressed and the Board felt that the Board’s engineer needed to go out and make an inspection as one had not been made since the approval. The Board had several concerns as there was no transition piece in the granite curbing at the entrance and they felt the sidewalk should have been extended on the Tomasi side to the granite curbing. The Board is requesting that Tlyer Nims go out to do an inspection on the property. When the inspection has been done and the Board knows the remaining items to be done to finish the site plan, the Board will then be able to write the letter requested. Mrs. Price will come back when the letter is received to review any remaining items that needed to be done.

**DISCUSSION ON PURCHASE OF PROPERTY AT 369 WASHINGTON STREET:** The annual town meeting to be held on Tuesday, May 10, 2016 has an article to purchase the land at 369 Washington Street (corner of Barker Street and Washington Street) to be used for a new fire station. The Board requested a meeting with Ed Thorne, Town Administrator to discuss the use of this lot. The Fire Chief Michael Hill and the Police Chief Richard Wall came in as Mr. Thorne was unable to attend. This lot has been used by Newcomb’s Tree Service for many years and has only one entrance and exist to this property. Many

potential applicants have tried to develop this parcel of land. The entrance and exist has an opening very close to the traffic lights and the traffic tends to back up at that opening. Chief Hill explained to the Board that a new station will be built there and the traffic lights will be controlled by the fire department when existing and they feel that this is the best use for this property. Chief Wall explained that the present fire station will then become the police station with the old police station becoming an annex to the town hall. A lengthy discussion was held concerning safety at the intersection and the cleanup needed to be used to build the station on it. The town will be paying \$845,000.00 to purchase this property. There have been no engineering studies on this property and it is being bought at a pretty high price. This article will be come before town meeting on Tuesday, May 10, 2016.

**SITE PLAN #SP1-16-LETOURNEAU TREE SERVICE:** The Planning Board signed the Conditions of Approval.

A motion was made and seconded that the Planning Board meeting be adjourned at 8:50 p.m.

The next regular meeting of the Planning Board will be held on Monday, May 9, 2016 at 6:30 p.m.

Respectfully submitted,  
Marilyn A. Zechello-Planning Board Assistant