

**PEMBROKE PLANNING BOARD MINUTES**  
**MONDAY, JUNE 27, 2016**

**PRESENT:** Daniel Taylor (Chairman), Rebecca Coletta (Vice-Chairman), Thomas Irving (Clerk), Brian VanRiper, Paul Whitman, Andrew Wandell, James Noone, Sheila Landry, Ann Walker, Paul Walker, Yvonne Kalow, John Cannon, Richard Schneider, Christopher Kusek, Katrin Kusek, Attorney Robert Galvin, Rick Vayo, Sean Kelley, Robert DeMarzo, Sandra Kelly, Neale Park, Susan Park, Mike Glynn, Tara McGrath, Susan Kara, Matthew Hawes, James Costello, Dennis Dunphy and Marilyn Zechello.

**PLANS:**

Appointments to the Old Colony Planning Council and the Drainage Committee  
Informal site plan for 300 Center Street  
Continued public hearings for Plan #1601 Brisan Way and Site Plan #SP3-16 Adams Square  
Site Plan #SP4-16 Bridges at Pembroke-Conditions of Approval

**Old Business:**

Extension of Time for Completion and the Traffic Study for Panera Bread and Taco Bell.  
Extension of Time for Completion for Plan #0506 Equestrian Way.

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

**APPOINTMENTS TO THE OLD COLONY PLANNING COUNCIL AND DRAINAGE COMMITTEE:** Mr. Whitman moved, seconded by Mr. Wandell, "That the Planning Board votes to re-appoint Ben Bastianelli to the Drainage Commission." Voted unanimously

Ms. Coletta moved, seconded by Mr. Irving, "That the Planning Board nominates Daniel Taylor to be a member of the Old Colony Planning Council."

Voted: 6-0-1. Voting in favor: Coletta, Irving, VanRiper, Whitman, Wandell and Noone

Opposed: No one

Abstaining: Taylor

**INFORMAL SITE PLAN FOR 300 CENTER STREET:** Mr. Costello and Mr. Dunphy came before the Board to discuss the changes that are being made to 300 Center Street. A site plan is required as there have been changes that have been made to the parking lot and fencing being placed along the water for sitting with a fire pit to be installed. A discussion was held about these changes to be made and the Board considered this a minor modification of the site. A public hearing will be advertised for the site plan. Mr. Whitman moved, seconded by Mr. Irving, "That the Board votes an application fee of \$500.00 for the site plan." Voted unanimously

Mr. VanRiper moved, seconded by Mr. Whitman, "That the Board votes an engineering fee of \$1,500.00 for an inspection to review the impact on the pond." Voted unanimously

**CONTINUED PUBLIC HEARINGS FOR PLAN #1601 BRISAN WAY AND SITE PLAN #SP3-16 ADAMS**

**SQUARE:** Mr. Taylor opened the public hearing by reading the following: "Tonight is Monday, June 27,

2016 at 7:30 p.m. this is the continued public hearing for Plan #1601 entitled Brisan Way and Site Plan #SP3-16 entitles Adams Square Condo's that was continued from June 7, 2016." Ms. Coletta opened the discussion by stating that the Planning Board has received a couple of letter suggesting the Board effort to keep the residents in the dark. She stated the procedures that are taken when a formal application is made to the Board. Residents within 300 feet of the property are notified by certified mail of the public hearing. It is also placed on the town website and people can call the Planning Board office at any time to be informed and ask questions as to what is going to take place. I thought the comments personally were over the line and we have no alternative motive. We are an elected Board and this position is not a position that people are looking to serve on as it is a 5 year commitment and not a paid position. Ms. Coletta explained the procedures of how the public is notified and the process in place to the residents. Atty. Galvin then presented the Board with a photometric plan pertaining to the multi-unit dwellings of 10 duplexes and 20 units total concerning the lighting. Mr. Vayo spoke about how they redevelop the animal rescue building into 18 condos with low impact drainage. He stated that 75% of the land will be donated to Conservation and we are willing to work with everyone to make this the best development possible. Sean Kelly from Vanasse & Associates Inc. then presented the traffic study report. The project is expected to generate approximately 182 vehicle trips on an average weekday. Brisan Way Extension will be widened to provide a 24-foot wide with a 4-foot wide sidewalk on the south/west side of the street. Brisan Way Extension continues in an easterly heading, becoming 20 feet wide leading to the condominium residences. The posted speed for Old Washington Street is 25 and the study showed that the average speed for the street is 33-35. The crash data was not a whole lot for this area. Vanasse Associates has concluded that the Project can be safely accommodated with minimal impact to the area road network. The residents then had the chance to ask their questions. This project may remain a private way; maintain by an association. There will be no work done in the wetlands. There will be no offset migration of the lighting to other areas. There was a lengthy discussion of concerning the access and the safety going out to Rte. 53. The frontage of the multi-unit dwellings was a concern that will be looked at. The meeting will be continued so that many of the issues addressed tonight can be looked at and answered at the next meeting.

Mr. VanRiper moved, seconded by Mr. Whitman, "That the Planning Board continues the public hearings for Brisan Way and Adams Square Condos until Monday, July 11, 2016 at 7:30 p.m." Voted unanimously

**SITE PLAN #SP4-16 BRIDGES AT PEMBROKE-CONDITIONS OF APPROVAL:** A lengthy discussion was held with the Board's engineer and the developer concerning the water at the entrance of Cross Street and Church Street; as what would be needed to correct the problem. It was suggested that a swale be created close to the road and run 30 feet of pipe under the road along the existing swale on Church Street. The Board made a motion to write conditions of approval.

#### FINDINGS OF THE BOARD:

The Board hereby finds that the proposed 48-unit Assisted Living Facility project as shown on the Site Plans, and taking into consideration the factors set forth in the bylaw and subject to the conditions that the Board has approved will not be injurious, noxious, offensive or detrimental to the neighborhood, will be constructed and operated in a manner that considers community needs, including protection of

abutting landowners, provides for traffic safety and access, will have adequate methods of waste disposal, drainage, parking and environmental protection, and will conform to state and local laws and regulations, including zoning, earth removal, signs, subdivision control, wetlands, floodplain and watershed and water resource protection provisions.

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 Industrial District B, 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 provides adequate traffic safety and access with the site and in relation to abutting ways and properties, and shows adequate sewage, refuse and other waste disposal, provides adequate drainage, parking and environmental protections.
- 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 sewage, 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 stamped plans entitled "Bridges by Epoch at Pembroke", 49 Cross Street, Pembroke, Massachusetts, by Stantec, PC, dated April 15, 2016 with revisions through June 10, 2016 and accepted by the Planning Board on June 13, 2016, as well as the following additional conditions.
2. All signage must comply with all applicable provisions of the Town's by-laws and regulations.
3. All vegetation planted in accordance with this decision shall be reasonably watered and maintained until established. Should any vegetation die off, the petitioner shall plant replacements.

4. The developer shall provide for water as per the regulations of the Department of Public Works.
5. The petitioner shall submit an As-built Plan with a written statement, approved by the Board, that all the conditions of this vote have been complied with before an occupancy permit may be issued.
6. All site work must comply with existing regulatory town bylaws as to times work may commence and end and to days of week when site work can be conducted.
7. Prior to the commencement of construction, the petitioner shall provide a truck traffic management plan to the Planning Board's consulting engineer for approval.
8. During the construction of the completion of the project's storm water basins, the site contractor shall notify the Planning Board's consulting engineer and permit him/her to observe the water table at the bottom of the basin.
9. At or prior to the time the petitioner completes the paving of the project's parking areas, the petitioner shall repave a portion of Cross Street abutting the project's street frontage through the proposed third access driveway to a width of 20' feet. This paving work shall be coordinated with the Department of Public Works with advance submission of the plan to the Department of Public Works.

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 Mr. Whitman, "That relative to Site Plan #SP4-16 entitled Bridges at Pembroke the Board votes to accept the Conditions of Approval as written." Voted unanimously

#### Old Business:

Extension request from RK Centers for Site Plan #SP5-13-Panera Bread and Taco Bell. A letter was received from RK Centers requesting an Extension of Time for Completion and the Traffic Study for Site Plan #SP5-13 entitled Panera Bread and Taco Bell. Mr. Wandell moved, seconded by Mr. Irving, "That the Planning Board accepts the request for an Extension of Time for Completion and Traffic Study for Site Plan #SP3-15 Panera Bread and Taco Bell until July 26, 2016." Voted unanimously

Mr. Fries was out of the country and had requested just a month extension so that he can come in before the Board to up-date the Board as to the future site plan that is being worked on before a traffic study is done.

Plan #0506-Equestrian Estates-Request for an Extension of Time for Completion. The Board received a request from the developer requesting an extension until October 30, 2016. The developer will be

finishing the road during the summer and would like it to go on the warrant for the fall town meeting for road acceptance. Mr. Irving moved, seconded by Mr. Wandell, "That the Planning Board accepts the request of the developer for an Extension of Time for Completion until October 30, 2016." Voted unanimously

A motion was made and seconded that the Planning Board meeting be adjourned at 9:06 p.m.

The next regular meeting of the Planning Board will be held on Monday, July 11, 2016 at 7:00 p.m.

Respectfully submitted,  
Marilyn A. Zechello-Planning Board Assistant