



PEMBROKE PLANNING BOARD MINUTES

MONDAY, JANUARY 23, 2017

PRESENT: Daniel Taylor (Chairman), Thomas Irving (Clerk), Brian VanRiper (Board Member), Andrew Wandell (Board Member), Paul Whitman (Board Member), Matthew Heins (Planning Board Assistant), Brian Murphy, Raymond Petrell, Michael Nasuti, Nolan Nasuti, Daniel Smith, Nicole Debenedictis and Michael Pungitore.

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

DISCUSSION OF POSSIBLE DEVELOPMENT PLANS FOR 260-280 OAK STREET

Brian Murphy came before the board to discuss his property at 260-280 Oak Street. He and the board members discussed the recent clear-cutting of this parcel, and the efforts of the town to fine him for this clear-cutting. There was also a discussion of Mr. Murphy's tentative plans for the site and the nearby areas. He proposes to construct two buildings in the area, and to grade another portion of the area in order to have it ready for a possible building.

Mr. Murphy explained that one of these buildings would be a maintenance building for his own company, and the other building would contain "contractor's bays." He described the configuration of the driveways and access routes to these buildings, and the parking lots around them. Mr. Whitman and some other board members expressed concern that these access routes and parking lots may become too much of a maze, and there could be issues of clear access and public safety.

Mr. Murphy noted that a medical tenant is interested in one of his sites on the other side of Corporate Park Drive. Mr. VanRiper, Mr. Whitman and Mr. Murphy discussed issues of access and the configuration of the roads, driveways and parking lots in detail.

DISCUSSION OF POSSIBLE DEVELOPMENT OF MODULAR UNITS AT 345 OAK STREET

Michael Nasuti came before the board to describe his idea for a development of modular units (also known as "tradesmen's units" or "contractor's bays") at 345 Oak Street. This would consist of ten units, and each unit would 1,200 square feet in size. He is concerned as to whether his proposal could meet the zoning requirements, in particular the required setbacks.

Mr. VanRiper expressed his worries about how such a development would add to the already substantial amount of traffic on Oak Street. The board members noted that variances would be

necessary for this project, and in addition the parking areas would encroach on the zoning setbacks. Furthermore, there could be problems with the ratio of impervious surfaces and drainage.

Some board members commented that the proposed use is probably acceptable, even though the zoning code is not entirely clear on this point. However, they stressed that some of the other problems mentioned could be a serious challenge. Mr. Whitman noted that some of these issues could be resolved if the current property owner would sell Mr. Nasuti a slightly larger portion of the existing parcel.

DISCUSSION OF POSSIBLE LANDSCAPING BUSINESS AT 19A MATTAKEESETT STREET

Nicole Debenedictis and Michael Pungitore came before the board to talk about the idea of putting a small landscaping business at 19A Mattakeesett Street. (This is the rear property of 19 Mattakeesett Street.) Mr. Pungitore explained that he would operate a small landscaping firm there, and that it wouldn't generate much traffic since it wouldn't be retail-oriented. He would probably rent out part of the space to another tenant for office use.

Various board members expressed divergent views about the acceptability of the project. Mr. VanRiper raised the issue of the site being in the rear without frontage. The legal status of the parcel (both front and rear) and its ownership are complicated, and this could lead to problems.

DISCUSSION OF PROPOSED FORM A FOR SITE ON MATTAKEESETT STREET

Daniel Smith brought a new Form A and its drawings, for a site on Mattakeesett Street. This Form A is nearly identical to a Form A that was recently submitted to the board by Mr. Smith, and which the board chose to endorse. However, that Form A contained two minor errors and so Mr. Smith did not submit it to the Registry of Deeds. On this new Form A the errors have been corrected.

Mr. Wandell made a motion that the clerk sign the Form A, Mr. VanRiper seconded the motion, and the board voted unanimously in favor. Mr. Irving signed the drawings.

REVIEW OF ROUTINE ADMINISTRATIVE MATTERS

Mr. Heins showed the board his prepared minutes of the open session and executive session of the board on January 9, 2017. The board reviewed the minutes, but could not vote to accept the minutes since a quorum of board members who were at that meeting was lacking.

DISCUSSION OF VARIANCES AND THE ZONING BOARD OF APPEALS

The board members conversed about a recent discussion that Mr. VanRiper and Mr. Heins had with town counsel Joel Bard, relating to variances issued by the Zoning Board of Appeals. The board talked about the legal issues surrounding variances and special permits in general, the appropriate role of the Zoning Board of Appeals, and the way the variances were issued for the proposed mixed use project at 220 Center Street.

DISCUSSION OF PROPOSED ZONING BYLAW CHANGE AND 40B PROJECTS

The board discussed how the proposed zoning bylaw amendment eliminating the mixed use option in the Center Protection District would still allow the residential and commercial options. This shifted to a conversation about the town's current situation regarding 40b affordable housing projects, and the regulations that govern 40b.

The board members discussed the proposed 40b project, River Marsh Village, on Water Street. The Selectmen's Office has asked certain town departments to provide feedback on the project, and so the board talked about what its comments should be.

REVIEW OF ROUTINE ADMINISTRATIVE MATTERS

Mr. Heins showed the board the application for District Local Technical Assistance (DLTA) funding from Old Colony Planning Council that he has prepared. The board members viewed this and informally approved it.

Mr. Heins described his upcoming vacation plans and how much vacation and personal leave time he is accumulating.

The board discussed the upcoming public hearings for the proposed zoning bylaw amendments.

The board talked about the procedures for putting the Equestrian Estates roadway acceptance on the warrant for town meeting, and whether this can be done at the annual town meeting in the spring, or must wait until the fall town meeting. The board and Mr. Heins agreed that Mr. Heins will continue to pursue the possibility of putting it on the spring town meeting.

Mr. Heins informed the board that James Costello, of the 300 Center Street (Arrow Restaurant) project, recently submitted payment to bring his balance on the engineering review account to zero. The board had a further discussion of this project, its conditions, and the site plan process for it.

The board members and Mr. Heins discussed the schedule of future board meetings.

Mr. Heins and the board had a further discussion of the 220 Center Street project, the legal circumstances surrounding it, and the proposed zoning bylaw amendment eliminating mixed use.

Mr. Heins and the board talked about the positive balances on a few longstanding engineering review accounts.

Mr. Irving made a motion to adjourn the meeting, Mr. VanRiper seconded the motion, and the board voted unanimously in favor.

The next regular meeting of the Planning Board will be held Monday, February 13, 2017 at 7:00 pm.

Respectfully submitted,

Matthew Heins, Planning Board Assistant