



PEMBROKE PLANNING BOARD MINUTES

MONDAY, FEBRUARY 13, 2017

PRESENT: Daniel Taylor (Chairman), Rebecca Coletta (Vice-Chairman), Thomas Irving (Clerk), Brian VanRiper (Board Member), Andrew Wandell (Board Member), Paul Whitman (Board Member), Matthew Heins (Planning Board Assistant), Donald McGill, Robert Galvin, Eoghan Kelley, James Costello and Matthew Dacey.

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

DISCUSSION OF PROPOSED MIXED USE PROJECT AT 220 CENTER STREET

The board members and Mr. Heins discussed the appropriate procedures for handling the site plan application for the mixed use project at 220 Center Street, and in particular the requirements for special permits as they relate to how the public hearing is advertised. The issue of how to run the multiple public hearings concurrently was talked over.

Donald McGill gave a brief description of his project and where it currently stands. The board, Mr. McGill and Robert Galvin discussed the proposed zoning bylaw amendments for the Center Protection District (regarding eliminating the mixed use option and specifying the 300' extent of the district from the relevant ways), and whether and how these would impact Mr. McGill's proposed project. Mr. Galvin suggested that the zoning bylaw amendment articles could make an exception for projects submitted before the bylaw takes effect, or something comparable. A discussion ensued about the possibility of a 40b project for the site. There was further conversation about the project and its progress over time.

DISCUSSION OF PROPOSED ROADWAY ACCEPTANCE FOR EQUESTRIAN ESTATES

Eoghan Kelley, the board members and Mr. Heins discussed the process of roadway acceptance for Equestrian Way and Pheasant Lane, within the Equestrian Estates subdivision. There was a conversation about the question of when the mylar copy of the engineering drawings should be signed by the board.

REVIEW OF ROUTINE ADMINISTRATIVE MATTERS

Mr. Heins showed the board the letter, to be signed by the board, verifying that the required notifications of the zoning bylaw amendment public hearings have been sent to the planning boards of neighboring towns and the relevant state agencies.

Mr. Wandell made a motion to accept the minutes of January 9, 2017 (i.e., for the open session of the board) as presented, Mr. VanRiper seconded the motion, and the board voted unanimously in favor. Mr. Wandell made a motion to accept the minutes of January 9, 2017 for the executive session of the board as presented, Mr. VanRiper seconded the motion, and the board voted unanimously in favor.

Mr. Heins explained that the developer of the Hobomock solar project still has not submitted the required payment for the escrow account (to cover possible screening of the project), contrary to the conditions of approval. A conversation followed about when this payment should be due, and about the purpose of the escrow account.

Mr. Heins explained that he has prepared quarterly reports (for the third and fourth quarter of 2016) of his time accrued, used and remaining, for vacation time, personal time, floating holiday and sick leave. He showed these to the board.

Mr. Heins noted that the board has received a District Local Technical Assistance (DLTA) grant, from the Old Colony Planning Council, to provide assistance with economic development and planning.

The board and Mr. Heins discussed the proposed 40b project on Water Street, and the board's letter expressing the board's concerns about various aspects of the project.

DISCUSSION OF ONGOING SITE WORK AND PROPOSED SHED AT 300 CENTER STREET (ARROW RESTAURANT)

James Costello, of Arrow Restaurant at 300 Center Street, came before the board. He noted that the fence along Hobomock Street, blocking access between his parking areas and Hobomock Street, has been put in place.

Mr. Costello explained that he would like to place a small shed on the property, in order to contain the bottle returns and perhaps other items stored behind the restaurant. The shed would be eight feet by ten feet in size.

The board and Mr. Costello discussed the other building on the property and the resident still residing there. The board looked at the site plan for the property and talked about the proposed shed's location and impact.

Mr. Costello requested that the Planning Board waive the requirement for site plan review for the proposed shed. The board members talked about whether to address the potential zoning violation

regarding the occupant in the other building on the site. The board, Mr. Heins and Mr. Costello also discussed the ongoing site plan approval process for the entire site.

Ms. Coletta made a motion that the board waive the site plan requirement for the addition of an eight-foot by ten-foot shed near the corner of the building where the bottle returns are currently located. Mr. Wandell seconded the motion, and the board voted unanimously in favor.

DISCUSSION OF LEGALIZED MARIJUANA AND ZONING

Mr. Wandell described the work of the committee he is a member of regarding ballot question four, legalized marijuana. The committee has decided to place an article on the warrant for town meeting that would create a bylaw to prohibit marijuana-related establishments. A discussion ensued about the broader issues relating to marijuana legalization, and also the possibility of creating zoning bylaw restrictions on marijuana-related establishments, and/or limiting these establishments to certain zoning districts.

DISCUSSION OF POSSIBLE IMPACT OF ZONING BYLAW CHANGES ON 204 CENTER STREET

Matthew Dacey of Champion Builders came before the board to discuss the project at 204 Center Street (with which he is involved), which was originally approved as a mixed use development. As the board is now considering a zoning bylaw amendment to eliminate the mixed use option, this could affect the project. However, only the residential component of the project was originally built, leaving the commercial portion unbuilt, and several years have passed since.

Mr. Dacey and the board had an extensive conversation about whether or not the developer at 204 Center Street would still have the right to construct commercial buildings on the site under the site plan approval granted several years ago. (Mr. VanRiper left during this conversation.) There was also a discussion about how the new zoning bylaws, if actually passed, would affect what can be done with the project.

DISCUSSION OF BRISAN WAY EXTENSION SUBDIVISION

Mr. Heins explained that the deadline for the board to write up and submit its decision and conditions for the Brisan Way Extension subdivision is February 26th. The board had a lengthy discussion about the conditions and the remaining comments from Peter Palmieri that have not been addressed.

The board decided that the developer should request a 30-day extension of the deadline so the plans can be revised to meet Mr. Palmieri's comments to the board's satisfaction. Otherwise, the board would reconsider its preliminary approval and deny the project without prejudice.

The board members had another discussion about the ramifications of the proposed zoning bylaw change to disallow mixed use. This led to a conversation about the jurisdiction and coordination of various boards.

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

The next regular meeting of the Planning Board will be held Monday, February 27, 2017 at 7:00 pm.

Respectfully submitted,

Matthew Heins, Planning Board Assistant