



PEMBROKE PLANNING BOARD MINUTES

MONDAY, APRIL 24, 2017

PRESENT: Daniel Taylor (Chairman), Rebecca Coletta (Vice-Chairman), Thomas Irving (Clerk), Brian VanRiper (Board Member), Andrew Wandell (Board Member), Matthew Heins (Planning Board Assistant), Peter Palmieri (Merrill Engineering), Donald McGill, Art Ertegun, Timothy Brennan, Steven Guard, Catherine Salmon (Chief Assessor), Bruce Hughes (Old Colony Planning Council), Susan Sullivan, Eoghan Kelley, and Deborah Keller (Merrill Engineering).

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

PUBLIC HEARINGS FOR PROPOSED SITE PLAN AT 220 CENTER STREET

Mr. Taylor re-opened the public hearings for Site Plan #SP1-17, a proposed mixed use project at 220 Center Street. These were three public hearings running concurrently, one for site plan approval, one for special permits, and one for architectural appearance or style. The project as originally proposed consisted of fourteen (14) cottage-style condominium units, two (2) two-bedroom apartments, and 2,000 square feet of commercial space. The applicant (developer) is Donald McGill.

Mr. Taylor recessed the public hearings until 7:10 pm due to a lack of a quorum. At 7:10 pm Mr. Taylor re-opened the public hearings.

Donald McGill described the alterations made to the project since the last public hearings, the most important changes being the elimination of one of the condominium units (so the project now contains 13 condominium units), and the enlarging of the commercial space from 2,000 square feet to 3,000 square feet.

Mr. McGill also had a traffic study done for the project, which he provided to Mr. Palmieri. A lengthy discussion about traffic, sidewalks and stop signs followed between Mr. McGill, Mr. Palmieri, Mr. Heins and some of the board members.

Mr. McGill, Mr. Palmieri and the board discussed the possibility that a restaurant could someday occupy the commercial space.

Mr. VanRiper talked about the architectural design of the building fronting Center St. (containing the commercial space and apartments), and about the history of the site. He opined that the building's

appearance needs to be more comparable to the other buildings, especially the historic buildings, in the Center Protection District.

Mr. VanRiper, Mr. McGill, Mr. Palmieri and Mr. Wandell had a detailed discussion about the configuration of the parking area serving this building. Mr. VanRiper also questioned the location of the apartments above the commercial space, and wondered if there is a risk of the commercial space someday becoming residential.

The board members and Mr. McGill discussed the requirements that must be met for the special permit for mixed use and for building floor area, and considered the option of voting on the special permit only while continuing the other public hearings.

Mr. Wandell made a motion that the board grant the special permit, subject to continuing discussions of the site plan and the architectural review. Mr. Irving seconded the motion, and the board voted unanimously in favor.

Mr. Wandell made a motion to close the public hearing for the special permit, Mr. Irving seconded the motion, and the board voted unanimously in favor.

Ms. Coletta made a motion to continue the public hearings for site plan approval and architectural style/appearance for 220 Center Street to May 1, 2017, at 7:00 pm. Mr. Wandell seconded the motion, and the board voted unanimously in favor.

Mr. McGill signed a form requesting a 60-day extension of the site plan application process for Site Plan #SP1-17 at 220 Center Street. Ms. Coletta made a motion that the board accept the developer's request for a 60-day extension for Site Plan #SP1-17 and the other approvals required at 220 Center Street. Mr. Wandell seconded the motion, and the board voted unanimously in favor.

DISCUSSION OF TITLE ISSUES WITH PROPOSED BRISAN WAY EXTENSION SUBDIVISION

Catherine Salmon, the Pembroke Chief Assessor, came to speak to the board about a problem with the ownership records (title) for one or more parcels of the proposed Brisan Way Extension Subdivision #1603. There is an issue with the deeds not having been properly recorded, and a lack of clarity as to their ownership. When the original definitive subdivision application was submitted, it was not the case that all the owners of the relevant parcels indicated their agreement or support of the application.

A discussion ensued, and it was agreed that when an application is submitted, all the owners of the relevant properties should sign the application or otherwise indicate their agreement.

Attorney Steven Guard, representing the developer (in place of Robert Galvin), spoke to the board. He explained that a purchase and sale agreement exists for the properties in question, contingent upon approval of the subdivision. There was a lengthy back-and-forth discussion of the complex legal issues at stake, and Ms. Salmon explained that in this case there is one lot whose title is unclear or divided, and which is not properly shown on the drawings.

Ms. Salmon showed the board and Mr. Guard the relevant drawings for the previous division of land. Mr. Guard stated that he will recommend that clarification be provided. Mr. Heins and Ms. Coletta noted that a new set of drawings would be necessary, though Mr. Guard seemed to believe another option could solve the issue. Multiple discussions took place.

Mr. Heins summarized the current situation of Brisan Way Extension, and another conversation followed about the ownership and deed issues, and the challenge of assessing the property's value. A broader discussion ensued about the subdivision's design and the problems that have slowed its progress.

DISCUSSION WITH BRUCE HUGHES OF POTENTIAL ECONOMIC DEVELOPMENT STRATEGIES

Bruce Hughes, of the Old Colony Planning Council (O.C.P.C.), came to speak with the board about how the District Local Technical Assistance grant (which the Planning Board has received from O.C.P.C.) can be utilized to support economic development.

Mr. Hughes outlined some of the economic development projects he has worked on for other towns in the region, and described the ways these approaches potentially could benefit Pembroke. The zoning classification along the section of Washington St. just south of its intersection with Route 139 was discussed. Conversations took place about industrial development and possible industrial sites in the town, the need for a new master plan, and the challenges and opportunities of economic development in general.

Mr. Hughes will meet with the board at greater length on May 15.

DISCUSSION ABOUT, AND GRANTING APPROVAL OF, PROPOSED BRISTOL ESTATES SUBDIVISION

Eoghan Kelley, representing the developer, and Deborah Keller of Merrill Engineering came before the board to discuss the proposed Bristol Estates Subdivision #1701, located at 73 Taylor St.

The board members previously expressed concerns about the rain gardens in the project, and so Ms. Keller and Mr. Kelley gave more details about these. Ms. Keller described how they function and showed images of successful examples. Mr. Kelley explained the legal mechanisms that would be put in place to try to ensure the long-term existence and maintenance of the rain gardens.

Mr. VanRiper raised the idea of creating easements to allow the town's employees to access the rain gardens. There was also a discussion of stormwater and the wetlands nearby. Mr. Kelley and the board talked about putting in a condition to enforce maintenance, and the specifics of how easements would work.

Multiple discussions took place simultaneously. There was a conversation about how the additional land in the subdivision plan might be acquired by the Conservation Commission, and another conversation about the possibility that the driveway (which is currently an easement) giving access to the two houses just south of the proposed subdivision could be relocated.

Mr. VanRiper made a motion that the board approve Subdivision Plan #1701, entitled Bristol Estates, and set its conditions at a later date. Mr. Irving seconded the motion, and the board voted unanimously in favor.

DISCUSSION ABOUT THE POSSIBLE REORGANIZATION OF THE PLANNING BOARD

Mr. Taylor stated his desire to step down from the position of Chair of the Planning Board. The board members talked about the formal process that must take place for the board to re-organize. No action was taken at this time.

REVIEW OF ROUTINE ADMINISTRATIVE MATTERS

The board members discussed the proposed town bylaw prohibiting marijuana establishments that is on the warrant for town meeting, and whether it would possess legal force.

Mr. Wandell made a motion to approve the minutes of Monday, April 3, 2017, as presented. Mr. VanRiper seconded the motion, and the board voted unanimously in favor.

The board members and Mr. Heins talked at length about the proposed Department of Municipal Inspections, whose creation is on the warrant for town meeting, and how it would impact the Office of the Planning Board.

The board also discussed whether fences are allowed in certain locations along the edge of a property. This segued into a discussion of a road in the town whose appropriate use is doubtful.

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

The next regular meeting of the Planning Board will be held on Monday, May 1, 2017 at 7:00 pm.

Respectfully submitted,

Matthew Heins, Planning Board Assistant