



PEMBROKE PLANNING BOARD MINUTES

MONDAY, MARCH 19, 2018

PRESENT: Rebecca Coletta (Board Chairman), Andrew Wandell (Board Vice-Chairman), Thomas Irving (Board Clerk), Paul Whitman (Board Member), Daniel Taylor (Board Member), Matthew Heins (Planning Board Assistant), Peter Palmieri (Engineer), Terry McGovern (Engineer), Brian Taylor (Engineer), Michael Ricciardi, Michael Stracco, Anthony Giannetti, Steven Guard (Attorney), Philip Howard, Michael Parsons, Brett Sesnewicz, Fran Jessop, Richard Chabary, Donna Kerr, Evelyn Bonanno, Joseph Bonanno, Andrea McKenney, Jane Shinberger, Pauline Long, Julie Butler, Ruth Driscoll, John Driscoll, Ron Ellis, Sabrina Chilcott, and others.

Chairman Rebecca Coletta opened the meeting by reading the Chairman's statement.

PUBLIC HEARING FOR PROPOSED DEFINITIVE SUBDIVISION #1801 DOMINIC'S WAY

Ms. Coletta opened the public hearing for Definitive Subdivision #1801 Dominic's Way, and read the announcement: "Notice is hereby given that the Planning Board will hold a public hearing on Monday, March 19, 2018, at 7:00 pm in Town Hall, 100 Center St., Pembroke, MA 02359, on the application of Adventures Unlimited LLC, 20 Woodland Drive, Framingham, MA 01701, for a Definitive Subdivision entitled Dominic's Way. The proposed subdivision is located at 56 Gorham Avenue, Pembroke, MA 02359, on a 3.76-acre parcel, and would consist of three single-family houses. The property is located in the Residential A district on Assessors' Map A6 Lot 251."

Ms. Coletta noted for the record that the abutters' letters were sent out one day late, and explained that the public hearing would be continued (after its completion at this meeting) so that any additional people who received the letter late would have the opportunity to attend.

Ms. Coletta explained the procedures and format of the public hearing for the members of the public in attendance.

Terry McGovern, an engineer with Stenbeck and Taylor representing the applicant, described the project, the site, and the details of the design. The property currently contains one single-family house, and the project proposes to keep that house and build two additional single-family houses. All three houses would be served by a new dead-end road with a turning circle at its end. The surrounding neighborhood is predominantly a residential area.

Mr. McGovern explained that, in addition to the three lots for the houses, an easement lot would be created for a stormwater basin to hold runoff from the new road. The runoff from the residential lots will be handled within those parcels. Mr. McGovern described the road's design, and noted that they

are requesting a waiver for road width, and proposing a width of 18 feet. He stated that this will make it a better fit with the character of the neighborhood. Mr. McGovern went over the design of the subdivision, and the provisions for drainage of stormwater, in detail.

Mr. McGovern noted that they are requesting a waiver of the sidewalk requirement on both sides of the new road. He explained that Gorham Avenue currently has no sidewalks, and that leaving out sidewalks allows them to preserve more vegetation and makes drainage easier. He said that they are not proposing any “hard-pipe” drainage.

The board members and Mr. McGovern discussed the waiver for sidewalks on both sides, and it was clarified that a payment into the sidewalk fund would have to be made for the cost of the unbuilt sidewalks. Mr. McGovern said the road would remain a private way.

The board members, Mr. McGovern and Brian Taylor (also an engineer with Stenbeck and Taylor) discussed the project in more detail. Brian Taylor explained that a homeowner’s association is being proposed for the project, and a conversation followed about this. Steven Guard, an attorney representing the project, talked about the legal aspects of the homeowner’s association. Mr. Whitman raised some long-term concerns relating to the road possibly becoming a public way someday, and the durability of the homeowner’s association.

Mr. Irving asked about the roadway design, and where water runoff would flow from the cul-de-sac. Mr. McGovern described the stormwater design in more detail.

Ms. Coletta opened the meeting to questions and comments from the public. Jane Shinberger asked if the drainage basin could be positioned behind the houses, rather than in front. There was some confusion between stormwater drainage and septic drainage, and the board members clarified this. Ms. Coletta talked about stormwater design. Another member of the public asked if the basin could overflow, and Mr. McGovern said it would not. He described the stormwater system.

Brett Sesnewicz explained that he lives across the street from the project, and is concerned about the appearance of the drainage basin. Mr. McGovern mentioned that the basin will be designed to empty within 72 hours, and will have fencing and could have vegetation to improve its appearance. Brian Taylor and Mr. McGovern explained it would be very hard to locate the basin elsewhere on the site.

The time having arrived for the continued public hearing for the 230 Water Street site plan, the board discussed this, and Mr. Heins said that the ZBA (Zoning Board of Appeals) was holding a public hearing at 7:40 pm for the 230 Water Street project. Thus it made sense to delay the Planning Board’s hearing.

Mr. Wandell made a motion to continue the public hearing for Site Plan #SP4-17 at 230 Water Street to 8:15 pm, Daniel Taylor seconded the motion, and the board voted unanimously in favor. Hence the hearing for Dominic’s Way could proceed for a while longer.

Daniel Taylor asked why there would be no sidewalks on either side of the road, and why the street is so narrow. A discussion ensued between the board and Mr. McGovern about this. Mr. McGovern emphasized that the surrounding streets generally don’t have sidewalks, that a three-lot subdivision will have little traffic, and that a wider street would necessitate a larger stormwater system.

Ruth Driscoll, a neighbor to the project, asked about whether cutting down the trees near her boundary will affect the leaching field of her septic system, and Mr. McGovern explained that it should have no impact. The board discussed septic issues and drainage. Mr. McGovern described certain drainage elements in detail.

Julie Butler, a neighbor, asked whether the two new houses will be sold, and Mr. McGovern said his understanding is that one will be for a family member (i.e., a relative of the person in the existing house), and the other could be sold. He explained that the person in the existing house will probably remain there for a while. Ms. Butler expressed her concern that one or both houses could become a rental property.

A member of the public, presumably the developer and/or property owner (probably Michael Ricciardi), said that the intent is for him to move into one of the new houses, for his son to remain in the existing house or move into a new house, and for his daughter to move into the small house.

A member of the public asked about the square footage of the houses, and Mr. McGovern stated the footprint was about 2,400 square feet including the garage, and the height would probably be two stories.

Ron Ellis, a neighbor, asked about how many trees will be cleared near a particular property line, and Mr. McGovern described where trees will be cut down and where they will remain. Joseph Bonanno, a neighbor, asked where the trees have already been cleared, especially in relation to Carol Avenue, and Mr. McGovern answered this.

A member of the public asked if the project has begun, and Ms. Coletta explained that it cannot start construction until the board approves it. She provided more details about how subdivision review works, and about the board's role. Ms. Coletta noted that a wider road (i.e., if the waiver request is denied) would require more stormwater design and a larger drainage basin.

Evelyn Bonanno, a neighbor, talked about the trees in the area, and how some of them may pose a danger if they fall. Mr. Sesnewicz said that he has a well within about 100 feet of the project, and his neighbor's well is also close, and so he is worried about polluted groundwater. Mr. McGovern described the stormwater design and how it recharges the groundwater. Peter Palmieri (the board's peer review engineer for the project) suggested that the wells be shown on the plan. There was more discussion about groundwater and wells.

Kevin Badger, a neighbor, asked where Thrasher Street is in relation to the project, and Mr. McGovern showed it on the map. Mr. McGovern said that Mr. Badger's property is about 325 feet from the project.

Michael Ricciardi spoke and explained that he is the applicant (i.e., Adventures Unlimited). He said that the road width was decided to fit with the character of the neighborhood, which is quaint with small houses, and to reduce the impact. He stated that he understands that in not building sidewalks, he will be required to contribute to the town's sidewalk fund, thereby helping sidewalks be constructed elsewhere in town where they will do more good.

A member of the public asked if a house can be converted into rental property at any time, and the board members answered in the affirmative. Ms. Coletta explained that the board can only limit a

subdivision development in this zone to single-family houses, and cannot specify whether they are owner-occupied or rental. Further discussion followed about privacy, and about owner-occupied versus rental houses.

Mr. Wandell made a motion to continue the public hearing to April 2, 2018, at 7:30 pm, Daniel Taylor seconded the motion, and the board voted unanimously in favor.

PUBLIC HEARING FOR PROPOSED SITE PLAN #SP4-17 AT 230 WATER STREET

Mr. Wandell made a motion to reopen the public hearing (continued from January 8, 2018, and February 12, 2018) for proposed Site Plan #SP4-17 at 230 Water Street.

Attorney Steven Guard (representing this project also) explained that the ZBA had voted to issue the relevant special permit for the project, and had indicated it had no problem with the proposed building creating new nonconforming uses.

The board members and Brian Taylor discussed the configuration of the proposed new building and the existing building.

Mr. Guard said that the ZBA granted the special permits for outdoor storage and light industrial use, and that the ZBA believes the new building creates no new nonconformities.

Mr. Palmieri (the board's peer review engineer for the project) mentioned that a few remaining details were in question, and these were discussed briefly. Mr. Palmieri, Mr. McGovern and Brian Taylor talked about the construction sequence and staging.

Mr. McGovern described the landscaping, and explained that they are requesting a waiver of the requirement of a landscape architect's stamp. Mr. Guard and Brian Taylor said that they had agreed with a neighbor, Mr. Wilson, to add a fence and plantings along the property boundary.

Mr. Wandell went over the waivers being requested. Mr. McGovern noted that one waiver had already been approved by the board previously. The board members read over the list of waivers.

Mr. Whitman asked if the fire department had given written approval about the area of gravel instead of paving, and it was clarified this had not happened. A discussion followed.

Mr. Whitman made a motion that Mr. Heins write a letter to the deputy fire chief requesting a determination as to whether the gravel would be suitable for their equipment, Daniel Taylor seconded the motion, and the board voted unanimously in favor.

Mr. Wandell made a motion that the board approve Site Plan #SP4-17 at 230 Water Street, with the attached waivers, with the exception of the waiver for paved areas, with conditions to be written at the next meeting. Mr. Irving seconded the motion. Mr. Wandell, Mr. Irving, Ms. Coletta and Mr. Whitman voted in favor, Daniel Taylor abstained, and the motion passed.

REVIEW OF ROUTINE ADMINISTRATIVE MATTERS

Ms. Coletta explained that the Office of the Planning Board had received the sidewalk fund payment for Equestrian Estates. Mr. Heins and the board agreed to wait until the check cleared before releasing any funds. The board members signed the paperwork for the release of the relevant funds.

The board and Mr. Palmieri discussed the option of having a traffic engineer carry out peer review for the proposed Irving Oil site plan, and it was agreed the board would ask Jeff Dirk of Vanasse Associates to do this. Mr. Palmieri agreed to get in contact with Mr. Dirk.

Ms. Coletta stated that Brian VanRiper, a member of the Planning Board, had recently informed Mr. Heins that he will be moving from Pembroke soon and thus will resign from the Planning Board in the near future. As Mr. VanRiper had been the board's representative to the Community Center Study Committee, the board discussed making Mr. Wandell the new representative.

Mr. Irving made a motion that the board make Andrew Wandell its representative to the Community Center Study Committee, Daniel Taylor seconded the motion, and the board voted unanimously in favor.

DISCUSSION OF VISUAL SCREENING FOR SITE PLAN #SP7-16 HOBOMOCK SOLAR PROJECT

The board discussed the need for visual screening along the edge of Hobomock Street to screen the Hobomock Solar Project (Site Plan #SP7-16, recently constructed). The board members talked about various options for the screening, including a fence and/or vegetation, and the amount available in the escrow account to cover the expense.

Mr. Irving said he would do a rough estimate of the cost for vegetated screening, and the board conversed about possibly using rhododendrons.

REVIEW OF ROUTINE ADMINISTRATIVE MATTERS

The board discussed an adjustment to Mr. Heins's hours worked for this particular week (with the total hours staying the same), and the board members indicated this would be acceptable.

Ms. Coletta noted the schedule of future board meetings and public hearings, and the board discussed the proposed site plans for the Irving Oil gas station and the Brigham & Women's medical building.

The board talked extensively about the logistics of how Mr. Whitman and Mr. VanRiper's seats on the board will be filled, as Mr. Whitman is not running for re-election and Mr. VanRiper has said he will resign. Mr. Whitman noted that he might be willing to be appointed temporarily to the board.

Ms. Coletta said the board was being asked to sign a building permit (routing slip) for the foundation work for 346 Washington Street (the recently approved Smith & Sons Site Plan #SP3-17). The board and Mr. Heins discussed the project. Mr. Whitman raised concerns about the cleanup process, and the board talked about this issue, and also about environmental issues. The board and Mr. Heins also talked about whether there is an appeal period for approved site plans.

The board and Mr. Heins talked about whether, if the board signs this building permit, the board would still have the chance to sign the building permit for the construction of the buildings (i.e., beyond the foundation work) at 346 Washington Street.

Mr. Wandell made a motion that the board have its clerk sign the building permit for the foundation work at 346 Washington Street. A brief discussion ensued, and then Daniel Taylor seconded the motion. Mr. Wandell, Ms. Coletta, Mr. Irving and Daniel Taylor voted in favor, Mr. Whitman abstained, and the motion passed. Mr. Irving signed the building permit (routing slip).

Ms. Coletta mentioned that a utility company intends to build an underground vault, and wishes to know if this would require site plan review. The board agreed such a project would necessitate site plan review.

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

Respectfully submitted,

Matthew Heins, Planning Board Assistant