



PEMBROKE PLANNING BOARD MINUTES

MONDAY, APRIL 30, 2018

BOARD MEMBERS PRESENT: Rebecca Coletta (Chairman), Andrew Wandell (Vice-Chairman), Thomas Irving (Clerk), Paul Whitman, James Noone, and Daniel Taylor.

BOARD MEMBERS ABSENT: None.

OTHERS PRESENT: Matthew Heins (Planning Board Assistant), Peter Palmieri, Charles Kovacic, Howard Moshier, Timothy Brennan, George Emmanuel, Paul Disch, David Vetelino, William Cushing, Jeffrey Dirk, Robert W. Galvin, Heather Monticup, Frank Monteiro, Michael McLaughlin, James Schindler, Michael Kirby, Michael Coffman, Anthony Vacca, Richard Miller, and others.

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

DISCUSSION ABOUT POSSIBLE LARGE SOLAR PROJECT NEAR HOBOMOCK ARENA

Charles Kovacic of Direct Energy Solar came before the board to discuss the possible construction of a large, five-megawatt ground-mounted solar array to be located near Hobomock Arena (132 Hobomock Street) along or set back from Hobomock Street on lot D6-1 and/or nearby lots.

Mr. Kovacic described the project, which would cover 25 acres of land that is currently unused and mostly cleared. It would be nearly adjacent to the recently built ground-mounted solar array on the site of the Hobomock landfill. He showed the board a site plan drawing of the proposed project, and some other documents including a cover letter that summarizes the project.

The board, Mr. Heins and Mr. Kovacic discussed the project. They talked about the need for visual screening for neighbors, and the payment or bond that would be required for decommissioning.

Mr. Taylor arrived at this time.

DISCUSSION ABOUT DECISION AND CONDITIONS FOR SITE PLAN #SP2-18 MEDICAL BUILDING AT 15 CORPORATE PARK DRIVE

Mr. Whitman, who had recused himself from any deliberations and/or hearings related to Site Plan #SP2-18 due to a work conflict, left the room.

Ms. Coletta explained that some issues with the waivers for Site Plan #SP2-18, the medical building at 15 Corporate Park Drive, needed to be ironed out. Howard Moshier of VHB, one of the project engineers, described the project and the waivers, especially relating to tree caliper.

The board discussed the waivers being requested, and looked over an email from Attorney Robert W. Galvin which contained the requested waivers and a few suggestions regarding the verbiage of the conditions.

REVIEW OF ROUTINE ADMINISTRATIVE MATTERS

Mr. Wandell made a motion that the board approve the minutes of Monday, April 9, 2018, as presented, Mr. Irving seconded the motion, and the board voted unanimously in favor.

DISCUSSION ABOUT POSSIBLE EXPANSION OF PARKING AREAS AT 610 WASHINGTON STREET

David Vetelino, the owner of the property at 610 Washington Street, and Paul Disch, the owner of Disch's Restaurant across the street, came before the board to discuss the idea of expanding the parking areas at the property at 610 Washington Street in order to accommodate overflow and valet parking from Disch's Restaurant.

The board talked about various aspects of the proposal, and whether variances would be necessary if it were proposed as a site plan. Issues of paved versus gravel parking lots and the details of the zoning bylaw were discussed.

Mr. Irving raised the problem of parking along Washington Street (Route 53). It was also noted that the minimum lot size in this zone is three acres. The board and Mr. Vetelino considered what sort of drawing would be necessary.

The board agreed that a variance would be needed to exceed the minimum lot size, and other variances might be necessary as well.

VOTE TO APPROVE DECISION AND CONDITIONS FOR SITE PLAN #SP2-18 MEDICAL BUILDING AT 15 CORPORATE PARK DRIVE

Having made edits to the draft of the decision (including conditions) and proceedings for Site Plan #SP2-18, the medical building at 15 Corporate Park Drive, Mr. Heins distributed an updated version that included the waivers to the board.

Mr. Wandell made a motion to approve Site Plan #SP2-18, Brigham and Women's medical building at 15 Corporate Park Drive, subject to the following conditions:

1. All work shall be done in conformance with the stamped plans entitled "Site Plans; Medical Office Building; 15 Corporate Park Drive, Pembroke, MA 02359," by VHB and Cannon Design, dated February 28, 2018, and revised April 25, 2018, and accepted by the Planning Board on April 30, 2018, as well as the following additional conditions.
2. The Applicant shall receive a variance from the Pembroke Board of Zoning and Building Appeals allowing the project to use Corporate Park Drive as frontage.
3. All signage must comply with all applicable provisions of the Town's bylaws and regulations.
4. 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.
5. The developer shall provide for water as per the regulations of the Department of Public Works.

6. 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. The As-Built Plan shall be submitted in both hard-copy and digital versions. The digital version shall be in PDF format and submitted on CD, flash drive, or other media acceptable to the Board.
7. 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.
8. All outstanding comments in the Merrill Engineers and Land Surveyors review letters of April 5, 2018, and April 27, 2018, shall be satisfactorily addressed.
9. The applicant shall submit a new title page for the engineering drawings, with the requested waivers printed on the page.
10. The Board grants the following waivers, as voted and approved by this Board:
 - a. Section 5.4: Parking between building and street, as per plan.
 - b. Section 6.2.5: 1:1 replacement of trees greater than 6" caliper, as per plan.
 - c. Section 5.1.5: Reduction of tree caliper from four inches to three inches.
 - d. Section 5.9.9: Glazing will be less than 50% on the street façade.

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. Taylor seconded the motion. Ms. Coletta, Mr. Wandell, Mr. Taylor and Mr. Irving voted in favor, Mr. Noone abstained, and the motion passed.

Ms. Coletta, Mr. Wandell, Mr. Taylor and Mr. Irving signed the decision (including the conditions) and the proceedings.

DISCUSSION ABOUT POSSIBLE CONSTRUCTION OF SMALL SHOOTING PLATFORM AT OLD COLONY SPORTSMEN'S ASSOCIATION AT 159 FOREST STREET

Mr. Whitman returned to the room at this time.

George Emmanuel of Old Colony Sportsmen's Association came before the board to discuss the possible construction of a small shooting platform, i.e., canopy, at Old Colony Sportsmen's Association at 159 Forest Street.

Mr. Emmanuel described the project, which is essentially an open-air canopy that would replace the existing small structures used for this particular shooting activity. The board considered whether this project should necessitate site plan review, and various opinions were expressed.

Mr. Wandell made a motion that the board waive the requirement for site plan review for the proposed structure, and Mr. Noone seconded the motion. Mr. Wandell, Mr. Noone, Mr. Irving and Mr. Whitman voted in favor, Ms. Coletta voted in opposition, Mr. Taylor abstained, and the motion passed.

Mr. Whitman made a motion that the board's clerk sign the building permit routing slip for the proposed structure, and Mr. Wandell seconded the motion. Mr. Wandell, Mr. Noone, Mr. Irving and Mr. Whitman voted in favor, Ms. Coletta voted in opposition, Mr. Taylor abstained, and the motion passed.

Mr. Irving, the Planning Board Clerk, signed the building permit routing slip for the proposed structure.

DISCUSSION ABOUT PROPOSAL FOR TOWN OF PEMBROKE TO ADOPT A TOWN MANAGER FORM OF GOVERNMENT

Timothy Brennan of the Town Government Study Committee came before the board to describe and talk about the proposal for the Town of Pembroke to adopt a Town Manager form of government, which was article #21 in the warrant of the upcoming annual town meeting.

Mr. Brennan explained that by proposing the Town Manager form of government for Pembroke, the Town Government Study Committee seeks to put the professional staff in town hall within the organizational structure of town government rather than under the boards and commissions. (The creation of the Department of Municipal Inspections was a first step in this process.) This would mean Mr. Heins would report to the Town Manager rather than the Planning Board.

The board members and Mr. Brennan talked about the details of how a Town Manager form of government would function, and what its effect would be on the Planning Board and the Office of the Planning Board. Discussions also took place about how the Department of Municipal Inspections has worked since its creation, and about how the Town Manager form of government would impact the Department of Public Works.

PUBLIC HEARING FOR PROPOSED SITE PLAN #SP1-18 IRVING OIL GAS STATION

Ms. Coletta re-opened the public hearing (continued from April 9, 2018, and April 23, 2018) for the proposed Site Plan #SP1-18, located at 92 Washington Street and 5-15 Schoosett Street (at the intersection of Washington and Schoosett Streets), for a new gas station with ten pumps and a 3,200-square-foot convenience store, for Irving Oil.

Attorney Robert W. Galvin, representing the project, was present, as were engineers and others working on the project including Heather Monticup, Frank Monteiro and Michael McLaughlin.

Ms. Coletta explained that a traffic review report for the project was received from the board's traffic peer review engineer.

Mr. Galvin explained that the project does not propose to tie into drainage off-site, and said that therefore they will request a waiver from Section 4.8 (of the site plan rules & regulations), which requires the drawings to show adjacent utilities.

Jeffrey Dirk (of Vanasse and Associates), the board's traffic peer review engineer for the project, described the project's design and likely impacts as they relate to traffic, both regarding Washington and Schoosett Streets (the adjacent streets), and the interior circulation of the site itself.

Mr. Dirk referred to two review letters he had issued to the board, one dated April 10, 2018, and the other dated April 30, 2018. Mr. Dirk said that he reviewed the initial traffic study done for the project for conformance with state standards. He agreed that the net new traffic likely to be caused by the project is minimal; in other words, the gas station will primarily rely on drive-by traffic.

Mr. Dirk noted that his initial review (of April 10) asked the applicant to examine pedestrian and bicycle conditions along with motor vehicle movement, and in the subsequent response of the applicant's traffic engineer these issues were addressed.

Mr. Dirk mentioned that the intersection is a high-crash location as defined by the state. He said that the applicant's traffic engineer had done substantial analysis of this, and furthermore that a road safety audit has already been done at this location. He noted that a copy of the summary of the road safety audit's suggested improvements was included in his latest report.

Referring to the "low-cost short-term improvements" in his list, Mr. Dirk recommended that these be considered, and emphasized they can have a significant impact on safety. He recommended that some of these be carried out as part of this project.

Mr. Dirk explained that the data shows most of the crashes happen at the right-turn slip ramp as Schoosett Street's westbound traffic turns right and merges into Washington Street's northbound traffic, and are rear-end crashes. He noted that the vehicle detection system is not functioning, causing premature yellow lights.

Mr. Whitman asked if these issues are the state's responsibility, and Mr. Dirk explained that some of the low-cost measures could be useful, but added that the state must grant the necessary rights, permits and approvals. Thus any conditions requiring such measures should provide an exception for if the state rejects them.

Mr. Dirk explained there are various ways to estimate the volume of traffic generated by the project, and noted the Institute of Transportation Engineers Trip Generation Data. He said the applicant used data meant for a gas station with a very small convenience store, but this project is a better fit for different data meant for a gas station with a medium-sized convenience store. Thus he felt the potential traffic generated by the convenience store might be under-estimated in the original estimates of the applicant's traffic engineer. This probably would not generate a lot of new traffic, but would lead to more vehicles entering and leaving the site.

Mr. Dirk suggested the board could require a traffic monitoring program and report to discover if the actual traffic (once the project is built and operating) is similar to what was originally estimated, or is higher. The report would also contain the latest data on crashes at the intersection and the site. He recommended that this could potentially be a condition of approval for the project.

In reply to a question from Ms. Coletta, Mr. Dirk explained that corrective measures could be required (as part of the condition) to address a higher volume of traffic (typically 10% more) than originally estimated. The applicant's responsibilities would be limited, though, to avoid potentially open-ended expenses.

Mr. Dirk noted that he had requested an analysis of the site for the movements of fuel delivery vehicles, other delivery vehicles, garbage trucks, and fire trucks, and these were addressed satisfactorily. He also requested bicycle racks at the site, and these have been added to the site plan. He explained that the site plan shows new sidewalks. He mentioned that he also requested another walkway within the site to Washington Street, but the applicant had explained that the variance granted for impervious surfaces does not allow an increase in the impervious coverage.

Mr. Dirk explained that delays will take place for people trying to leave the site, especially those turning left onto Washington Street, due to cars queuing for the traffic light. This creates a risk of accidents. He had requested the applicant show the sight triangles on the site plan, and also add a note on the site plan that nothing will be placed in those areas to restrict sightlines. This would include that no snow windrows or piles will be placed in those areas to restrict sightlines.

Mr. Dirk noted that the western driveway along Schoosett Street will be right-in right-out to avoid accidents because it's close to the intersection. The eastern driveway along Schoosett Street is far enough from the intersection to avoid problems. He explained that the driveway along Washington Street, as already noted, will sometimes be blocked during peak hours. This makes sightlines crucial because people will inch out gradually.

Mr. Dirk stated in summary that the applicant had addressed all of his comments, and that those items where there is disagreement can be handled through the conditions he is suggesting for the project.

Ms. Coletta asked about the possibility that people will try to make left turns at the right-in right-out driveway on Schoosett Street. Mr. Dirk said that signs will be placed and the police will have the authority to issue tickets, and also that the traffic monitoring program can include a report on whether this is a problem. He explained that the layout of the right-in right-out driveway as shown on the site plan is properly designed, and added that if the traffic monitoring program is mandated then it will create the opportunity to deal with such a problem.

Heather Monticup of Greenman Peterson, the applicant's traffic engineer, addressed the board. She agreed that the traffic monitoring program would be a reasonable procedure, since it allows one to get a sense of traffic after the project opens for business rather than trying to estimate it beforehand. She indicated that Irving Oil is willing to do this, and would accept it as a condition of site plan approval.

Mr. Whitman asked about the potential safety enhancement summary which Mr. Dirk had prepared, and whether Irving Oil would pursue any of these items. A discussion followed, and Ms. Monticup said the applicant might be willing to carry out some of them, depending on the cost and feasibility. She explained that the state would need to give an access permit for any work to be done.

Ms. Coletta asked if any of the members of the public present wished to speak, but none did so.

Mr. Noone expressed his concern about allowing left turns from the site onto Washington Street, and said he would oppose the project if this were the case. A discussion ensued about the issue. Ms. Coletta asked Mr. Dirk about this, and he said that restricting left turns at this driveway could lead to excessive circulation within the site.

The board members expressed various opinions about the idea of prohibiting left turns onto Washington Street. Mr. Dirk noted that the state also has a voice in this, and could intervene in the future if there is a problem. Ms. Monticup also discussed the issue.

Ms. Coletta discussed the conditions the board might include in a site plan approval decision, noting specific verbiage, and a conversation about these took place which included Mr. Galvin, Ms. Monticup and Mr. Dirk.

Peter Palmieri, the board's peer review engineer for the project (for civil engineering, not traffic engineering), said that he did not have any remaining important issues with the site plan.

Mr. Noone asked if the scope of the traffic monitoring program included modifying or adding curbs, and Mr. Dirk said that a raised island in the driveway would restrict fire trucks and fuel delivery trucks, and thus could be not added. But he explained that more minor changes could be made to restrict left turns. A conversation followed about the issue.

Mr. Wandell made a motion to close the public hearing, Mr. Whitman seconded the motion, and the board voted unanimously in favor.

Mr. Wandell made a motion that the board approve Site Plan #SP1-18, located at 92 Washington Street and 5-15 Schoosett Street, at the intersection of Washington and Schoosett Streets, for a new gas station with ten pumps and a 3,200-square-foot convenience store, with conditions to be written at a later date. Mr. Whitman seconded the motion.

A discussion took place about the waivers being requested, which Mr. Galvin said were in his April 9, 2018, letter, along with one new waiver.

Mr. Wandell made a motion to waive Section 5.1.2, the requirement for a three-foot wide landscape strip along the foundation. Mr. Whitman seconded the motion, and the board voted unanimously in favor.

Mr. Wandell made a motion to waive Section 5.1.4, the requirement for 25% open space. Mr. Whitman seconded the motion, and the board voted unanimously in favor.

It was clarified that the waivers being requested must be shown on the title sheet of the site plan drawings, and Mr. Galvin said this change would be made.

Mr. Wandell made a motion to waive Section 4.6, the requirement that existing contour lines be shown within 50 feet of the parcel. Mr. Whitman seconded the motion, and the board voted unanimously in favor.

Mr. Wandell made a motion to waive Section 4.8, the requirement that utilities be shown on adjacent streets. Mr. Whitman seconded the motion, and the board voted unanimously in favor.

Mr. Wandell made a motion that the board approve Site Plan #SP1-18, located at 92 Washington Street and 5-15 Schoosett Street, at the intersection of Washington and Schoosett Streets, for a new gas station with ten pumps and a 3,200-square-foot convenience store, with conditions to be written at a later date. Mr. Whitman seconded the motion. Mr. Wandell, Mr. Whitman, Ms. Coletta, Mr. Irving and Mr. Taylor voted in favor, Mr. Noone voted in opposition, and the motion passed.

REVIEW OF ROUTINE ADMINISTRATIVE MATTERS

The upcoming annual town meeting was discussed briefly.

Ms. Coletta explained that as-built drawings of the Shell gas station at 223 Church Street had been received, and it was agreed that Mr. Palmieri would review them.

The engineering review balance of the mixed-use project at 220 Center Street was discussed.

The board agreed that Mr. Palmieri would do an estimate of the site construction inspections for Site Plan #SP2-18, the Brigham and Women's medical building at 15 Corporate Park Drive.

The board discussed the proposed town manager form of government. Mr. Irving made a motion that the board request its Chairman speak at town meeting to state that the board is in opposition to the town manager form of government as regards its impact on the Planning Board. Mr. Wandell seconded the motion, and the board voted unanimously in favor.

The board directed Mr. Heins to ask Kevin Sealund to clean up the debris and stumps visible from the road at 204 Center Street.

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

Respectfully submitted,

Matthew Heins, Planning Board Assistant