



## **PEMBROKE PLANNING BOARD MINUTES**

**MONDAY, MAY 21, 2018**

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

**BOARD MEMBERS ABSENT:** None.

**OTHERS PRESENT:** Matthew Heins (Planning Board Assistant), Brian Murphy, Jonathan Coffman, Michael McLaughlin, Robert Clarke, and others.

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

### **DECISION WHETHER TO APPROVE COVENANT RELEASE FOR 15 CORPORATE PARK DRIVE, PARCEL IN SUBDIVISION #9628 CORPORATE PARK EXTENSION**

Brian Murphy came before the board to request that the board approve and sign a covenant release for the property at 15 Corporate Park Drive (Assessors' Map F14 Lot 40), part of Subdivision #9628 Corporate Park Extension.

Ms. Coletta explained that the Corporate Park Extension subdivision had a covenant that is still applicable, and Mr. Murphy wishes to get the lot for 15 Corporate Park Drive released from the covenant. Mr. Murphy said that releasing the lot will allow the Brigham & Women's project at that property to begin construction.

Mr. Heins, Mr. Murphy, Ms. Coletta and other board members discussed whether the covenant release should apply to the entire original 15 Corporate Park Drive parcel (per the original subdivision drawings) or the new 15 Corporate Park Drive parcel created by the Form A (ANR subdivision) recently done. The conversation also encompassed the legal details of how the Registry of Deeds handles this paperwork.

Ms. Coletta recommended that the new 15 Corporate Park Drive parcel created by the Form A be the entity released from the covenant. She was able to locate the Form A paperwork on the Registry of Deeds' website.

Mr. Wandell made a motion that the board approve the covenant release for Lot 5D-1 as shown on the plan entitled "Plan of Land, Assessors' Parcel F14-40, 15 Corporate Park Drive, Pembroke, MA," recorded with said deeds as Plan #18-163 recorded in Plan Book 62 Page 142, and releasing said lot from the restrictions as to the conveyance and building specified thereon. Mr. Irving seconded the motion, and the board voted unanimously in favor.

Mr. Heins began to modify and edit the covenant release document in accordance with the motion, i.e., to reference the new 15 Corporate Park Drive parcel created by the Form A.

#### **REVIEW OF ROUTINE ADMINISTRATIVE MATTERS**

Mr. Wandell made a motion to grant the applicant's written request for a 60-day extension of the subdivision application review process, to change the deadline from June 6, 2018, to August 5, 2018, for Subdivision #1801 Dominic's Way located at 56 Gorham Avenue. Mr. Irving seconded the motion, and the board voted unanimously in favor.

Ms. Coletta noted that town counsel has advised that it's not necessary to read the conditions aloud during board meetings for site plan and subdivision approval decisions.

The board discussed the need to have the appropriate quorum of four board members present during the next public hearing for the proposed Dominic's Way subdivision.

The board discussed the process of reorganizing the board, and agreed to wait to do this until a new interim board member is appointed, rather than doing it twice.

The board agreed that a notice to publicize the vacant position on the board would be posted on the town's website and/or other town social media sites, as per standard practice when a board or commission position is vacant and the town is seeking an interim member. The possibility that former board member Paul Whitman might be interested in this interim position was discussed. It was noted that the appointment is jointly made by the Planning Board and the Selectmen.

The board discussed the detention basin containing standing water at the Bridges at Pembroke, a recently approved and built site plan located on Church Street, and reviewed a letter from the developer's engineering firm Stantec about this issue. The letter contains information about how the engineers intend to study and resolve the problem.

#### **DECISION WHETHER TO APPROVE COVENANT RELEASE FOR 15 CORPORATE PARK DRIVE, PARCEL IN SUBDIVISION #9628 CORPORATE PARK EXTENSION (CONTINUED)**

Mr. Heins finished the modifications of the covenant release document for the 15 Corporate Park Drive parcel. The board signed the covenant release, and it was agreed that a board member would have it notarized on the following day.

#### **VOTE ON DECISION FOR SITE PLAN #SP1-18, AT 92 WASHINGTON STREET AND 5-15 SCHOOSSETT STREET, FOR IRVING OIL GAS STATION**

The board reviewed the draft decision, including conditions, prepared by Mr. Heins for recently approved Site Plan #SP1-18, at 92 Washington Street and 5-15 Schoosett Street, for an Irving Oil gas station. Mr. Heins explained that the conditions include verbiage recommended by the board's traffic engineer for the project, Jeffrey Dirk of Vanasse Associates.

Michael McLaughlin of Irving Oil was present. The board discussed the engineering review account balance for the project, and went over the draft of the decision.

Mr. Wandell made a motion that the board accept the conditions as written for Site Plan #SP1-18, the Irving Oil gas station, and Mr. Taylor seconded the motion. Mr. Wandell, Mr. Taylor, Ms. Coletta

and Mr. Irving voted in favor, Mr. Smith abstained, and the motion passed. (Ms. Coletta noted that Mr. Smith was not present during the public hearings for the site plan and thus was abstaining.)

The appropriate board members signed the decision (including the cover letter and recording of proceedings), and also signed the final version of the engineering drawings.

Mr. McLaughlin described Irving Oil's expectations as to when construction of the project will commence.

#### **DISCUSSION ABOUT ENFORCEMENT OF CONDITIONS IN DECISION FOR SITE PLAN #SP2-17 AT 260-280 OAK STREET**

The board members and Mr. Heins talked about enforcement of the conditions in the site plan approval decision for Site Plan #SP2-17 at 260-280 Oak Street, and how this can be coordinated with other departments in town hall. The discussion also encompassed the issue of getting as-built engineering drawings submitted for projects.

#### **DISCUSSION ABOUT CREATING NEW MAP OF TOWN-OWNED LAND AND OPEN SPACE PARCELS**

Board member James Noone arrived at this time.

Robert Clarke, a member of the Conservation Commission and also the Agent for the commission, came before the board to discuss the possibility of creating a new map of town-owned land and open space parcels. The currently existing map of town-owned land and open space dates to 2007 and has become somewhat outdated.

The board, Mr. Heins and Mr. Clarke discussed what such a map would consist of, how it could be done, and which founding source could pay for it. Since Merrill Engineers and Land Surveyors created the previous map, the board talked about having Merrill do a new one.

#### **REVIEW OF ROUTINE ADMINISTRATIVE MATTERS**

The board discussed the anticipated agenda for June 4, 2018, which board members were expected to be present, and whether or not having quorums of board members would be a problem for the three public hearings. The board and Mr. Heins concluded that the public hearing for Dominic's Way would probably need to be immediately continued.

The board and Mr. Heins talked about a recently submitted Form A (ANR subdivision) that would modify the proposed Libby's Lane subdivision at 45 Taylor Street.

The board members and Mr. Heins again discussed the idea of creating a new map of town-owned land and open space, how this can be done, and whether to talk about it with Mr. Palmieri at a future board meeting. This segued into a broader conversation about maps and mapping, and the usefulness of various online maps.

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

The board discussed possible visual screening options along Hobomock Street for recently constructed Site Plan #SP7-16, the Hobomock Solar Project.

Ms. Coletta and Mr. Heins explained that the Selectmen's Office informed Mr. Heins that it is necessary to get three quotes in order to contract for the screening project, which will consist of vegetation planted along the street. A long discussion followed about the solar project's visibility, possible options for screening, the funds available, and how to proceed.

The board directed Mr. Heins to communicate with Merrill Engineers and Land Surveyors about creating a simple plan of the work to be done, within the funding constraints.

#### **REVIEW OF ROUTINE ADMINISTRATIVE MATTERS**

The board discussed the engineering drawings submitted for Site Plan #SP2-18, the Brigham & Women's medical building, and agreed that a new full set of drawings should be submitted with the appropriate dates for the board to sign.

The board talked about changing the legal verbiage, on site plan and subdivision approval decisions, regarding progress on building construction, "substantial use" and a break in construction, and when an approval expires or does not expire. The board directed Mr. Heins to request advice about this from town counsel.

The board directed Mr. Heins to get in contact with the developers of the 204 Center Street mixed-use project regarding the debris on that property.

A conversation took place about whether the board's approval should be required before the issuance of occupancy permits.

Mr. Wandell 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