



PEMBROKE PLANNING BOARD MINUTES

MONDAY, JULY 9, 2018

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

BOARD MEMBERS ABSENT: Daniel Smith, Jr.

OTHERS PRESENT: Matthew Heins (Planning Board Assistant), Peter Palmieri, John Poirier, Lisa Sullivan, Laurie Muncy, Joseph Cudahy, John Hanna, Brandon Gulnick (Administrative Assistant, Board of Selectmen's Office), Griffin Ryder, Edward Mullin, William Murphy, Shawn MacLeod, Joel Santisteban, Mounir Tayara, and others.

Vice-Chairman Andrew Wandell opened the meeting by reading the Chairman's statement.

DISCUSSION ABOUT PROGRESS OF SUBDIVISION #0408 STONE MEADOW FARM AND EXTENSION OF DEADLINE FOR COMPLETION

John Hanna came before the board to request another one-year extension of the deadline for completion for subdivision #0408 Stone Meadow Farm. A detailed discussion took place about the subdivision's progress, and Mr. Hanna expressed confidence that it will be completed fairly soon.

Mr. Taylor made a motion to extend the deadline for completion for Subdivision #0408 Stone Meadow Farm to September 6, 2019, Mr. Noone seconded the motion, and the board voted unanimously in favor.

SIGNING OF BUILDING PERMIT FOR PROPOSED SINGLE-FAMILY HOUSE AT 24 RESERVOIR ROAD

Joseph Cudahy, a builder wishing to construct a single-family house at 24 Reservoir Road, came before the board to request that the board sign the building permit routing slip. The proposed house would be on a buildable lot created by a Form A (Approval Not Required Subdivision) previously endorsed by the board.

Mr. Taylor made a motion that the board's clerk sign the building permit routing slip for 24 Reservoir Road, Mr. Noone seconded the motion, and the board voted unanimously in favor.

Mr. Irving, the board's clerk, signed the building permit routing slip.

COVENANT RELEASES FOR CERTAIN LOTS OF SUBDIVISION #1603 BRISAN WAY EXTENSION

Mounir Tayara of Grandis Homes, the developer of Subdivision #1603 Brisan Way Extension currently under construction, came before the board to request the release of certain lots from the covenant restricting their resale or construction upon them.

Mr. Tayara explained that he was requesting the release of five lots from the covenant. The subdivision consists of thirteen lots in total, of which two have already been released from the covenant. (The existing house at the site is on one of the lots already released.) Releasing these five lots would mean seven of the thirteen lots have been released, which the board members agreed would be the maximum number released before the required payment of the road bond. (In other words, payment of the road bond will be necessary before any further lots are released from the covenant.)

Mr. Taylor made a motion that the board release lots 3, 4, 7, 8 and 9 of Subdivision #1603 Brisan Way Extension, Mr. Irving seconded the motion, and the board voted unanimously in favor.

The board members signed the covenant release form for the appropriate lots.

REVIEW OF ROUTINE ADMINISTRATIVE MATTERS

Mr. Taylor made a motion to approve the minutes of June 25, 2018, Mr. Irving seconded the motion, and the board voted unanimously in favor.

Mr. Irving made a motion to approve the minutes of July 8, 2018 (site walk), Mr. Taylor seconded the motion, and the board voted unanimously in favor.

The board members briefly discussed the prospective screening of the Hobomock Solar Project, Site Plan #SP7-16.

Board Chairman Ms. Coletta arrived at approximately this time.

Board Vice-Chairman Mr. Wandell left briefly, in order to inform the Board of Selectmen that the Planning Board had previously voted to recommend John Scholl to the interim position on the Planning Board. Mr. Wandell returned a few minutes later.

The board agreed that Tyler Nims, its peer review engineer for proposed Site Plan #SP3-18 at 340 Oak Street (Wolves Den Sports Complex), would carry out construction inspections of the project to ensure the stormwater system and drainage design are built correctly.

DISCUSSION WITH LISA SULLIVAN AND LAURIE MUNCY OF OLD COLONY PLANNING COUNCIL ABOUT HOUSING PRODUCTION PLAN AND AFFORDABLE HOUSING

Lisa Sullivan and Laurie Muncy, planners with Old Colony Planning Council, came before the board to discuss their work for the town of Pembroke regarding affordable housing, a housing production plan, and a possible new zoning bylaw for the town. This project is being funded through a District Local Technical Assistance (DLTA) grant to the town. Brandon Gulnick, administrative assistant in the Board of Selectmen's Office, also participated in the conversation.

Ms. Sullivan explained that she had completed a draft housing production plan, and talked about its purpose in detail. The housing production plan is a document by which the town describes how it will create more affordable housing and advance toward the Chapter 40B program's 10% affordable housing level.

A discussion took place about the town's need for a new master plan, and how the housing production plan could fit into this. Ms. Sullivan explained that a housing production plan sets out a strategy for affordable housing. A state-approved housing production plan can help the town qualify for state grants and funding aimed at expanding affordable housing. The housing production plan must be approved by the Planning Board and the Board of Selectmen, and then is submitted to the

Department of Housing and Community Development. A state-approved housing production plan can potentially allow a town to deny 40B projects, if the state certifies substantial progress is being made toward affordable housing.

Ms. Sullivan explained that the town is almost at the 10% Chapter 40B affordable housing level, and it was clarified that the town might already be over 10% if the state agrees with figures recently submitted. But the 2020 Census results will probably cause Pembroke's percentage to decline.

Ms. Sullivan described the content of the draft housing production plan, and emphasized the need for affordable housing in the town and the region. She also noted the need for a variety of housing options, and outlined some ways to create more affordable housing.

Ms. Muncy described the possible inclusionary housing zoning bylaw, which would mandate that 10% of the units in every subdivision or multifamily project (of six or more dwelling units) be affordable. The board and Ms. Muncy discussed this idea.

Creating a zoning bylaw to make accessory dwelling units easier to create, or "by right," was also discussed. The board members talked about the current zoning bylaws in Pembroke regarding accessory dwelling units, and how these could be modified or improved.

Ms. Sullivan explained that a housing production plan does not force a town to implement any particular measures or zoning bylaws, but it does mean that a town improving its percentage of affordable units by a certain amount can shield itself from 40B projects. A discussion followed about the issue of variances being granted.

Ms. Sullivan described some of the other advantages for a town to have a housing production plan in place. Mr. Gulnick talked about his work identifying and counting eligible affordable housing units in Pembroke.

DISCUSSION ABOUT PROPOSED SITE PLAN #SP3-18 AT 340 OAK STREET (WOLVES DEN SPORTS COMPLEX)

Ms. Coletta opened a discussion of Site Plan #SP3-18 at 340 Oak Street, to construct new parking areas and make improvements to the stormwater drainage system at the Wolves Den Sports Complex, an existing indoor sports facility. John Poirier, the manager of the Wolves Den Sports Complex and representing the applicant, and Peter Palmieri, the project engineer, were present.

The project was previously granted site plan approval, and it had been the board's intent to vote on and sign the decision (including conditions), but a quorum of the board members who attended all the public hearings for the project was not present at this time. Thus it was not possible to vote on and sign the decision.

The board members discussed the draft of the decision (prepared by Mr. Heins), and went over the conditions. There was general agreement that it was satisfactory.

A discussion took place about whether or not there is an appeal period for site plans that have been approved, and about other details of the process.

DISCUSSION ABOUT POSSIBLE MEDICAL URGENT CARE BUILDING AT 296 OLD OAK STREET

Edward Mullin, an owner of property at 296 Old Oak Street (corner of Old Oak Street and Church Street), and Griffin Ryder, an engineer with VHB, came before the board to discuss the possibility of building a medical urgent care center at this location.

Mr. Mullin and Mr. Ryder described the history of the site, where the Sun & Ski store is currently located, and how it was developed. A discussion followed about drainage on the site.

Mr. Mullin and Mr. Ryder explained that the operator of a chain of urgent care facilities is interested in locating on the site, but wishes to be only about 15 or 20 feet from Church Street (Route 139) for visibility. Thus a variance of the zoning setback requirement would be needed from the Zoning Board of Appeals (ZBA). A variance or waiver of parking requirements would also be necessary, and Mr. Mullin explained that the parking lot is currently mostly empty and this new use would not require a lot of parking.

The board, Mr. Mullin and Mr. Ryder discussed various aspects of the project, and talked about the parking issues in detail. Mr. Ryder and Mr. Mullin went over the rough site plan drawing which they showed the board.

RETURN OF BALANCE OF ENGINEERING REVIEW ACCOUNT FOR SITE PLAN #SP3-17 AT 346 WASHINGTON STREET

The board took up the issue of returning the balance of the engineering review account for Site Plan #SP3-17 at 346 Washington Street to the applicant, Smith and Sons.

Site Plan #SP3-17 at 346 Washington Street was recently withdrawn by the applicant, Smith and Sons, and thus it is appropriate for the remaining balance of the engineering review account to be returned to the applicant.

Mr. Taylor made a motion that the board return the remaining balance of the engineering review account to Smith and Sons, Mr. Noone seconded the motion, and the board voted unanimously in favor. (As board member Daniel Smith, Jr., was not present, he did not participate in this vote.)

DISCUSSION ABOUT PROPOSED CHANGE TO STORMWATER DRAINAGE DESIGN OF SITE PLAN #SP2-17 AT 260-280 OAK STREET

William Murphy came before the board to discuss a proposed change to the stormwater drainage design of Site Plan #SP2-17 at 260-280 Oak Street, a project currently under construction consisting of two buildings.

Mr. Murphy explained that the design originally approved by the board had underground storage for stormwater, but now his engineers propose a drainage retention basin instead. The underground system was found to be very expensive, due to the poor soil conditions. The board members agreed that Peter Palmieri (of Merrill Engineers and Land Surveyors), the board's peer review engineer for the project, should review the proposed design change and advise the board as to whether it's acceptable.

DISCUSSION ABOUT POSSIBLE LARGE GROUND-MOUNTED SOLAR PROJECT AT 27 CRANBERRY ROAD

Joel Santisteban of Ecogy Energy came before the board to discuss a possible large ground-mounted solar array to be located at 27 Cranberry Road, on the site of a former cranberry bog. Shawn MacLeod, the property owner, was also present. (Awaiting Mr. Santisteban, the board members briefly conversed about how the zoning bylaws regulate large ground-mounted solar projects.)

Mr. Santisteban introduced Ecogy Energy and described the company. He explained that they would construct a ground-mounted solar facility, of 1.2 megawatts DC power. It would become part of the

Smart Program in Massachusetts, a program to incentivize solar projects and create “community solar” to help local residents and local businesses offset their energy costs by 10 to 20 percent.

Mr. Santisteban and Mr. MacLeod said that the solar array would be about three acres large, taking up roughly half of the former cranberry bog. Mr. MacLeod described the bog’s recent history.

Mr. Santisteban showed the board a rough, diagrammatic map of where the array would be located on the property, and he and Mr. MacLeod explained that trees surround the former bog and thus the area is generally not visible to most of the neighbors. Mr. Noone and Mr. MacLeod discussed 61A and 61B land use.

Mr. Santisteban described the Smart Program in more detail, and explained how it can work with National Grid’s customers. He answered questions about the required financial surety for the project, and said that Ecogy Energy is also active in using its projects to promote solar power generally. He discussed some of the project’s technical details, and explained how National Grid customers could benefit from it through their billing. Another discussion of 61A and 61B land use took place.

The board and Mr. Santisteban discussed the possible need for landscaping around the solar array, and how safety and security would be ensured.

REVIEW OF ROUTINE ADMINISTRATIVE MATTERS

Mr. Wandell explained that the Board of Selectmen had unanimously voted to appoint John Scholl to the interim position on the Planning Board.

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

Respectfully submitted,

Matthew Heins, Planning Board Assistant