



## **PEMBROKE PLANNING BOARD MINUTES**

**MONDAY, OCTOBER 15, 2018**

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

**BOARD MEMBERS ABSENT:** Daniel Taylor.

**OTHERS PRESENT:** Matthew Heins (Planning Board Assistant), Catherine Salmon (Chief Assessor), Edward Koplovsky, Stephen Kotowski, Scott Brown, Cathy Rone, and others.

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

### **DISCUSSION ABOUT PROPOSED NAME CHANGE FOR RECENTLY APPROVED SUBDIVISION #1802 AT 45 TAYLOR STREET**

The developer of the recently approved Subdivision #1802 at 45 Taylor Street has requested that its name be changed from Libby's Lane (the name under which it was approved) to Lisa's Lane. Catherine Salmon, the Chief Assessor of the Town of Pembroke, came before the board to discuss this.

Ms. Salmon suggested that the developer file some sort of modification or confirmatory plan with the Registry of Deeds, in which the new name of Lisa's Lane is given, before the board approves the request for the name change. Otherwise there may be confusion in the future if the subdivision approval documents state the name as Libby's Lane and later documents state the name as Lisa's Lane. The board agreed with Ms. Salmon and directed Mr. Heins to communicate to the developer, Robert Gosselin, that this should be done before the board will approve the name change.

### **DISCUSSION ABOUT POSSIBLE SUBDIVISION OF 11 SINGLE-FAMILY HOUSES ON FOREST STREET**

Stephen Kotowski, an engineer with Webby Engineering, came before the board to discuss a possible subdivision of 11 single-family houses on a large property with frontage between 54 and 72 Forest Street that is also close to High Street. The property owner, Edward Koplovsky, was also present.

Chairman Rebecca Coletta arrived at this time.

Mr. Kotowski said that the project would require a waiver of the 1,000-foot maximum length (per the subdivision rules & regulations) for a dead-end road in a subdivision. He explained that if the subdivision was allowed, the property owner would be willing to donate a substantial amount of land to the town, about 55 acres, for conservation, recreation and/or greenspace. In addition, the property owner would donate adjacent land to Duxbury, to comprise a total area of around 100

acres. Mr. Kotowski noted that he had spoken with Robert Clarke (the field agent for the Conservation Commission), who presented the idea to the Open Space Committee and/or the Conservation Commission.

Mr. Kotowski described the various properties owned by Mr. Koplovsky in this area, and discussed their history, how they are used currently, and what would happen to them under this proposal. He explained that the Conservation Commission would be interested in accepting the aforementioned property as open space, and submitted a copy of a letter to that effect from the commission.

Mr. Kotowski explained that access to the subdivision would actually be from High Street, through another property Mr. Koplovsky owns which is 385 High Street. He and the board talked about the characteristics of the property that would become open space, and the wetlands existing on it.

The board members were generally sympathetic to the proposed project in their comments, and Mr. Kotowski said he expects to submit a subdivision application in the near future.

**DISCUSSION ABOUT PROPOSED FORM A (APPROVAL NOT REQUIRED SUBDIVISION) FOR PROPERTY AT 39 HOLMES AVENUE**

Mr. Kotowski presented a Form A (approval not required subdivision) application submitted for a property at 39 Holmes Avenue. Scott Brown and Cathy Rone were also present.

The Form A would subdivide an existing property, which contains a single-family house, into two parcels to create an additional buildable lot. Mr. Kotowski and the board discussed the property, and its history, in detail. Ms. Coletta noted that the property and/or the associated subdivision has been before the board before, and the board members talked about this. Some board members recollected that a proposal to create this buildable lot by subdivision was previously rejected by the board.

Mr. Heins tried to find relevant records for the property and/or the associated subdivision. Mr. Kotowski acknowledged that the road's grading and design were done by older engineering standards.

Mr. Heins summarized information regarding the property from the minutes of May 16, 2016, when a discussion took place about whether it could be built upon. Ms. Coletta stated that the property owner and/or developer had made a commitment to make drainage improvements to the roadway, which were never made. At the time these drainage improvements were deemed necessary to make the way adequate, in order for the property to buildable.

Ms. Coletta said that a covenant from January 24, 2011, seems to be still in effect and needs to be seen. A possible easement was also mentioned, and a plan from 2012 was referred to. Ms. Coletta expressed her doubts about approving the Form A without more information. Further conversation ensued, and Mr. Kotowski described the processes of land court. Mr. Kotowski agreed that he will do further research on the property and its history.

The board, Mr. Heins and Mr. Kotowski discussed how to proceed, and it was agreed that Mr. Kotowski would withdraw the Form A application and the board would waive the application fee when it is resubmitted.

Mr. Wandell made a motion that the board waive the application fee if the applicant withdraws and resubmits the Form A application, Mr. Irving seconded the motion, and the board voted unanimously in favor.

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

Mr. Heins explained that the building permit for the renovation of the existing building at 230 Water Street, as part of Site Plan #SP4-17 at 230 Water Street, was ready to be signed, and briefly described what will be inside the building.

Mr. Wandell made a motion that the board's clerk sign the building permit for Site Plan #SP4-17 at 230 Water Street, Mr. Scholl seconded the motion, and the board voted unanimously in favor.

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

#### **DISCUSSION ABOUT CONSTRUCTION OF FENCE ALONG HOBOMOCK STREET TO VISUALLY SCREEN EXISTING SITE PLAN #SP7-16 HOBOMOCK SOLAR PROJECT**

The board and Mr. Heins discussed the planned construction of a fence along Hobomock Street to create visual screening of Site Plan #SP7-16, the Hobomock Solar Project. Mr. Heins explained that the required three price quotes had been received, with that of Armstrong Fence being the lowest. The board members reviewed the documents for the price quotes from the three fencing companies.

The board agreed to select Armstrong Fence, if that company would provide a price quote for additional sections of fencing comparable to its original quote for a 100-foot long fence.

The board also agreed it would be appropriate for the town's Department of Public Works to charge for its costs to clear the brush and lay down mulch in the fencing area, this expense likewise coming out of the escrow account for the project's visual screening.

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

Ms. Coletta mentioned that Mr. Heins would be on vacation from October 17 to 19.

Mr. Scholl made a motion that the board approve the minutes for October 1, 2018, Mr. Irving seconded the motion, and the board voted unanimously in favor.

The board agreed that its future meeting dates in 2018 will be November 5, November 19, December 3 and December 17.

The board and Mr. Heins briefly discussed the recently approved Subdivision #1801 Dominic's Way, and talked about whether and how it may advance.

Ms. Coletta mentioned that a site plan application had been received for 212 Schoosett Street, a new building for the Magical Years Preschool, and the public hearing would be November 19.

Ms. Coletta noted that construction of a new traffic light at the intersection of Washington and Pleasant streets would begin October 27.

Ms. Coletta mentioned that fall town meeting would be October 23.

Ms. Coletta explained that the developers of the mixed-use project at 204 Center Street were applying for a variance and/or special permit from the Zoning Board of Appeals to modify the site

plan in order to add more multifamily housing to the project. A discussion followed about the project, the applicable zoning bylaws, and the complexities inherent in changing the site plan. This segued into a conversation about the future of the town center and the desired uses there.

#### **DISCUSSION ABOUT POSSIBLE CHANGES TO THE TOWN OF PEMBROKE'S ZONING BYLAWS**

The board and Mr. Heins discussed possible amendments to the zoning bylaws of the town. Some changes could be regarded as "housekeeping," i.e., fixing technical issues in the verbiage, and aren't likely to create any controversy, while other changes would be more consequential.

The board members talked about requiring that new signs for projects (especially for site plans) show the address, as a 911/public safety measure.

The board discussed the restriction (Section III, #9, p. 11 of the zoning bylaw) which prevents commercial and industrial uses from having frontage on residential ways. Due to how the bylaw is written currently, it blocks such uses on certain ways (such as Corporate Park Drive and Riverside Drive) that are actually nonresidential, thus requiring a variance to be obtained.

The board talked about whether the minimum lot size in the Business B zone of 80,000 square feet should be reduced, to make commercial development easier, and also whether single-family residential should be allowed in this zone.

A discussion took place about how the legally designated scenic roads in the town can be better identified so that developers are aware of their existence at the start of the development process.

The board members talked about whether the granting of use variances should be banned in the zoning bylaw.

The board conversed about whether to adjust the zoning bylaw to encourage affordable housing, and this led to a broader discussion about the provision of affordable housing. The board directed Mr. Heins to locate the results of a recent housing survey.

Mr. Wandell 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