

PLYMOUTH SELECT BOARD

TUESDAY, AUGUST 8, 2023

GREAT HALL, TOWN HALL, 26 COURT STREET, PLYMOUTH, MA – 5:00 PM
HYBRID PARTICIPATION IN-PERSON OR VIA ZOOM WEBINAR

5:00 PM - CALL TO ORDER

Richard Quintal of the Board, called the meeting to order at 5:00 p.m. and asked Anthony Senesi to read the opening statement.

In accordance with S2475, and pursuant to Chapter 20 of the Acts of 2021, this meeting will be conducted via remote means and in-person. Members of the public who wish [to watch the meeting may do so](#) in the following manner: tune into PACtv government cable access channels Comcast Channel 15 or Verizon Channel 47 and watch the meeting as it is aired live, or watch the meeting live the PACtv website at <https://pactv.org>. Members of the public who wish to PARTICIPATE in the meeting may do so in the following manner:

Remote Participation: please go to the Town website under the Select Board page and click on the Zoom Webinar Registration box or simply click on the link below.

https://pactv.zoom.us/webinar/register/WN_-cge_yk_Q9KtC8f1ydH61g

Present: Richard Quintal Jr., Chairman
John Mahoney Jr.
Harry Helm
Charlie Bletzer

Brad Brothers, Assistant Town Manager

5:00 P.M. EXECUTIVE SESSION

The Select Board will hold an Executive Session pursuant to Massachusetts General Laws, Chapter 30A, Section 21(a), clause 6, to consider the purchase, exchange, lease, or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body.

- Holtec (Value of Real Property)
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6:00 P.M. RETURN TO OPEN SESSION

6:00 P.M. – ALL ALCOHOL INNHOLDER LICENSE

Sandbar Lounge LLC, 150 Warren Avenue, Hemal Patel, Manager

Mr. Martin Hemsley, 200 Warren Avenue said that he lives half a mile away from the Sandbar Lounge (formerly Pilgrim Sands Hotel). Mr. Hemsley said that he purchased his home in 2019, but in 2021, the Pilgrim Sands Hotel began playing music on their patio, with a band that had music amplifiers, directed towards his home. Mr. Hemsley said that the music was so loud, that he did not feel comfortable sitting outside near his home. Mr. Hemsley said that he complained to the former manager at the Pilgrim Sands Hotel and called the Police Department several times. Mr. Hemsley said that he called the former Hotel owners upwards of 15 times to complain about the noise.

Sunil Anshan, co-partner of the Sandbar Lounge LLC, the new operations manager was asked questions by Mr. Bletzer. Mr. Bletzer asked Mr. Anshan when the owners officially

took over the property. Mr. Anshan said they took ownership of the property on April 18, 2023. Mr. Anshan said that in Massachusetts, he co-owns eight hotels, including two in the Town of Plymouth. Mr. Bletzer asked Mr. Anshan if they had received noise complaints at their other hotels. Mr. Anshan said he has not received any complaints about noise at his other properties in the Town. Mr. Bletzer said that the owners of the Sandbar Lounge, listen to concerns from neighbors and move speakers to the direction of Long Beach, rather than the nearby homes. Mr. Anshan said that he would do everything he could to work with the neighbors and address their concerns regarding amplified music.

Mr. Hemsley noted that the volume level on the patio should be at a tolerable level. Mr. Sims, the Counsel representing Mr. Hemsley said that the priority should be to move the speakers away from the direction of nearby homes and to turn the volume down to a reasonable level. Mr. Anshan agreed. Mr. Bletzer said that if the issue is not resolved Mr. Hemsley come back before the Board at a future meeting.

On a motion by Charlie Bletzer and seconded by John Mahoney, the Board voted to approve the All Alcohol Innholder License, as presented.

Voted 4/0 By Roll Call: Mahoney-Yes, Helm-Yes, Quintal-Yes, Bletzer-Yes

LICENSES & ADMINISTRATIVE NOTES

Mr. Helm asked Mr. Hemsley if he was comfortable with the Licenses in Conjunction with the Liquor License. Mr. Hemsley said that he is agreeable to this, however, the music should be at a respectable volume, and the speakers not be directed at his property.

On a motion by Harry Helm and seconded by Charlie Bletzer, the Board voted to approve Licenses as a group.

Voted 4/0 By Roll Call: Mahoney-Yes, Helm-Yes, Quintal-Yes, Bletzer-Yes

On a motion by John Mahoney and seconded by Charlie Bletzer, the Board voted to approve the Administrative Notes 1, 2, 3, 6, 7, and 8 as a group.

Voted 4/0 By Roll Call: Mahoney-Yes, Helm-Yes, Quintal-Yes, Bletzer-Yes

Mr. Helm asked if either Samantha Nichols or Joseph Assiradoo were available to speak at the meeting, regarding Administrative Notes 4 and/or 5. Mr. Senesi said that Ms. Nichols wrote a message to him and apologized for not attending the meetings due to several conflicts in the past. According to her letter, Ms. Nichols said that she is still interested in serving. Mr. Helm and Mr. Mahoney were concerned about not giving Ms. Nichols and Mr. Assiradoo advance notice.

On a motion by John Mahoney and seconded by Charlie Bletzer, the Board voted to not approve the Administrative Note 5

Voted 2/2 By Roll Call: Mahoney-No, Helm-No, Quintal-Yes, Bletzer-Yes

ADMINISTRATIVE NOTES

1. The Board will accept a grant in the amount of \$97,795 through the Massachusetts Department of Environmental Protection's Gap II Grant Program, for the installation of energy efficiency instrumentation and equipment at the Town's Wastewater Treatment Plant (WWTP).

2. The Board will vote to appoint Andrew J. Zickell to the Plymouth Growth & Development Corporation, At-Large Seat, for a term until February 14, 2028.
3. The Board will vote to appoint Beth Davis to the Plymouth Cultural Council for a term until June 30, 2026.
4. The Board will vote to remove Samantha Nichols from the Affordable Housing Trust, effective immediately.
5. The Board will vote to remove Joseph Assiradoo from the Affordable Housing Trust, effective immediately.
6. The Board will vote to approve and execute an amended Plymouth (Cell Tower) Lease Agreement with SBA 2012 TC Assets LLC, a Delaware limited liability company, as presented in the agenda packet.
7. The Board will vote to approve the proposed request of Plymouth Babe Ruth, Inc. to build and install three (3) batting cages of Forges Field, behind the first base dugout and adjacent to soccer fields to the right of the main parking lot of Forges Field Adult Baseball Field #1, as approved by the Town Department of Public Works, as presented in the agenda packet.
8. The Board will vote to approve the Regulatory Agreement and Declaration of Restrictive Covenants between the Town and Valle-Redbrook, LLC for a project known as Deer Pond Ridge, on Wisteria Road, and Verbena Street/Road, as presented in the agenda packet.

Licenses

1. Outsider Endurance, 63 Deer Ridge Rd, Mashpee, Jeff Smith is requesting an amplified music permit from 7:00 a.m. to 4:00 p.m. on September 9, 2023, for a DJ at the Myles Standish State Forest for a triathlon.
2. Town of Plymouth, 26 Court Street, Robin Carver is requesting an Amplified Music Permit from 5:30 p.m. to 7:30 p.m. on August 25, 2023, (Rain date: September 15, 2023) on the Town Hall lawn for the Adirondack Chair Auction.
3. Mayflower Brewing Co., 12 Resnik Rd., Sarah Audette is requesting a One Day Wine and Malt License from 11:00 a.m. to 8:00 p.m. on August 26, 2023, for an annual fundraiser at the Hedge House, 126 Water Street.
4. Mayflower Brewing Co., 12 Resnik Rd., Sarah Audette is requesting a One Day Wine and Malt License from 10:00 a.m. to 7:00 p.m. on September 9, 2023, for the Plymouth Airport open house, 246 S. Meadow Rd.
5. Second Wind Brewing Company, 7 Howland Street, Kenny Semcken is requesting a One Day Wine and Malt License on August 12, 2023, from 11:30 a.m. to 10:30 p.m. for a summer luau in the parking lot in front of the brewery.
6. To the Moon and Back, Theresa Harmon is requesting a One Day Game Commonly Called "Beano" on October 13, 2023, from 6:00 p.m. to 10:00 p.m.
7. Eversource Energy, W/O 11175792 One petition covering (2) new poles on Home Depot Drive in Plymouth. These new poles are necessary to provide new overhead service to customer located at 4 Home Depot Drive.
8. Eversource Energy, W/O 10278353 One petition covering the installation of PVC Conduit and (1) handhole on Lady Slipper Drive, Plymouth. This construction is necessary to provide underground electric service to 24 Lady Slipper Drive.
9. Eversource Energy, W/O 11823042 One petition covering (1) new pole on Taylor Avenue in Plymouth. This pole is necessary to upgrade equipment on Taylor Avenue.
10. Sandbar Lounge LLC, 150 Warren Ave., Hemal Patel, Manager, is requesting the following licenses: - Common Victualler - Comprehensive Entertainment – Group 1,

2, 3- Radio, TV, Live Entertainment, Dancing - Sunday Entertainment – Live Entertainment - Extension of Hours – 1:00 a.m. - Early Sunday Sales – 10:00 a.m. - Outdoor Amplified Music Permit – Monday-Sunday, 2:00 p.m. to 10:00 p.m. for DJ or bands.

PUBLIC COMMENTS

Al DiNardo, Town Meeting member, Precinct 17, said that he and his neighbors are concerned with Redbrook and A.D. Makepeace regarding minor watering restrictions, could become more catastrophic if there was a drought. Mr. Quintal said that Mr. Hartmann, Planning Director, said the agreement was a private matter between Redbrook/A.D. Makepeace, and not with the Town of Plymouth.

FIRST THANKSGIVING REMAILING PROGRAM

George McKay was dressed up in a Turkey costume and described the annual mailing program. Mr. McKay said that in the first year of the program, in 2021, 21,000 cards were mailed regarding Plymouth as the site of the First Thanksgiving. Mr. McKay said that over 44,000 were mailed in 2022. Mr. McKay anticipates that over 50,000 cards will be mailed in 2023. Mr. McKay described the illustrations on the postcards that were designed by children in the Town.

WATERFRONT DISTRICT ZONE HEIGHT RESTRICTION BYLAW PROPOSAL BY PRECINCT 3

Dale Webber, Precinct 3 Chair, described Precinct 3's proposal for a Fall Town Meeting warrant article to establish an amendment to the zoning bylaw. The current zoning bylaw allows for new building heights of 35 feet and below. Mr. Webber said that the proposed amendment would lower the maximum height of new buildings to 25 feet in the Waterfront District Zone. Mr. Webber asked the Board to support this initiative. Mr. Webber said that this proposal has been discussed for more than a year, however, with new recent development that is occurring outside of the Historic District, he believes there is an urgent need to amend the zoning bylaw.

Mr. Mahoney asked Mr. Webber if someone sold their property, does that mean the new owner would be restricted to the proposed 25-foot height restriction. Mr. Webber said that is a question for the Planning Board.

Mr. Helm asked Mr. Webber where the Precinct came up with the idea of a maximum height restriction of 25 feet, and if they consulted architects regarding this. Mr. Webber said that there was no scientific research done to create the proposed 25-foot zone. Mr. Helm recommends that the requestors consult with architects to determine what 25 feet mean for the structure of a building. Mr. Helm said that barring a special determination from a surveyor, due to FEMA restrictions, new structures must be built at or above 14 feet higher than sea level. Mr. Quintal said that he was concerned about the possibility of numerous flat-roof buildings due to the proposed height restrictions.

FALL TOWN MEETING WARRANT ARTICLE DISCUSSION

On a motion by John Mahoney and seconded by Harry Helm, the Board voted to approve sponsoring an article for the Fall Town Meeting to approve the newly written and negotiated PILOT Program with Holtec International.

Voted 4/0 By Roll Call: Mahoney-Yes, Helm-Yes, Quintal-Yes, Bletzer-Yes

TOWN MANAGER'S REPORT

Mr. Brothers said that the CodeRED, emergency notification system, is through the Plymouth County Sheriff's Office, and residents would have to sign up for notifications on their cellphones. Mr. Brothers said all landlines are automatically enrolled in the CodeRED system.

Mr. Brothers said that the Town established an Elderly and/or Disabled Taxation Assistance Fund, and \$11,000 was collected so far. Mr. Brothers said that the Assessing Office and the Elderly and Disabled Tax Assistance Committee would like to present at a future meeting, the regulations to distribute the funds.

Mr. Brothers said that the Stephens Field project's lowest bid came in \$350,000 over the budgeted amount. Mr. Brothers said that the Town Manager's Office and the Finance Director are researching ways to absorb the costs, likely by allocating ARPA funds.

SELECT BOARD OPEN DISCUSSION

Mr. Helm said that he received an email from a citizen requesting that Morton Park ticketing begin at 7:00 a.m. as opposed to 8:30 a.m. Mr. Helm said that before the ticketing begins, carloads of people arrive before 8:30 a.m. Mr. Helm said that he would request a presentation from Town staff regarding a recap of the Summer of 2023 at Morton Park.

Mr. Bletzer sends his condolences to Fire Fighter Dale Melanson, who recently passed away from complications from ALS disease.

ADJOURNMENT OF OPEN SESSION

On a motion by John Mahoney and seconded by Harry Helm, the Board voted to adjourn the Open Session at 7:07 p.m.

Voted 4/0 By Roll Call: Mahoney-Yes, Helm-Yes, Quintal-Yes, Bletzer-Yes

Recorded by: Anthony Senesi

Assistant to the Select Board/Town Manager