

Final Hearing for No. Plymouth 40B Housing Project

Observer Corps Report

Zoning Board of Appeals

3.16.26

Great Hall Plymouth Town Hall

Members present: Chair Michael Main, Vice-Chair Michael Leary, Peter Connor, Edward Conroy, David Peck (Alternate)

Members absent and not voting on the Pulte Petition: Kevin O'Reilly, Thomas Wallace (Alternate)

Town employees at the table: Administrative Assistant Denise DeCoste, Planner Spenser Deacuse, KP Law Counsels Carolyn Murray and Hayley Reifeiss, Building Commissioner Jason Silva, Building Inspector Ben Eaton.

Petitioners: Pulte Homes Representative Mark Mastroianni, Att. Stephani Keefer, The Engineering Corporation Peter Ellison.

Brief Summary of Key Meeting Discussions:

Main asked Mastroianni about the residents' formal written request asking Pulte to allow an extra 60 days for further data collection regarding the adjacent contaminated land site. Pulte responded with a firm NO.

Mastroianni informed the public of Pulte's submission to the ZBA of two letters dispelling misinformation circulating in Plymouth including in the Plymouth Independent news, as well as Pulte's updated plan with one more parking lot. And he stated that the draft P-S is now signed and submitted.

Keefer spent a great deal of time addressing the adjacent land contamination issue stating that current owners and the EPA had followed all regulations and the site no longer needs fencing and can be used for commercial building. She addressed the arsenic issue stating that it was found under an access road to Sandri Drive site, the soil was excavated and, with the purged water, was trucked off-site. Further testing will continue.

Leary addressed Pulte's waiver requests submitted to the Board, under the clarification that 40Bs don't have to follow local regulations but do have to follow State and National laws. The details of the request to waive Affordable Unit permit fees for sewer connections drew several questions for Pulte from Board Members, who were not always satisfied with the answers. Peck expressed concern that 7 waivers were submitted to fit the 3 building on the two properties, and Conroy was concerned about not finding enough information in the submitted documents to answer questions about the amount of water that would be provided for the finished project.

Main opened Public Comment stating simply that if you’ve spoken before we’ve heard you and you do not need to speak again; in fact, many expressed their right to speak again and did. Later he clarified that the time limit was 3 minutes. Issues such as Affordable Housing (AH) were addressed: “Plymouth has the greatest number of AH units in the State and doesn’t need more, especially in crowded No. Plymouth.” Traffic was addressed by a traffic engineer who disputed several of the results of the petitioner’s prior traffic presentation. Land and water contamination concerns, especially the possibility of more arsenic being unearthed during construction, were addressed. And again, as at all prior meetings, no one spoke in favor of this project, so a resident asked Pulte why they are pursuing this project especially where no one wants it?

Main called Select Board member Kevin Canty from the audience to the podium and challenged him about what Canty said at a prior meeting asking the ZBA to deny the Pulte petition. This led to a back and forth between ZBA members and Canty about who knows more about 40B laws and the number of residents raising issues at these Pulte meetings versus past 40B project petition meetings.

Again during this meeting as during prior meetings, the Chair’s lack of leadership and control of the meeting led to his several loud exchanges with the audience as well as outbursts from some Board members and audience members.

Main closed Public comment which has been ongoing for several months, after no one in the audience wished to speak, who had not already spoken.

Board members will meet April 6, 2026 to consider conditions and any other matters per the extensive petition document of 3500 pages in preparation for their vote to accept the project or not.

Issues relevant to LWV positions/programs: Affordable Housing, Aquifer Protection, Hazardous Waste, Zoning. This report will be sent to Co-presidents and Committee Chairs where applicable.

Open Meeting Law (OML) Concerns	Yes	No
Was meeting held in accessible location?	X	
Were all speakers audible to each other & attendees?		X ¹
Were minutes from previous meeting posted per OML?	X	
Were motion wording, motion maker names, and votes audible to attendees?		X ²
Was public recording permitted and announced per OML?	X	
If conducted, was Executive Session held for one of 10 reasons per OML?	NA	

X¹ Several times during the meeting audience members and recording technician complained of not being able to hear Board members, some of whom were dismissive of requests to use the mic.

X² Last posted minutes 1.5.26. Missing minutes 11.3.25 and 12.15.25.

Public Meeting Guideline concerns	Yes	No
Was a name card for each member in place and readable by attendees?	X	
Were visuals presented during the meeting visible to attendees?		NA
Were all in attendance civil or courteous to each other during meeting?		X ³
Did members follow their published Policies and Procedures, if any?		X ⁴
Was public recording permitted and announced?		NA
Was there an opportunity for public comment?	X	
Was any conflict of interest disclosed?		NA

X³ Several outbursts as noted in report.

X⁴ Order of Business not followed during Public Comment.

Observer: Martha Vautrain 3.18.26

Read the 3.18.26 Plymouth Independent article [here](#) for additional details of this meeting.

When the official minutes from this meeting have been approved, they will be available on the Town website at <https://www.plymouth-ma.gov/agendacenter>

A recording of the meeting on the Local Seen is [here](#).