

## ZBA Passes North Plymouth 40B Pulte Housing Project

Zoning Board of Appeals

April 13, 2026

Great Hall,

Town Hall

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

Members absent and not voting on Pulte petition: Kevin O'Reilly, Thomas Wallace (alternate)

Town employees at the table: Admin Assistant Denise DeCosta, KP Law Counsels Carolyn Murray and Hayley Reifeiss, Building Commissioner Jason Silva, Town Planner Spencer Dancause

### Summary of Important Board Deliberation:

Chair Main opened this Board “deliberation only” meeting stating that there have been seven open ZBA meetings addressing the Pulte Petition cases of two adjacent multi story housing units submitted under State 40B regulations. He stated that these regulations were passed at the State level to address Affordable Housing (AH) needs, they supersede local regulations interfering with Plymouth’s efforts to “control our own development”, and he complained that 40B developments “hamstring us”.

Town Counsel Murray reviewed the latest draft (distributed to Board Members Friday April 14, 2026) of waivers and conditions proposed by the Board, stating that if granted by the Board the Comprehensive Permit would be in effect for 3 years.

Many of the written details were discussed and clarified including items such as: 70% preference in favor of Plymouth residents securing AH units, Pulte will take over the ground testing for hazardous materials that current property owners Eight Mates is overseeing until the property is officially sold to Pulte, and construction hours of operation will be 7am to 7pm Monday thru Saturday, which received groans from the audience.

Main then called for Board Members to explain their position for or against granting a Permit, calling on Peck first who said he would support “reluctantly” the Sandri Drive case but not the “Oceanview” case since the access to that building could and should have been from Hedges Road instead of narrow and crowded Prince Street.

Conroy said, even though he was concerned about the environmental ground hazardous materials issues, the project could not be challenged by Town of Plymouth based on the State and Federal DEP findings. But he felt that the traffic studies could be challenged based on safety concerns that could outweigh the advantages of promoting AH. He complained of the “incomplete and outdated,” as well as “inconsistent” traffic studies and for those reasons said he would vote against both projects.

# Observer Corps Report



Connor introduced himself as a long time Board Member including fifteen years as Chair when twice he went to Boston to justify the Plymouth Board’s denials of a 40B petition – without success. Regarding these Pulte cases, he stated the traffic studies were addressed properly and the hazardous materials issues were settled since he does not believe that the site would be looked at again by DEP. Therefore, he would be supporting both cases.

Leary stated that this project started as a subdivision and the Town Planning Department had tried to keep it that way. He said the project was not supported by Plymouth Select Board but, at this point, “we’d lose during State arbitration.” So, he feels it is in the best interests of the town to support the project.

Main talked about “trying to find a way to deny”, not finding “good reasons” and his concern that if we go before arbitrators, we might lose the few concessions the Town does have now over the project. Main then explained that this petition only needs a simple majority; it is not a special permit request that needs a 4/5 majority.

The formal vote was

Sandri Drive – Yes: Peck, Connor, Leary, Main and No: Conroy

Oceanview – Yes: Connor, Leary, Main and No: Peck and Conroy

Both cases passed.

Anyone may appeal this decision within 20 days after the final draft is signed by all Board Members and filed with Town Clerk, which will be in a few days per Counsel.

**Issues Relevant to LWV Position/Programs:** Affordable Housing, Hazardous Waste. Relevant Committee Chairs have been notified.

<b>Open Meeting Law (OML) Concerns</b>	<b>Yes</b>	<b>No</b>
All speakers audible to all attendees?		X1
Were motion wording, motion maker names, and votes audible to all attendees?	X	
Were minutes posted per OML?		X2
Was public recording permitted and announced?	NA	
If conducted, was Executive Session for one of 10 reasons per OML?	NA	
X1 Again some in the audience said they couldn’t hear. This concern was met with a comment from the Chair that “If I got any closer to the mic I would have to eat it.” This Observer took an opportunity to mention this concern after the meeting to Main, who again was jokingly dismissive, and Leary, who said he sometimes does forget to talk into the mic. X2 Minutes from two previous meetings in Feb. not posted.		

# Observer Corps Report



<b>Public Meeting Best Practices</b>	<b>Yes</b>	<b>No</b>
Was a name card for each Member in place and readable by attendees?	X	
Were visuals presented during the meeting visible to all attendees?	NA	
Were all in attendance civil and courteous to each other?	X	
Did Members follow their published Policies and Procedures, if any?	X	
Was any conflict of interest disclosed per State Ethics Law or Plymouth By-Law?	NA	
Was there an opportunity for public comment as encouraged by Attorney General?	NA	

**Observer:** Martha Vautrain, April 13, 2026

- Local Seen Recording [here](#).
- When the official minutes from this meeting have been approved, they will be available on the Town website at [Agendas & Minutes](#).
- Plymouth Independent news article related to this meeting is [here](#).