

**BOARD OF SELECTMEN
TOWN OF PEMBROKE, NH
September 2, 2020 at 5:00 PM**

Present: Chairperson Ann Bond, Selectman Richard Bean, Selectman Sandy Goulet, Selectman Karen Yeaton, Selectman Michael Crockwell

Staff: Town Administrator David Jodoin

I. Call to Order:

Chairman Ann Bond called the meeting to order at 6:15pm.

II. Board Discussion on Granting an Extension to It Takes a Village Daycare:

Maranda and Mike Donnelly presented the Board with the packet for the It Takes a Village Daycare major site plan. Maranda reviewed the timeline of events and communications during the process with the Town, Zoning Board going back to the spring of 2019. Selectman Bond asked where the paperwork for the permits that needed to be pulled were in the packets. Maranda and Mike explained that they have not had to do work to their buildings that requires pulling permits. Mike explained that after installing low voltage fire life safety equipment that they understood they did not require a permit, Captain Farley from the Pembroke Fire Department came to look at the building and told them that they needed a permit and if they are going to have more than twelve kids on the second floor, they need more fire alarms, a sprinkler, and a second means of egress. Right now, they do not have more than twelve kids so they have not started the work that will require pulling permits. Maranda interjected that permits being pulled does not have to do with this particular meeting. They needed to have a major site plan in by September 7th, which they have done. September 7th was an arbitrary date given to them and they need an extension to make it to the Planning Board on September 22nd. Selectman Bond explained that any person in the Town of Pembroke can go to the Planning Board, what they are granting is an extension which allows them to continue to operate while they go through the process with Planning. Selectman Bond explained her concern is the fact that they have not been pulling permits and having things inspected. Maranda expressed frustrations with the process and inconsistency in the communications between town officials and themselves. Selectman Yeaton stated that she has read through the 60 pages of provided communications between the Donnelly's and the Town and she felt that it was clearly stated what needed to be done. Selectman Yeaton stated she had also listened to a recording of a meeting with them and what she heard is the Town saying what they needed to have happen so things can move forward. Mike explained that the process kept changing and they provided a timeline of them being told different things at different times. Selectman Yeaton explained to Mike and Maranda the issue of doing work and pulling permits later. They installed

a fire alarm and regardless if they are currently using the area, the fire alarms were installed in, it cannot be installed with a permit. Selectman Yeaton feels they are asking the Board to knowingly allow them to operate with unpermitted work. They are liable for that decision as a board. Selectman Yeaton suggests getting permits filed as quickly as possible and get the approvals. Maranda explained that in February, they were told they could put the fire alarm in so they did and at inspection they were told they needed to have a permit and have an outside company install it. Mike explained that up to this point, they have not understood it from the Selectman's point of view. It was installed but not being used and they are trying to get a fire alarm company to go back and do it and they have thus far been unsuccessful getting someone. Now they are learning the fire alarm may not have been big enough for what they need.

Selectmen Crockwell commented that it was clear to him what was needed and perhaps they confused themselves.

Selectman Goulet made a motion to vote on whether or not to extend the timeline for Mike and Maranda to come into compliance with their permits. Selectman Yeaton seconded the motion. 5-0.

Selectman Yeaton explained that she is not in favor of extending beyond September 7th because of the concerns for liability. Selectman Goulet agrees with that statement. Selectman Bean and Crockwell also concur.

Selectman Yeaton made a motion to cease and desist the daycare center usage as of September 8th due to the following reasons; not having permits submitted to the Town and Town Inspector of a sprinkler system for the current use daycare center, not having permits submitted to the Town and Town Inspector of a fire alarm system for the current use day care center, not having permits submitted to the town of a firewall separation between the day care center and the other uses one a residence and one a garage barn under the requirements of the 2015 edition of the NFPA101 Life Safety Code Chapter 16 New Daycare Occupancy as Adopted by the state of New Hampshire. Selectman Goulet seconded the motion. 5-0

Selectman Goulet made a motion to amend Selectman Yeaton's motion to include a letter will be sent to the State of New Hampshire by the Chairman. Selectman Yeaton seconded the motion. Motion passed 5-0.

III. Adjourn:

Selectman Goulet made a motion to adjourn at 5:59 PM. Selectman Bean seconded the motion and it was approved unanimously.

Ann Bond, Chairman

For more detailed information, the meetings are now taped and can be seen on www.townhallstreams.com click on Pembroke NH and look for the day of the meeting under the month.