

**BOARD OF SELECTMEN  
TOWN OF PEMBROKE, NH  
August 24, 2020 at 6:30 PM**

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Present: Chairman Ann Bond, Selectman Mike Crockwell, Selectman Richard Bean, Selectman Karen Yeaton, Selectman Sandy Goulet

Staff: Town Administrator David Jodoin

**I. Call to Order:**

Selectman Bond called the meeting to order at 6:29 pm.

**II. Scheduled Meetings:**

Maranda and Mike Donnelly came to the Board to ask for an extension on a Planning Board major site plan. The current extension expires on September 7, 2020. Ann Bond stated that they were on the agenda in early July with the Planning Board. Maranda explained that they were but she had marked down the incorrect date and missed the meeting however it was conceptual meeting. David asked if they have a major site plan done. Mike answered that they do have it done and they are working with Sanford. They have said it will be ready to go on September 1<sup>st</sup>. David stated that they need the information by September 1<sup>st</sup> so it will be ready for the next Planning Board meeting.

Mike explained that they need the extension in order to remain operational. Selectman Bond asked if any permits need to be pulled prior to the Planning Board meeting. Maranda answered that all permits have been pulled. They are an operating Day Care with a temporary license from the State of NH. Maranda explained that they have an appeal in with the Fire Department regarding the sprinkler system. Maranda stated that they are approved for 12 kids and will continue to operate with 12 kids but none of that pertains to why they are at the Select Board. They are looking to receive an extension for the major site plan. Selectman Yeaton asked what happens if the Board does not give an extension beyond the 7<sup>th</sup>. Maranda answered that they will close and have to re-submit a child care licensing packet. Maranda explained that they are approved and zoned for their business. Then, at a later meeting, it was pointed out that it is a 2-step process. They received the zoning approval but not the Planning Board approval. They were not aware of the next step when they started. There was also confusion as to whether it was a minor or major site plan. They have an engineer and are doing the major site plan.

David stated that they talked with Carolyn Cronin in June of 2019 and received guidance as to what they would need for a home-based daycare and for a daycare facility not operated by homeowner. They began advertising at that time and they

received a cease and desist order to stop advertising by the State. There was a meeting in the fall and they were told again what was required of them. They got the Zoning Board approval in April 2020 but they still had to go through the Planning Board process and they still needed to comply with all building and Life Safety codes. David received a phone call from Erin at the State and the deadline for the permit was extended. They met again on June 3<sup>rd</sup> and outlined the process again for the Donnelly's. They were told they could file a waiver for the sprinkler system but there were other items that still needed to be addressed for building codes and life safety codes..

Selectman Yeaton clarified that the State is the one who approves day care licenses. David answered that it is. Selectman Yeaton asked if the September 7<sup>th</sup> date is a State deadline or a Town deadline. David answered that it is a Town deadline that was given to move everything forward.

Selectman Bean asked if they have domicile at the building now. Mike explained it is a two-unit building. They live in the A side and the B side is the daycare. Maranda explained their State permit allows them to operate until November 2020. At that time, the State will visit the daycare and give a permanent license. If the Board does not give them the extension, then the State will not allow them to continue to operate. Mike stated that the State requires Town consent for daycare licenses. If for some reason down the line they do not meet a code requirement, the Town can call the State and the State will revoke their license. Mike stated that they received the zoning approval in order to get their temporary operating permit. A large part of the delay has been the Town being unclear on how to meet fire life safety codes. Maranda stated that another part of the delay was communications back and forth with the Town and the engineering firm and also finding a firm that would look at a home as old as theirs. Selectman Bean asked if the communication issues went two ways. Maranda answered no.

Selectman Crockwell asked if they meet the requirements and codes for 12 kids. Maranda and Mike answered they did. Selectman Crockwell asked if they have made the building upgrades to meet the codes to get the permanent license. Mike answered that they still have work to do but they just need the extension on the site plan tonight. Maranda explained they need the extension in order to make it to the Planning Board meeting date but they will have the site plan in by the 1<sup>st</sup>. Selectman Crockwell asked what has been done since November. Maranda explained they have been working on the major site plan, fire life safety, and variances. At the end of the meeting in November, they received approval for upstairs use and 20+ kids downstairs. After that, Erin at the State called and stated that Dana at the Town filled out the form incorrectly. They were also then told they needed to upgrade their fire life safety. They were told they could operate for 12 and under and that is what they have been doing.

Selectman Bond suggested waiting until the major site plan is submitted to grant the extension. Selectman Goulet suggested having a special meeting on Wednesday,

September 2<sup>nd</sup> at 6:30 to take the vote. The Board agreed and will revisit this issue on Wednesday, September 2<sup>nd</sup>.

**III. Adjourn:**

Motion by Selectmen Goulet, seconded by Selectmen Crockwell to adjourn at 7:02 PM. Motion Passes 5-0.

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Ann Bond, Chairman

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