

**BOARD OF SELECTMEN
TOWN OF PEMBROKE, NH
NOVEMBER 16, 2020 at 5:00 PM**

Present: Chairperson Ann Bond, Selectman Michael Crockwell, Selectman Karen Yeaton

Excused: Selectman Sandy Goulet. Selectman Bean

Staff: Town Administrator David Jodoin

I. Call to Order:

Chairman Ann Bond called the meeting to order at 6:32pm.

II. Citizens Comment:

Kara Maynard is interested in creating town committee to handle events and activities for the community. David explained that they would need to come up with an outline for the group and decide if they are going to be town sponsored or on their own. Selectman Bond will discuss it further with Kara to come up with a plan.

III. Scheduled Meetings

Continued Public Hearing – Road Opening Upper Beacon Hill Road

Selectman Bond opened the public hearing at 6:34.

Bill Evans is requesting to open 300 feet of Beacon Hill Road to do a limited development on a portion of his 45-acre plot for an age restricted housing development. There was a site-walk on the November 14th at 10am. There wasn't a recorder available so Selectman Bond so a question from that day:

- Will the project have access to water and sewer? Bill answered that he has an application in for a sewer connection. Water would require a boost station but there is a water main at the end of Beacon Hill that he could connect into. He is still working that out with the Town and Water/Sewer Commission.

Dan Boyer, 223 Beacon Hill Road, stated that in order to get water to the project, they would need to tear up the road from Lower Beacon and he is concerned for the ability to make that connection. The road washes away very easily. He also shared concerns that the road is not up to Town Specifications. David explained that if they were required to finish the road, they would need to do it according to current town specs. Which could mean widening and shoulders.

Mark Dumas, 318 Beacon Hill Road, stated that the fire department and emergency services have not weighed in but he believes they will need to open the whole road

for access and if approved, the road then becomes a tax payer expense to maintain for perpetuity.

Amanda Boisvert, 311 Beacon Hill Road, expressed concerns for the road becoming a cut through road which will change the nature of the area.

Stacey Kallelis, 254 Beacon Hill Road, shared concerns for an increase in traffic, safety of walkers, destruction of the new road, impact on conservation and wetlands, impact on tax payers, and impacts on emergency services.

Robert Bowden, 214 Beacon Hill Road, shared frustrations for the lack of notification of the site walk. He felt there was an invasion of privacy and safety.

Stephen Smith, 561 Pembroke Street, shared concerns that the road will have to be opened all the way to route 3 and the lower part of Lower Beacon will also have to be widened to accommodate traffic from Fourth Range Road trying to get to the traffic light.

Mark Dumas 318 Beacon Hill Road, expressed frustrations that the land is not zoned for this kind of housing project and he should not be granted a variance. Mark commented that there is no access to public transportation, water and sewer will be added at tax payer expense, Pembroke already has low income housing and fixed income housing, the project abuts conservation and wetlands which will be impacted, there will be 6-10 years of construction, the State will have issues with where traffic comes out at the intersection, and there is no direct benefit to Pembroke. Mark submitted a summary sheet of his comments to the Board for the record as well as Bill Evans.

Peter Corey, 562 Third Range Road, expressed concerns for an increase in traffic. Would like to know what the traffic study revealed and what the procedure is going forward to approve or deny.

Gordon Bult, 202 Beacon Hill Road, lives very close to the road and is concerned if they have to expand it that they will be on his doorstep.

Rosemarie Michaud, 340 Beacon Hill Road, expressed concerns for the increase in traffic and the inability to enjoy walking on the road.

Ayn Whytemare, 439 Pembroke Street, acting as a spokesperson for the Conservation Commission, the Commission would like to point out that the opening of Flagg Robinson/4th Range Road was recently declined. It sets a precedent if it is opened. If they do not receive sewer capacity, they would need to do a septic system and that area is in the Aquafer protection district. Since the other development on the other end of 4th Range Road was approved, there are concerns the aquafer will not be able to handle the additional load of this project. Ayn also explained that she owns a

parcel in that area that has recently been sub-divided and there is concern from potential buyers that this project will not fit in within the neighborhood.

Holly Blow, 315 Beacon Hill Road, shared concerns for safety on the road and the destruction of their quiet neighborhood.

Marianne Tierney, 243 Beacon Hill Road, expressed concerns for property values dropping.

Bill Evans explained that there is a shortage of affordable housing and he wants to develop a small portion of the property. These are not people commuting to work so while there will be an increase in traffic, it will not be to the extent the residents would expect. Steve Lewis, project developer, explained that the project will pay property taxes. This project will not impact the school district and raise taxes that way since no one can live in the project that is under 62 years old. The remaining 35 acres will be set up as dedicated open space. It cannot be changed after the fact and developed. These projects are typically made up of elderly woman with 1.2 average people per unit. The traffic count is typically low. Impact on morning traffic is typically very low.

Selectman Bond asked what the income restrictions are. Steve explains it is established every year by the federal government and the State of New Hampshire. They take the area's median income and calculate 60%. 80% of the people who reside in the building will have to make 60% or less and 20% will make 50% or less.

Amanda Boisvert, 311 Beacon Hill Road, explained that she understands that the project will not be the main cause for the increase in traffic. She is concerned for the amount of people who will use the road as a cut through.

Robert Bowden, 214 Beacon Hill Road, requests more facts and figures.

Mark Dumas, 318 Beacon Hill Road, traffic will be impacted and the cut through traffic will be an issue. He also does not believe that the left-over acres will be turned over to the Town after the fact.

Peter Corey, 562 Third Range Road, suggested looking at alternative routes through a piece of property to make a road down to Route 106. Ayn Whytemare answered that it is her property he is talking about it was just subdivided and sold so that is not an option.

Bob Best, Attorney at Sulloway and Hollis PLLC, explained that when a piece of property is committed to an open space development, it is permanent. It is a residential zone and this kind of development is appropriate for that area. The opening of the road all the way is not something Bill Evans is requesting but it is something the Fire Department will likely require but that isn't Bill Evans making the argument to open it. Bob Best also explained that while he understands there are

concerns for people driving fast down the road, it is not the land owner's responsibility to determine whether people will be lawful or not lawful. If the capacity for the sewer is not awarded, nothing will happen with the project. If they don't have it, he can't build. Same with water. If they Town votes to open the 300 feet of road but he doesn't get capacity, nothing happens. The project still has to go through Planning Board who will look at some of the concerns of residents such as traffic. Any use of this property will require the opening of some portion of the road and he has the legal right to be able to use his property whether it is for one house or this development.

Selectman Bond asked how many years they would expect this project would take to build. Bill Evans explained that it would likely be a year.

Holly Blow, 315 Beacon Hill Road, expressed extreme frustration for the choice to make it a development rather than a house or two. Current homeowner rights should be protected and considered.

Mark Dumas, 318 Beacon Hill Road, explained that he commented on the project taking 6-7 years because at a meeting in March, it was discussed as phased building project. The area is zoned as an R3 which is residential agriculture, if his project does not qualify as R3 then it is not appropriate for the area.

Rosemarie Michaud, 340 Beacon Hill Road, stated that the current situation of working from home may skew the traffic counts.

Robert Bowden, 214 Beacon Hill Road, commented that being 62 years old does not mean people are retired. Robert would like to know the next steps of the process. Selectman Bond explained that the Selectmen have the authority to open the roads and after that it goes to Zoning. Once approved at Zoning, it will have to move through Planning.

Ayn Whytemare, 439 Pembroke Street, asked if the road is not opened then will the land stay in current use. David Jodoin explained that right now the road is a class 6 and he cannot build on a class 6. Bill stated that right now the land is in current use.

Bob Best stated that the land is in an R1 area which mean this project is appropriate. The impact of COVID and people working from home will not impact the traffic study. Traffic studies are done taking schools being in session into account and all kind of scenarios.

Ayn Whytemare 439 Pembroke Street, requested that the traffic study include the traffic that will come from the new development on 4th Range Road.

Bill Evans wants to make it clear that he is not opening a Range Road. He wants to open a portion of Beacon Hill Road.

Peter Corey, 563 Third Range Road, suggested opening the portion of Upper Beacon so the road is not completed through.

Selectman Bond closed the public hearing at 7:46pm and explained that the Board will discuss this at a future date and that residents should monitor the Towns website.

The Board recessed at 7:47pm.

The Board came out of recess at 7:53pm

Rick Mulcahy – 419 Ross Road

Rick Mulcahy, 17 Melissa Drive, authorized representative of Russell Leighton, Executor for the Estate of Frederick Leighton, is looking for approval for a variance to occupy a recreational vehicle by someone other than the owner of 419 Ross Road for 120 days. The property had a fire in 2019 and the owner started work on the property but has since passed away. There is a care taker on the property overseeing the rebuild and watching over it. The property is currently working its way through probate. Rick explained that the brother of the deceased is the Executor of the Estate but lives a few hours away in Maine. The house is being left to the deceased wife's sister who lives in Albuquerque, New Mexico.

Selectman Bond asked if the RV is hooked up to city sewer and city water. Rick answered that it is.

Selectman Yeaton asked what the plans for reconstruction are. Rick stated that as of now there is a shell built with rough electrical, rough plumbing, framing, a roof, doors and some windows are in, the building is wrapped, and siding had begun on the front. Once it is out of probate and under the ownership of the wife's sister, Rick cannot speak to what she will do.

Selectman Yeaton asked who is living on the property. Rick explained that his name Jim Carey who was the deceased's friend and partner.

Selectman Yeaton asked if there was an opportunity to get cameras installed to watch the property. Rick explained that there currently isn't any Wi-Fi on the property and the cameras would have to be monitored in Maine.

Selectman Bond explained that the property is down the street from her home and she feels safer with someone being on the property keeping an eye on it since it has already been broken into by neighborhood kids and there is the concern that it will happen again and they will destroy more since there is not on-going construction and it appears to be vacant.

Amy Manzelli submitted a letter to the Zoning Board expressing concerns for lack of progress on construction, noises, flash lights at night, and loud cars. Selectman Bond explained that the cars are not coming from the property but coming down the street from other homes. Rick explained that the caretaker does not have a license and does not have loud cars. The construction cannot move forward until the property makes its way through probate. The rest of the abutters do not appear to have an issue.

Selectman Crockwell supports approval of the variance as long as it does not become permanent.

David explained the Zoning Board did not want to approve the variance because it would attach it to the property which is why they sent it to the Selectman.

Selectman Crockwell made a motion to approve the agreement between the Town of Pembroke and Russell Leighton. Selectman Yeaton seconded the motion. Motion passed 3-0.

Acceptance of the Donation for the Suncook Little League

Selectman Yeaton made a motion to accept the donation of loam to help with the renovation of the little league field from FL Merrill in the amount of \$1,905.60. Selectman Crockwell seconded the motion. Motion passed 3-0.

IV. Old Business:

Signage Memorial Field

The Board is happy with the new sign at Memorial Field and considers with agenda item closed.

COVID-19 Travel and Quarantine Policy

Selectman Yeaton re-worked the policy from the last meeting. The policy has links to the State of NH DHHS and CDC for current information on travel and quarantining. There is a section added that employees monitor their symptom health everyday before going into work. Selectman Bean had suggested adding a log of temperatures as they walk into work to Selectman Yeaton and she added that to the policy. David explained that he would rather have them monitor at home rather than having someone come to work and then having to go home because they are over the limit.

David shared concerns for the honor system if people travel outside of New Hampshire.

VJ Ranfos, Public Works Director explained that he attended a webinar and they mentioned that once things start being documented, there is the possibility of

running into HIPAA issues which is why they are not having people documenting their temperatures at DPW and self-monitoring.

David is going to send a copy of the policy to the Chief of Police and VJ and get some feedback. They can finalize the policy at the next meeting.

V. New Business

Manifests/Abatements

Selectman Yeaton made a motion to accept the manifests and abatements as presented. Selectman Crockwell seconded the motion. Motion passed 3-0.

Minutes 11/2/20

Approval moved to next week.

VI. Town Administrator Report:

David received an email from Holly Germain regarding the parking issues in the Village. Holly would like the Board to reconsider keeping the parking ban. David stated that the Police Chief would like to come and discuss the ticketing aspect of parking in the Village. They can open the conversation back up about whether or not to keep the ban at that point.

Selectman Yeaton shared that she feels the Town cannot meet their obligation to fully plow the roads without a parking ban. An alternative has to be found before they could lift the ban.

VJ Ranfos, Public Works Director, explained that he would like to keep the ban because the weather is unreliable and it is difficult to clean up a surprise snow storm when cars are there.

Selectman Yeaton would like to encourage citizens to get together and talk to businesses regarding using their lots.

David stated the Town will be receiving \$15,244.46 in reimbursements for costs related to the election from the CARES Act Grant.

Susan Gifford has resigned as the Recording Secretary for the Planning Board. The Board will put it out on Facebook that they are hiring for those positions and look at restructuring the pay for the Town Recording Secretaries.

VII. Committee Reports:

Selectman Yeaton – Selectman Yeaton was unable to attend but VJ Ranfos gave the update. The Dudley Hill project has finished. They are working to update the 10-year paving plan and numbers are being updated for 2021 projects to be ready for the next meeting. Selectman Bond stated that it has come up in the past that there are no radios for the flaggers on road projects. VJ answered that they have the ability to purchase those now if they would like.

Selectman Bond – Planning met to go over the warrant articles.

Selectman Crockwell – None

VIII. Other Citizens Comment:

Solid Waste and Budget Committee will both be remote meetings this week.

IX. Non-Public Session:

Selectman Yeaton made a motion to enter into non-public session in accordance with RSA 91-A:3 II (b) Hiring Public Personnel, seconded by Selectman Crockwell at 9:01pm

Roll Call Vote:

Selectman Yeaton	Yes
Selectman Bond	Yes
Selectman Crockwell	Yes

The Board came out of non-public session at 10:08 PM

X. Adjourn:

Selectman Crockwell made a motion to adjourn at 10:08 PM. Selectman Yeaton 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.