

TOWN OF PEMBROKE

Town Hall ~ 311 Pembroke Street, Pembroke, New Hampshire 03275

Tel: 603-485-4747

Pembroke Planning Board Business Agenda July 24, 2018 7:00 PM Pembroke Town Hall

Attendance

New Business

- 1. Major Subdivision Plan Application #18-06, Eric Pearson, Equivise, LLC, acting as Applicant on behalf of Cole Family Trust, owner of Tax Map 565, Lot 55 located at 354-356 Pembroke Street in the Medium Density (R1) Residential Zone, the Aquifer Conservation (AC) District, the Wetlands Protection (WP) District, and the Architectural Design (AD) District.**
The Applicant proposes to subdivide Map 565, Lot 55 into sixteen (16) single-family residential lots on a proposed roadway. The proposed development will be serviced by municipal water and sewer, and includes a closed drainage system and associated drainage easement area. This permit is associated with Special Use Permits for the AC and WP Districts (SUP-AC #18-307 and SUP-WP #18-308).
- 2. Special Use Permit Application SUP-AC #18-307, Eric Pearson, Equivise, LLC, acting as Applicant on behalf of Cole Family Trust, owner of Tax Map 565, Lot 55 located at 354-356 Pembroke Street in the Medium Density (R1) Residential Zone, the Aquifer Conservation (AC) District, the Wetlands Protection (WP) District, and the Architectural Design (AD) District.**
The Applicant requests a Special Use Permit from Article 143-68.E., Aquifer Conservation District, for single-family residential use over the aquifer. This permit is associated with Major Subdivision Plan Application #18-06.
- 3. Special Use Permit Application SUP-WP #18-308, Eric Pearson, Equivise, LLC, acting as Applicant on behalf of Cole Family Trust, owner of Tax Map 565, Lot 55 located at 354-356 Pembroke Street in the Medium Density (R1) Residential Zone, the Aquifer Conservation (AC) District, the Wetlands Protection (WP) District, and the Architectural Design (AD) District.**
The Applicant requests a Special Use Permit from Article 143-72.D., Wetlands Protection District, for single-family residential use on a parcel containing wetlands. This permit is associated with Major Subdivision Plan Application #18-06.

Any time after 9:30 p.m. the Board will entertain a motion to continue the current application or current Board discussion to the next business meeting if it is determined it cannot be concluded by 10 p.m. After 10 p.m., only important miscellaneous agenda items will be discussed. Any remaining items will be placed on the agenda for the next regular Planning Board meeting. Information pertaining to any item on the agenda is available for public review by contacting the Planning Office at the Town Hall during normal business hours or by calling 485-4747 ext. 210

Minutes June 12, 2018 & June 26, 2018

Miscellaneous

1. Correspondence
2. Committee Reports
3. Other Business
4. Planner Items
5. Construction Escrow
6. Board Member Items
7. Audience Items

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**Pembroke Planning Board
Meeting Minutes
June 12, 2018
(DRAFT)**

MEMBERS PRESENT: Alan Topliff, Chairman; Brian Seaworth, Vice Chairman; Kathy Cruson; Brent Edmonds; Larry Young, Sr.

ALTERNATES PRESENT: Robert Bourque, Kellie Dyjak; Timothy Goldthwaite

EXCUSED: Richard Bean; Selectman's Rep. Ann Bond

STAFF PRESENT: Carolyn Cronin, Town Planner; Jocelyn Carlucci, Recording Secretary; David Jodoin, Town Administrator

GUEST: Ammy Heiser, Conservation Commission Chair

Chairman Topliff called the meeting to order at 7:00 pm. He asked Alternate Member Dyjak to vote in place of Member Bean.

Chairman Topliff thanked the Board for their preparation for and participation at the May 22, 2018 meeting which dealt with multiple cases, some of which were months old and very detail-oriented.

Old Business

1. Open Space Development Ordinance - Section 143-78: Open Space Requirements with Ammy Heiser, Conservation Commission Chair

Chairman Topliff said that it had been 8 years since the Open Space Development Ordinance was adopted. The Board membership has since changed and he thought that the present Board may have additional thoughts or recommendations on how open space is used.

He welcomed Ms. Heiser of the Conservation Commission. He asked what type of uses the Conservation Commission would be comfortable with on conservation land. He wondered if the Commission: (1) would prefer leaving the land in its natural state; (2) would consider using conservation land for recreational uses; and (3) would consider any type of development on conservation land.

Ms. Heiser thanked the Board for including the Commission in the conversation. Conservation is a tricky subject because most people do not know how to define it. She said that some times people see an open field used for soccer and think that it qualifies as open space. Although it appears

to be open space, it is not conservation open space. Usually it has been fertilized, habitats have been disrupted, and kids have been using it so it does not qualify for open space. She said that when the Commission was working on an open space plan with the NH Regional Planning Commission in 2010, they had a definition of open space that they used. One of the definitions given was:

Any and all farm land, forest land or unproductive lands, as defined by this section. It shall not include any property held by city, town or district in another city for purpose of water supply or flood control for which a payment is made in place of taxes in accordance.

Designated open space is reserved land that is permanently protected from development and remains in a natural condition or is managed according to an approved management plan for natural resource functions -- forestry, agriculture, habitat protection, passive recreation, or limited uses as approved by the Planning Board under this ordinance as part of a conservation subdivision.

Ms. Heiser said that passive recreation is when land is used for walking or hunting. The land is kept undisturbed and in its natural condition.

She said that the Commission has been asked to use conservation land for ball fields. She explained that if the Conservation Commission purchases land for conservation, the land cannot be used for recreation per the State regulations. If the Commission purchases land with conservation funds, it is not 100% protected but the Conservation Commission presumes that it will be protected for conservation. She said that this was reviewed with Attorney Tom Maslin who works for SPNHF and Five Rivers.

Chairman Topliff said that there have been conversations regarding the Poirier property (aka the old Conference Center at the top of Center Road). He asked if the Conservation Commission had a purchase and sales agreement in place. Ms. Heiser said they no longer had an agreement in place.

Ms. Heiser explained that Jim Coughlin, who is Mr. Poirier's partner, contacted her 6 or 7 years ago. He had hoped to create a large subdivision on the property but found that it was not possible because of the costs

associated with opening Third Range Road. He then asked if the Conservation Commission would be interested in the property.

Ms. Heiser said that the Commission performed a site walk. She explained that their site walks consist of rating the property based on their Conservation Criteria Rating Sheet. The Criteria Sheet lists the 10 top things that the Commission is most interested in for conservation purposes -- for example, land on the river is their top criteria for protection along with wetlands, streams, and brooks. Also included are large unfragmented lands, if the land abuts another property or has frontage on a range road, or agricultural land which increases the rating. The highest rating that they have ever assessed was the Hillman Property because it had high agricultural and frontage along the river, and was in threat of being developed and the Commission felt that it was an important piece to protect.

She continued to explain that, with regard to the Poirier land, it has a challenging 99 acre configuration. There are houses, built in the 1960s or 1970s, which the seller still owns because they were built prior to zoning and cannot be subdivided and sold. The Commission has had a number of discussions with Mr. Coughlin and the price was approximately \$300,000 which the Commission could not afford.

Three or four years later, Mr. Coughlin approached the Commission and said he would like to discuss the Commission purchasing the land. At that time, the Commission performed another site walk. Ms. Heiser said that there is a lot of biodiversity on the land, and they liked that the land was in a different part of town so that people on Deerpath Lane or that part of Concord could have a conservation piece to use for trails or walk dogs.

Ms. Heiser contacted David Jodoin, Town Administrator because she knew that the Town was looking for recreation land, particularly ball fields. She thought that if the Town went into the agreement for the property with the intention of using it for recreation, then perhaps they could subdivide it and create a recreation area and the Conservation Commission could purchase the remainder of the land. Because of the placement of the existing duplex on the site, the fact that the Recreation Commission did not have the money to purchase a portion of the land, and the Center Road access could be problematic, the Conservation Commission felt that there were too many obstacles to make the project happen.

Chairman Topliff said that he did not understand that conservation funds could not be used to purchase land for recreational purposes.

Ms. Heiser said that people often mix conservation and recreation.

She then said that she spoke with Mr. Coughlin and told him that the purchase price was too high for the Commission. She also pointed out that the commission did not want to pay for an appraisal from conservation funds. The Commission could not pay more than what the property is appraised for. Mr. Coughlin then agreed to have it appraised. The appraisal came in at \$180,000 for 92.3 acres after he subdivided off the houses. She said that there were conditions pertaining to the road's maintenance which the Town did not agree with and the Conservation Commission could not afford to pay for the road.

Having access to conservation land is not necessarily a Commission requirement. Ms. Heiser said that the land has walking access for anyone living nearby. There could be parking along Third Range Road. She said that there is no need for a large parking lot since it is rare to have even three cars parked at one time on conservation land.

Mr. Coughlin is in the process of subdividing the property to exclude all of the houses so that there would be no land frontage on Center Road. The Town, then, would not be implicated in having to upgrade the road.

She said that the duplex has frontage on Center Road (a private road).

Vice Chairman Seaworth said that at one point the Roads Committee looked at the property because the Town was asked to take over the entire road. The road was not built to Town specifications.

For a limited amount of traffic, Ms. Heiser said the road would not be a problem but it is clear that the road could easily become a problem for the Town if many cars used it.

Ms. Heiser also said that there is a cell tower on the property which would need access.

The Conservation Commission feels that the land has good resource value but unless the owner can figure all these issues out and he wants to sell the back land and the Commission does not have to involve the Town in making promises of repairing the road, then they would consider the purchase.

Alternate Member Bourque asked if the Board could get a list of the acceptable uses for conservation land.

Ms. Heiser said that the Conservation Commission has a Public Land Use Policy for Town-Managed Conservation Land which lists what is allowed on conservation land. It was adopted at a 2007 public hearing.

She read aloud the generally allowed uses: hiking and walking, horseback riding, dog sledding, non-motorized bicycles, cross country skiing and snow shoeing, hunting, fishing and trapping in accordance with State laws, nature study, observation, data gathering, or other educational activities, use of motorized vehicles (wheelchairs and scooters) by persons with disabilities.

The possibly allowed uses are: laying out and/or construction and/or maintenance of any trail, erection of any structure including a bridge or information kiosk, snowmobile use only on designated signed trails that are posted for snowmobile use, fires if appropriate permits have been obtained by the fire department, camping. (Ms. Heiser said that when Police Chief Wayne Cheney was in office, he would camp out with the Boy Scouts.)

The prohibited uses are: littering, paint ball, defacing, destroying, travelling by any motorized vehicles, removal, filling, or disturbance of soil surface, possession and consumption of controlled substances or alcoholic beverages.

Vice Chairman Seaworth said that he has seen ATVs on conservation land. Ms. Heiser said that ATVs do not belong there.

He then said that the Board discussed the possibility that open space land might be more restrictive in use than conservation land. Since ATVs do not belong on either one, they would not want anyone to turn either land into a snowmobile track. It is possible that the Board could use the Conservation Commission outline, but note that there are certain things that a developer would not get open space credit for.

Chairman Topliff said that open space is a Planning Board term and, therefore, has the opportunity to identify the potential uses.

Alternate Member Bourque pointed out that open space can be owned by the property owner vs. conservation land is owned by the Town. The Conservation Commission has the right to impose restrictions on the conservation land. The Planning Board would take a portion of those

restrictions and decide what would be allowed on open space. The Board could restrict what is allowed on privately-owned open space such as Pembroke Pines.

Chairman Topliff said that the Pembroke Pines open space will be deeded to the Town. Vice Chairman Seaworth said that Pembroke Pines separated the land that would be deeded to the Town and only designated the amount of open space needed to qualify as an Open Space Development.

Ms. Heiser said that she understood from the site walk that Pembroke Pines' intention was to use its open space land as a golf-oriented use or possibly to expand the clubhouse. It was not to be protected on a conservation standpoint.

Vice Chairman Seaworth said that because the Board did not feel that the use would be what the Town would allow for open space, Pembroke Pines cut off the use for a driving range and deeded it to the golf course. The open space land that he designated in the final approved plan will remain in its natural state.

Ms. Heiser said that she was happy to hear that because it is not open space if it is a putting green. Chairman Topliff said that that was also the Boards' feeling.

When asked about the river frontage, Ms. Heiser said that the riverfront is part of the conservation land.

Member Cruson asked if conservation land could be used for swimming. Ms. Heiser said yes because it does not change the land function. She said that White Sands was the only place in Town that could be used as a swimming area and there have been numerous problems because people were able to drive into the beach area and park. The Conservation Commission found that someone had dumped a truckload of shingles, old appliances and hundreds of tires which the Commission had to clean up. She also said that the old stone-arched bridge was being crushed by the traffic so the Commission had a meeting in 2011-2012 with anyone who wanted to weigh-in on the subject. Public Service owned the right-of-way which was the access that people were traveling on to get to White Sands Beach. In the end, Public Service agreed to gate it, which noticeably improved the area.

Ms. Heiser pointed out that White Sands was not purchased with conservation funds. There was a small discussion on reversing the

designation from conservation land to a recreation use. Ms. Heiser said that the only way that White Sands would work as a recreation use is if there were porta potties and trash pickup. She said that the Police were very much in favor of closing the road because they were constantly taking people out of White Sands.

Ms. Heiser said that the Commission's newest member works for SPNHF. That member said that ATVs are not legally allowed on range roads because they are public highways and ATVs are off-road vehicles. Unless the Board of Selectmen have specifically stated that ATVs are allowed to use range roads, they technically are not, according to NH Fish and Game.

In speaking with Mike Tardiff at the Master Plan Transportation Subcommittee meeting, Ms. Heiser said that she asked Mr. Tardiff what measures could be taken to protect the range roads while not restricting landowners from accessing their property. He said that it was a statewide problem and said he would look into it.

Ms. Heiser said that game cameras could be installed in some of the problematic range road locations. She also said that Mr. Tardiff asked her to mark the high-abuse areas on a map in order to create a strategy to remedy the situations.

Alternate Member Bourque said that the game cameras would also help catch the people who are dumping trash along the range roads.

Chairman Topliff thanked Ms. Heiser for coming to discuss conservation land. Ms. Heiser said that she was very happy to work with the Board.

The Board then discussed recreational uses not allowed on conservation land but that may be considered when rewriting the open space ordinance. Alternate Member Bourque suggested skateboard parks, playgrounds, ball fields, or soccer fields.

Member Cruson wondered how the Town would feel about taking on the liability if the Planning Board is encouraging certain recreational areas.

Mr. Jodoin said that the Police would want some input. Skate parks generate traffic which could be a liability. He said that, at the present time, there is a lack of playing fields for baseball, soccer, and lacrosse. Lacrosse tends to damage fields because of the equipment that is used such as cleats.

Alternate Member Bourque asked if it would create problems if the Board asked a developer to create a recreational field which would then bring a lot of people for scheduled games.

Chairman Topliff agreed that it could be an unfair burden on the property owner. He thought that there would have to be an established policy for maintaining and managing the land. The responsibility would have to lie within the Recreation Commission.

Vice Chairman Seaworth said that Pembroke Pines indicated that they would place the open space into current use. Current use land can be open to the public or posted. There is no indication what Pembroke Pines will do with their land with regard to access.

He then asked if the Board would be more lenient with uses if the developer noted on the plan that the open space was a publicly accessible site.

Member Cruson said that her understanding of the way that the Recreation Commission presently functions is through one person who then directs what will occur. It is also very under-funded in terms of providing recreational activities for kids. If ball fields were offered, she questioned whether the Recreation Commission could handle the additional responsibilities with the current funding.

Chairman Topliff said that the entire concept would probably have to go to Town Meeting.

Alternate Member Bourque said that he agreed with Vice Chairman Seaworth -- to give developers the option to make recreation area for the Town from their open space.

Chairman Topliff suggested inviting Rose of the Recreation Commission to introduce the concept since it will inevitably be the responsibility of the Recreation Commission. If she is in favor, the Planning Board could make a presentation to the Board of Selectmen. The Board agreed.

2. Electronic Packets

Member Bourque said that the ZBA preferred working with paper copies. The reasons given were computer access and printing all the material from home.

Mr. Jodoin said that the Board of Selectmen have not discussed the electronic packets too much. He presently sends out 3 electronic packets and prints 2 packets. He said that it is a matter of making things user-friendly.

At this point, Mr. Jodoin said that the Board of Selectmen is looking into the TV systems and screens for the meeting room. He has asked Dana Pendergast to look into it because the Town received an annual grant from Comcast.

Mr. Jodoin said that Town Hall has storage problems so they are also looking into adding more to the online tax maps such as copies of the building, plumbing, and mechanical permits, Zoning Board permits, and assessment information associated with individual properties.

If any grant funds remain, they will look into acquiring tablets for the Board of Selectmen. Although the Selectmen packets are thick, the Planning Board packets are the largest and most expensive in relation to postage, volume of papers, etc.

Member Cruson said that the maps, on paper, are important because of the nature of what is on them and the size.

Mr. Jodoin said that the map can be loaded on the file but the maps could still be photocopied. The information would be on a cloud-based system.

Chairman Topliff asked the Planning Board what their thoughts were with regard to electronic packets. He stated that he was open to the packets with the following prerequisites: that whatever equipment is necessary is provided by the Town; that the Board of Selectmen adopt the format, work with it for a while, and find it helpful and useful.

Vice Chairman Seaworth, Members Cruson, Edmonds, Alternate Members Bourque, Dyjak and Goldthwaite said that they were open to electronic packets as long as a paper map is also available.

Member Young preferred paper copies.

3. Change of Use Procedure and Site Plan Threshold

Ms. Cronin said that she wanted to discuss what the Board likes to see for a Major or Minor Site Plan and a Change of Use. She and Mr. Pendergast

have discussed what should go to Site Plan vs. Change of Use. In the Site Plan regulations there are definitions for Major and Minor Site Plans. In Zoning, there is discussion of TRC and their jurisdiction over minor site plans. The Zoning and Site Plan regulations conflict.

She asked if the Board had ever seen minor site plans and, if so, in what instances. Chairman Topliff said that minor site plans are very common. Currently the Planning Board has no official policy in place that allows someone to get approval for a Change of Use unless it comes before the Planning Board which requires a Planning Board application. Determination of whether it is a Major or Minor Site Plan is solely determined by their related definitions. With regard to the downtown area, there typically is no change to a Main Street building other than the use (from a restaurant to a second-hand shop) and in those cases, the Planner took care of it. It did not come before the Board. He recalled that the last downtown business that came to the Board was Oddball Brewery because the building was previously an apartment building and the new owners wanted to put in a micro brewery and wanted to offer the public the opportunity to do tastings.

Chairman Topliff said that, as it stands, it is either a Minor or Major Site Plan or a Change of Use. The TRC is only advisory. They have no decision-making authority and do not consider applications in any way, shape or form. It was hoped that TRC's function would change slightly in order to satisfy the downtown and to have someone other than the Planning Department look at it – in particular, Police and Fire Departments. After discussions with Town Counsel and Central NH Regional Planning Commission, the Board learned that the State RSA does not allow TRC to have that authority.

Ms. Cronin said that the Zoning Ordinance section says that it authorizes TRC to approve minor site plans. It also says that TRC must comply with RSA 676:4 which is the Planning Board Procedure Regulations.

Vice Chairman Seaworth explained that the conflict was because it was a two-step process. In order to delegate anything, the Planning Board needed to be granted authority by the Town. The Board went to Town Meeting with a Zoning amendment to get the authority to delegate if they felt it was appropriate. The amendment was granted. The written procedure was not completed and never came to fruition. Chairman Topliff agreed. Ms. Cronin said that she would discuss this explanation with Mr. Pendergast to clear up the confusion.

Chairman Topliff said that the Board has been trying to come up with a less onerous process than a Minor Site Plan, but have not been successful.

Ms. Cronin said that she found a Village Approval form. Chairman Topliff said that those are usually ruled upon by the Planning Department and do not come before the Board. Ms. Cronin said that if she received any Village Approval forms, she would bring it to the Board to see if the use is in agreement with past practices.

New Business

4. Special Use Permit

Ms. Cronin said that she wanted to review how the Special Use Permits and Waiver Requests are handled. She also wanted to discuss how they could be improved.

She said that the way the Zoning reads regarding the Special Use Permits such as for the Aquifer Conservation and the Wetlands, it centers on the use. The way that it has been interpreted in the past is that the use does not have to be in that district, just on a property where that district is. For example, the Silver Hills Development scale house required a Wetlands Special Use Permit. The same issue has come forward on a new application scheduled for the July meeting. Ms. Cronin asked if the Board wanted to require a Special Use Permit if the use was on any part of the parcel or if it was only when the use is in the district itself regardless of the rest of the property.

Vice Chairman Seaworth said that he agreed with the principal that it seems ridiculous to discuss an aquifer protection when they are not near the aquifer or impacting it. The special case, which they have had in the past, is where it was a Development of Regional Impact and Concord was involved. In their assessment, it impacted their wellhead district. In the applicant's assessment, the land's slope was the other way so it did not impact the wellhead district. His concern is where there can be a legitimate difference of opinion. Some scientists will say that the water flow would impact the aquifer and some would not agree. In that case, the Board has preferred to have the applicant come before the Board so that the Board could decide rather than finding out later that the Board ignored a use that really does impact a wetland, wellhead, or aquifer. Vice Chairman Seaworth said that that was his caution on the subject.

Alternate Member Bourque said that there are other cases where there is an application for a building that is a change in use and nothing is happening

outside the building, but because it is in an overlay district, a Special Use Permit is required. The individual would then have to spend an extra two or three hundred dollars for a Special Use Permit that they really do not need for doing interior work inside the building.

Member Cruson said that the vast majority of the Special Use Permits are related to the aquifer. Even if the activity was inside the building, depending on the use, it still could affect the aquifer. Alternate Member Bourque did not agree.

Alternate Member Goldthwaite said that if the overlay district is on part of a property and the project is somewhere else, and the Board decides that, because of the reason that it could possibly affect the overlay district, would it also affect the abutting properties. Where does the Board draw the line?

Member Cruson said that the aquifer district is very large and goes beyond what has direct impact that we know of on the aquifer.

Alternate Member Bourque said that he does not believe that changing the interior of a building and not doing anything outside the building is going to affect the aquifer, wetlands, an architectural district or other overlay district.

Vice Chairman Seaworth said that typically the Board would require the applicant to apply for the permit and then the Board would grant it. Ms. Cronin said that she now understands that the Board leans on the side of caution.

Alternate Member Bourque argued that there are fees involved in order to be granted a permit for something that they do not need. He said that it made no sense to require the Special Use Permit for Wetlands from Silver Hills for the scale house that was so far removed from the district just because a portion of the property was in that district.

Member Cruson asked about the concept of vehicle overhauls inside a building and substances that could be leached.

Chairman Topliff said that the Board considers each one on a case-by-case basis.

Alternate Member Bourque said that a case such as Pace Academy, does not need a Special Use Permit but they had to apply for one.

Member Cruson asked if there was a way to channel those types of businesses that could have more of a substantial impact on the environment into Special Use Permits.

Alternate Member Bourque said that the phrase in the description that triggers everything is "any use". He said that if "any use" is connected to the overlay district, a special use permit has to be applied for as opposed to any activity or work in the overlay district.

Chairman Topliff read aloud a section of the Aquifer Conservation District §143-68:

The purpose of these regulations is, in the interest of public health, safety, and general welfare, to protect, preserve, and maintain existing and potential groundwater supply and groundwater recharge areas within known aquifers from adverse development, land use practices, or depletion.

The prohibited uses of the Aquifer Conservation District:

- (1) Disposal of solid waste;
- (2) Subsurface storage of petroleum and refined petroleum products and chemicals;
- (3) Disposal of liquid or leachable wastes
- (4) Industrial uses which discharge contact type process waters on site.
- (5) Outdoor unenclosed or uncovered storage of road salt and salt/sand mixtures;
- (6) Dumping of snow containing de-icing chemicals if it is brought from offsite;
- (7) Commercial animal feedlots;
- (8) Excavation of sand or gravel except where the land owner can demonstrate through hydrogeological studies or otherwise that there will be no adverse effects on the aquifer;
- (9) Disposal, processing, storage, or recycling of hazardous waste, as defined in NH RSA 147-A:2, VII;
- (10) Automotive service or repair shops;
- (11) Junk and salvage yards;
- (12) Storage of hazardous waste for resale or distribution;
- (13) Commercial and Industrial vehicle maintenance.

He then referred to the ordinance, in general, that refers to the Special Use Permits, not limited to aquifer:

§ 143-140. The purpose and intent of a special use permit is to allow certain uses that are not normally permitted under conventional zoning provisions . . .

Specifically authorized special uses appear in Sections 143-44 Agricultural Retail Outlets, 143-53 Driveways, 143-68 Aquifer Conservation (AC) District, 143-72 Wetland Protection (WP) District, Article X Open Space Subdivision, and by any other Section when specified in the Zoning Ordinance. A special use (permit) shall be approved if the application is found to be in compliance with the Standards of Review in Section 143-144. Further conditions may be placed on the special use permit . . .

B. No structure, building or land requiring a special use permit shall be used, constructed, altered or expanded unless a special use permit specifically required by this article has been granted by the Planning Board.

C. Any use that was lawfully established prior to the adoption, extension or application of this article and is now permitted by this article subject to a special use permit may continue in the same manner and to the same extent as conducted prior to said adoption or extension of this article. A special use permit shall be secured from the Planning Board before the use or structure or building in which said use is conducted may be altered, added to, enlarged, expanded or moved from one location to another on the lot on which said use is located.

Chairman Topliff said that the Aquifer Conservation District language obligates the Planning Board to determine that the proposed use is not, in any way, going to compromise the aquifer. He asked how the Board would know that unless the applicant comes before the Board and tells them what they intend to do with the land. The section does not say "on a certain portion of the land" and does not say "on a portion of the land 200 feet away from the designated aquifer conservation". It is broad and anywhere on the land.

As the regulations stand now, Chairman Topliff said that if the applicant had a use somewhere on a 1,000 acre parcel, he would be required to have a Special Use Permit.

He said that, as the ordinance is written today, he does not think that the zoning ordinance allows the Planning Board any leeway in terms of whether they require a Special Use Permit or not as long as any portion of the land encompasses a special use protected area.

Alternate Member Bourque asked if the Board would be interested in rewriting it so that some kind of leniency could be allowed.

Chairman Topliff said potentially but the Board would have to figure out some way to have an opportunity to review the use in the absence of the Special Use Permit or an application. The Board would still have to be obligated to find some way to determine whether or not we felt that the use could potentially compromise, in this case, the aquifer.

Vice Chairman Seaworth said that he wondered if it would be possible to waive the fee under certain circumstances. For example, if the Planning Department found that there is nothing to prove, the applicant could fill out the paperwork and the fees could be waived if there is no Town effort involved, particularly because they are usually accompanying a major site plan application which have many fees associated with the process.

Alternate Member Bourque said that it would be less complicated than rewriting the ordinance. If the applicant still applied for the Special Use Permit and it was granted, it would become part of the overall package and, whether the fee is waived or not, it would be a good deal. If it is waived, the Board would still have the Special Use Permit. If the fee had to be paid, the Board would still have the Special Use Permit. He continued to say that, either way the Special Use Permit would still become part of the application.

The Board agreed.

Chairman Topliff said that he did not think that filling out the Special Use Permit application was onerous on the applicant. The Board would have to figure out where the fees are specified and how they would be handled.

Member Cruson said that if it was too difficult to eliminate the fee, perhaps reducing it would be appropriate which would cover a little office work.

Chairman Topliff said that he felt an obligation to specifically protect the Aquifer Conservation District, and appreciated the opportunity to review each application, particularly in that District.

Ms. Cronin said that the discussion was helpful.

With regard to the Wetlands Special Use Permit, Ms. Cronin said that she reviewed an application which involves a subdivision consisting of single-family houses. The land is presently undeveloped. The applicant does not

plan on impacting the wetlands or the required 20 ft. buffer from the zoning. They are not asking to fill wetlands. They would maintain it on the property and the house would be located somewhere else on the same lot.

Ms. Cronin said that her opinion was that the applicant should file for a Wetlands Special Use Permit. In her opinion, it cannot be said that there is no impact because they are regrading and loaming which is impacting the entire property.

Her question was: Is it the District or the property? The applicant's argument is that, technically, they are not impacting the district because they are not impacting the wetlands. She asked if the Board, in that instance, would like the applicant to file for a Wetlands Special Use Permit if wetlands are proposed on a new residential lot.

Chairman Topliff said that he is a big proponent of being consistent and the Board has always required them in the past.

Vice Chairman Seaworth said that the typical Wetlands Special Use Permit is not the Board granting them dredge and fill permission, the Board is looking to make sure that the applicant is not encroaching into the 20 foot buffer with their trucks and that, when they are done, they delineate the wetlands so when sold, the new owner knows the area that they are not suppose to touch. He said that what the Board typically has done with the Wetlands Special Use Permit, is exactly for what the situation that the applicant is presenting to the Board.

Alternate Member Bourque said that, in the past, the applicant would have to place medallions, at their expense, at the 20-foot mark of the wetlands. He said that there have been properties that the Board approved and the wetland medallions were driven over.

Ms. Cronin thanked the Board for their guidance.

Waivers and N/A Items

Ms. Cronin asked to speak about waiver request paperwork and procedures and if there was a way to streamline the process.

Presently there are two different applications. For example, if filing for a subdivision, there is a subdivision checklist which consists of all the items required in the subdivision regulations. The applicant must check everything

that they are showing on the plan to demonstrate that they have met the regulations. It is 5-6 pages long.

There is also a Checklist Waiver Request form which is the exact same checklist. All the items that the applicant did not check on the original list, they would check on this list and ask for waivers. She felt that it was redundant.

She suggested combining the two checklists into one and have the applicant check what they are showing (or write "W" or "waiver") with the paperwork and show justification.

The other item that people struggle with is the "N/A" items. Ms. Cronin said that the checklists are designed to encompass every possible project so that there are not a hundred different application forms. Many times there are items that will have nothing to do with the plan such as open space. In other towns, Ms. Cronin said that they would write "N/A" on the checklist because it is agreed that it does not meet the type of regulations that they are going by.

In Pembroke, Ms. Cronin said that the Town asks for waivers for the "N/A" items which involve additional paperwork. Since other communities do not require the additional paperwork, she spends time calling the applicant for it. She would like to eliminate asking for additional paperwork and get in step with other communities.

She respectfully requested that the two checklists be combined into one and a system be devised with a "check" to show that it is on the plan or a "W" if they are requesting a waiver along with the justification paperwork. If it is a non-applicable item, allow the applicant to write "N/A" and trust that it does not go with what the applicant is filing. She said that it would cut down on the back-and-forth with applicants in order to get all the appropriate paperwork and application forms.

She said that she was hoping that it would cut down on the packet paperwork and make it easier for the applicants.

Alternate Member Bourque said that, in the past, the Board had applications come in with their engineers who would just say that they wanted everything waived. The Board would grant it. Finally someone asked for justification for the waivers and the applicant said that they just did not want to fill out the paperwork. That was the beginning of asking the applicants to justify their waiver requests. He said that he does not mind streamlining the list but he

felt that the applicant should answer all the questions. The Planner or the Board should be the one to determine what is not applicable to the application and not the applicant by merely writing "N/A".

Ms. Cronin said that waiver justification is required in the RSAs and defined as hardship or that it still meets the intent and spirit of the regulations. In the Pembroke Sand and Gravel checklist requirements, it was required to show the entire topography and contours of the entire site. That was a hardship because the project area is very small in comparison to the entire lot size. Their compromise was to ask for a waiver from all topography but would show topography in the project area. That would be the type of thing that would be considered justifiable.

With regard to the "N/A" items, Ms. Cronin said that it is not the applicant that decides what is not applicable. It has to do with the regulations. For example, in the Pembroke Sand and Gravel Major Site Plan application, they were not building anything residential but still had to ask for a waiver from multi-family housing because it is on the checklist. It is on the checklist because it shows up on the Site Plan Regulations. That is an example of when "N/A" would be appropriate. "N/A" would not be an acceptable way to handle the contour lines.

Ms. Cronin said that she would review the application and make the N/A determination along with checking on the waivers and their justifications. Her duties would not change.

Alternate Member Bourque said that the list of waivers has increased over the years. The Board has never removed any; only added to the list in order to try to create an all-encompassing list for major and minor site plans.

Ms. Cronin said that the application checklist has to cover everything that could possibly come before the Board.

Member Edmonds said that periodically there would be confusion on the checklists because "N/A" or a checkmark would be written on items. It was not always clear what the applicant was trying to achieve. He said he would not mind streamlining the process in order to make it more comfortable for Ms. Cronin, as long as she could explain to the Board what the applicant was trying to convey.

Vice Chairman Seaworth said that he agreed with combining the two checklists. If done right, the "N/A" would help the Board but he said it would

be very important to make sure that "N/A" would not be placed on anything that was a "gray area". There have been times when the applicant and the Planner have found something to be inapplicable but the Board questioned why.

He continued to say that presently, the Board approves the waivers before going into public session so the Board cannot ask the applicant to justify a waiver at the meeting. If the applicant had not completed all the paperwork, requested a waiver and then justified it, the Board could not vote. It would be a larger disservice to the applicant if the Planner told the applicant that something was not applicable and the Board did not agree and turned away the application rather than to ask them to fill out an extra part of a form.

Chairman Topliff said that having "N/A" without any explanation could become a problem, especially in the gray areas. It would fall to the Planner to determine whether or not it would be appropriate to not provide an explanation. There is the risk that it could cost the applicant another month in the process because the Board did not have an "N/A" explanation.

Ms. Cronin said that those things would be sorted out at a TRC meeting. The subdivision application that she is presently working on is requiring a number of conversations back and forth with the applicant in order to prepare the application for the TRC. She asked that the Board keep her suggestions in mind as new applications come up so that additional conversations on streamlining can be had.

Chairman Topliff said that one option could be to not require a written explanation on N/A items on a trial basis – for a few months, as long as the Planner and TRC find that there are no gray areas. The applicant would have to be aware that the Board may see things differently.

Vice Chairman Seaworth said that if Pembroke can achieve its purposes while being consistent with the rest of the State that would be the ultimate goal. When the Planner tried to trim down the checklist, it was found that every one of the items had a purpose under some circumstance and, at that time, it seemed that what was being done was the best way to do it.

Ms. Cronin said that she agreed that the checklist items correspond with a regulation in any given application at any given time/circumstance.

Minutes: May 22, 2018

MOTION: VICE CHAIRMAN SEAWORTH MOVED TO APPROVE THE MAY 22, 2018 MEETING MINUTES AS AMENDED. SECONDED BY MEMBER CRUSON. UNANIMOUSLY APPROVED.

Chairman Topliff turned the meeting over to Vice Chairman Seaworth.

Miscellaneous

Correspondence

Ms. Cronin received a dredge and fill application from NHDOT for culverts on I-393 which will affect an unnamed stream in Pembroke near Rymes Oil.

She also received a Ground Water Monitoring Report for Continental Paving dated April 2017. Chemical levels were normal.

Committee Reports

Roads Committee: Vice Chairman Seaworth was in attendance with Alternate Member Goldthwaite. They discussed the Pembroke Loop Road because there were issues with frost heaves. The Town is waiting for the "as-builts".

They also discussed the Union Street project which was done with encumbered money. The price went over projections. Discussions were heated because there was at least one board member who recalled that when the project was approved, paving bids were put out for both Union Street and the parking lot in front of 4 Union Street. There were also drainage issues. The Roads Committee did not want to pay for the parking lot work but it made sense to put it as one bid since more work would be less expensive. It was pointed out that the Board of Selectmen make the decisions.

They also talked about the East View and East Meadow projects. NHDES required larger pipes and drains for the culverts and drainage system than what the Town had existing and what was on the plans. Part of NHDES' justification was the MS-4, which is when in a densely populated area, the municipality is required to get a discharge permit for stormwater. Pembroke now has a portion of it in the covered area. East View and East Meadow are not in the area but NHDES said that for the future, Pembroke should size everything for the eventual permit process. The Town had to put in the larger pipes and drains and encountered a lot more ledge than anticipated. The

result was that the project went over budget which may impact the Beacon Hill project.

The Roads Committee reviewed a plan for Mr. Berube's 7th Range Road project. He is extending the road and will be taking it to the Board of Selectmen for acceptance by the Town.

Mr. Jodoin said that Mr. Berube received approval from the Board of Selectmen to continue the road and will later have to return to the Board in order to get them to accept the additional road as a Town road.

The Road Committee briefly discussed the inability to require Mr. Berube to bring the range road up to town specifications all the way to the end of his property line. Legal counsel said that the requirement is not enforceable for a single lot. The regulations would be appropriate if there were multiple houses being built in a subdivision.

Vice Chairman Seaworth said that the Roads Committee reviewed the paving bids and did not make a recommendation on them because they wanted to wait until the fall to see if there was any remaining money to encumber for next year.

Center Road also came before the Roads Committee. The developer asked the Town to take over the road. The Roads Committee was very much against that because even though the road had recently been paved, it was not done to Town standards. The Committee suggested that if the Conservation Commission needed access to the land, that they access it from Third Range Road.

TRC: Member Young said that TRC met with the architect on the National Guard building on Route 106 for a non-binding consideration. It will come before the Planning Board. There will be no firearms training on site.

Member Edmonds said that the facility that the National Guard is applying for will have the public use component. The present building is a very secure facility and is only for use by Home Land Security, State Police and the military.

Master Plan: Alternate Member Dyjak said that the subcommittees are working on their different chapters.

Other Business

Board Member Items: Alternate Member Bourque said that he would like the Board to work on the definition of §143-8 Commercial Greenhouse and Agricultural Retail Outlet. He asked that it be placed on the work session agenda. The Zoning Board was very confused about the way that they are written. There are no distinguishing items that realistically separate the two.

MOTION: Alternate Member Bourque moved to adjourn the meeting. Seconded by Member Young. Unanimously approved.

The meeting was adjourned at 9:17 p.m.

Respectfully submitted,
Jocelyn Carlucci, Recording Secretary

Pembroke Planning Board
Meeting Minutes
June 26, 2018
(DRAFT)

MEMBERS PRESENT: Alan Topliff, Chairman; Brian Seaworth, Vice Chairman; Kathy Cruson; Brent Edmonds; Larry Young, Sr.; Richard Bean; Selectman's Rep. Ann Bond

ALTERNATES PRESENT: Robert Bourque; Timothy Goldthwaite

EXCUSED: Kellie Dyjak

STAFF PRESENT: Carolyn Cronin, Town Planner; Jocelyn Carlucci, Recording Secretary; David Jodoin, Town Administrator

Chairman Topliff called the meeting to order at 7:00 pm. He reminded everyone that the meeting was being recorded on video.

He welcomed the Army National Guard representatives.

New Business

- 1. Governmental Land Use Proposal by NH Army National Guard on Tax Map 632, Lot 18, located at 96 Sheep David Road in the Commercial/Light Industrial (C1) Zone and the Aquifer Conservation (AC) District, the Wetlands Protection (WP) District, the Shoreland Protection (SP) District, and the Floodplain Development (FP) District**

The NH Army National Guard proposes plans for a 28,500 square foot Readiness Facility and 9,080 square foot General Purpose Training Annex building with associated water supply, sewer service, and parking area.

Present: Bryan Ruoff, Design Engineer; Chief Warrant Officer Lawrence Rea, in charge of construction oversight; Lieutenant Colonel (LTC) Justin Strevig, in charge of design oversight.

Chairman Topliff said that the meeting was strictly an advisory exchange with the NH Army National Guard. They are not required to comply with the Town zoning ordinances. They are only required to make a presentation and take input from the Board. They are also not under any obligation to follow any recommendations that the Board may have.

Mr. Ruoff introduced himself and said that he is the Design Engineer from the civil utility standpoint of the project. He also introduced LTC Strevig and Chief Warrant Officer Rea.

He said that when they met with the Board 18 months ago, the project was to extend into the site. They proposed a readiness facility, a military vehicle parking area in the rear and a lighter duty parking area in the front. Since that time, the State funds became available and the project was expanded to include an annex building for training purposes which was added to the plan.

Mr. Ruoff said that at the cul-de-sac which was built with the previously constructed facility, they will be picking up an 8" water line and bringing it into the new site for use at both buildings. They will have separate water meters and connections for sprinkler and domestic lines at both buildings.

He said that he met with the Water Commission and incorporated the Town's standards into the drawings and specifications.

There is gravity sewer proposed at the building. There will be oil/grease separators for the kitchen areas which extend from the building to a gravity pump station which will travel by force main to the sewer manhole that was installed as part of the previous project. It is approximately 2,000 ft. of force main to that connection. In between there is a cleanout. They have met with the Sewer Commission twice and incorporated all their comments and Town standards into the drawings.

With regard to site drainage, Mr. Ruoff said that because the property is in the Aquifer Conservation District, they have pretreatment for the site as well as oil/grease separator hoods on all the catch basins within the site. They will be catching all the limits of the parking areas with the stormwater drainage, treating it, recharging it into the system, and then discharging it out of the site. With the site consisting of all sand, Mr. Ruoff said that the water that comes from the site will be recharged into the ground after it is treated.

They are working with Eversource and Liberty Utility and are working with the existing 12" gas line on site.

Rip rap is designed for 25-year storm events. All permits for water and sewer were previously acquired for all the buildings at the time of the original design.

The project is pending AOT approval which is presently under review. The goal is to put out the bid in October/November of 2018 and to begin construction in March 2019.

Alternate Member Bourque asked how many vehicles are expected on site.

LTC Strevig said that it is designed for 30 private vehicles and approximately 50 military vehicles.

Alternate Member Bourque asked what was being done to collect and withhold things like oil spills, gasoline, diesel, antifreeze, etc.

Mr. Ruoff said that there are oil/grease separators on all the catch basins that will be maintained regularly as part of the construction, including the parking lot.

LTC Strevig said that no significant vehicle maintenance is planned on site. Any vehicle maintenance will be done at other locations.

Mr. Ruoff said that the gravel driveway will allow 360° access to the buildings as recommended by the Fire Chief. The building will have a sprinkler system.

Chairman Topliff asked if there would be any hazardous material on site in excess of 5 gallons. He was concerned about the contamination threat to the aquifer.

LTC Strevig said that the vehicles will hold their own fuel as well as additional fuel that is held in containers on a variety of vehicles. He said that there is a fair amount of "haz-mat" in the buildings but will have "haz-mat" storage containers on the site. He said that there will not be bulk storage of fuel on site.

With regard to firearms, LTC Strevig said that there are no firearms on the site and no military firing of ammunition or blanks.

Member Edmonds said that he understood that the National Guard employed outside contractors for snow removal and maintenance. He asked what was used for deicing chemicals.

LTC Strevig said that they contract out snow removal for the site and that they will not be doing anything different from what is already being done. To be more specific, he would have to follow up with others.

Mr. Ruoff said that they calculated all the snow storage areas to make sure that no snow would be stored at the detention basins and stormwater areas.

Member Edmonds asked if there would be any porous pavements or porous concretes.

Mr. Ruoff said no.

Chairman Topliff said that it was mentioned in the documents that material may be removed from the site during construction and that it was up to the contractor to manage the process responsibly. He asked if the material was sand and gravel or if there were other sorts of materials that might require special treatment and, if so, who would manage that.

CWO Rea said that the site is a LEED Silver facility/design which means that the building is designed to be a certain percentage of efficiency and takes into account the surroundings. It is a tight envelope building and will use high condensing boilers. In order to get the points to reach LEED Silver, they must also have bike racks, parking for high-efficiency vehicles, and they also report and address recycled materials and any ground work done. He said that if they had exotics on site, it would affect their point system and qualification. They do not have exotics on site. The whole area is sand and gravel. If anything, they expect to have top soil taken off site.

Member Bean asked if they will be using local contractors for construction.

LTC Strevig said that the project is being contracted through the NH Department of Public Works and will go through their normal bidding process. It is not guaranteed that it will be local contractors.

Member Bean said that during the first meeting with the Board there was discussion about the Town using a part of the facility for public hearings, etc. He asked if the offer was still on the table.

LTC Strevig said that he believed that it was, but he was not the one responsible for renting the buildings out.

Member Bean asked if the Town could receive an agreement on that.

LTC Strevig said that he would give him his card and help coordinate the offer.

Ms. Cronin said that the National Guard met with TRC on June 6, 2018 for department head comment and they were satisfied.

CWO Rea said that he did not want to give the impression that they can do anything they want on the site. He said that the reality is that they do anything they can for the municipalities. Whatever the Fire Marshall wanted, they did. They also discussed this future project and how to address the gates. They complied with whatever he wanted.

CWO Rea said that they fall under the State Fire Marshall's Office. They do not rely on the municipal inspectors except for sewer and water connections, but for electrical, plumbing, fire safety, etc., they have to comply with the State Fire Marshall's Office and the State does the inspections.

Member Bean said that if the NH National Guard could open the doors to Pembroke and coordinate a Town Meeting at the facility, it would bring public awareness which is very important.

Chairman Topliff thanked them for their clarification and said that the Board appreciates everything that they do for the safety of the country and the area.

Selectmen's Rep. Bond asked how the local fire department would get into the facility.

CWO Rea said that access is through a gate and a Knox box to get the keys. The new facility will also have a gate and a Knox box for the key.

Mr. Ruoff asked how many copies of the final plan the Town would like.

Ms. Cronin said four full size and one half-size plan. She only needs one copy of the full construction and one of the site plan.

Mr. Ruoff said that the plan that Ms. Cronin already received was just a civil plan. The copy of the full specifications is approximately 3,000 pages. He will provide a digital copy.

Miscellaneous

1. Committee Reports

Tri-Town Ambulance: Alternate Member Bourque said that at the last meeting, they approved previous purchases and caught up on billing.

ZBA: Alternate Member Bourque said that there was a single applicant wanting to do automotive repair work in the R3 District. The applicant received a variance. The application will not be coming before the Board.

He said that the applicant originally had a minor home repair business in which he would rebuild carburetors and work on antique cars. The applicant wanted to do inspections and oil changes along with general repair work on vehicles which would be allowed under a major home business but under major home business' restrictions. The applicant asked for a variance which, in Alternate Member Bourque's opinion, left the case open-ended. He said that the applicant can do almost anything he wants once the variance is granted.

The ZBA restricted him to the number of trips per day and he could not expand the business outside the building that he is using.

Alternate Member Bourque said that his issue is that there would be no oversight once the variance was granted. It was his impression that Mr. Pendergast spoke with Ms. Cronin about correcting this issue in the future.

He said that the applicant did not want to spend the money for a minor site plan which is required for a major home business. He avoided that by going for a variance.

Alternate Member Bourque also said that there were three neighbors who supported him. No one was against the use.

Chairman Topliff asked Ms. Cronin to look at the case and work with Alternate Member Bourque to make improvements to the zoning ordinance.

Ms. Cronin said that her understanding was that the applicant went for a variance because the use was not permitted in the R3 zone and that he was already performing repairs and maintenance there.

Member Cruson asked how it would influence other people in R3 who would want to open a business.

Chairman Topliff said that they could do the same thing.

Ms. Cronin said that the ZBA takes each on a case-by-case basis. Because they are a quasi-judicial board, they are looking at each individual case. For example, one person may get approved for a variance for a use but someone else may be denied based on different circumstances.

Selectmen's Rep. Bond said that, in this case, it sounded like the applicant could work on any size vehicles.

Alternate Member Bourque said that he tried to add a condition that he could not work on commercial vehicles. He is allowed 15 round trips per day which includes deliveries (UPS, parts deliveries, etc.).

Mr. Jodoin said that he did not know who would document the 15 trips per day.

Alternate Member Bourque said that since the variance goes with the property, it bears looking into to try and solve the lack of oversight problem.

Chairman Topliff said that contaminants would be a concern because there are wetlands in the area.

Board of Selectmen: Selectmen's Rep. Bond said that the Board discussed the 4 Union Street parking issue at their last meeting. The residents do not think that the tenants have enough business to warrant restricting the parking to the Union Street tenants.

They also had a public meeting for the Energy Committee.

CNHRPC: Member Cruson said that they discussed the rail trails and how Pembroke is separate from Concord with the rail trail and needs a

connection. It was said that there is some funding for bridges but nothing substantial. She said that that did not mean that the rail trail could not exist in segments. The CNHRPC is pleased with how the rail trails are being used for biking and hiking throughout Southern NH.

2. Planner Items

Ms. Cronin said that the TRC will meet tomorrow with one application for a 16-lot subdivision. The Planning Board will have it on their July agenda.

The consensus of the Board was to cancel the next work session.

With regard to the Lodges at Pembroke Pines, Mr. Jodoin said that an appeal has been filed on the ZBA decision. They have also looked at appealing the Planning Board's decision. There will be a pre-construction meeting that will take place at the end of this week. Mr. Jodoin said that his understanding is that they want to go forward with the pre-construction meeting because nothing has been finalized yet as far as all the approvals. Once the approvals are finalized, there could be another appeal on the other side. He said that a good portion of the ZBA decisions are being appealed.

With regard to the Planning Board, Mr. Jodoin said that he thinks that the person is running succinct with one from the other in order to make sure that they are within their time frame.

Selectmen's Rep. Bond asked if someone already tried to appeal the decision and lost.

Mr. Jodoin said yes but they are now appealing to a higher level.

He also said that the ZBA will be meeting with Town Counsel to go over training for new items that are coming up. It will have nothing to do with the appeal.

Chairman Topliff said that he understood that Pembroke Meadows received sewer approval for the 110 lots but with all the delays, they will have to refile. He asked if the Sewer Commission has, at some point, the opportunity to revoke the approval and grant the capacity to others.

Mr. Jodoin said that he thinks that it comes down to the Sewer Commission's decision. In other communities that run into this issue where sewer has become a hot commodity, people have looked at pre-purchasing the commitment and holding onto it before their future subdivisions are done.

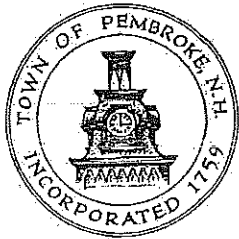
In Mr. Jodoin's opinion, based on the court case information, if there is a plant that produces X number of gallons, they should be able to tell what capacity is being produced now, how much belongs to Allenstown and how much belongs to Pembroke. In other words, how much is being produced, how much is being used by each Town and what is left. He said that the point is to know how much is left and how much belongs to each Town.

That way if one town had nothing left, then sewer capacity could be purchased from the other town.

MOTION: Vice Chairman Seaworth moved to adjourn the meeting. Seconded by Alternate Member Bourque. Unanimously approved.

The meeting was adjourned at 7:42 p.m.

Respectfully submitted,
Jocelyn Carlucci, Recording Secretary



TOWN OF PEMBROKE

Town Hall ~ 311 Pembroke Street, Pembroke, New Hampshire 03275 Tel: 603-485-4747

Pembroke Technical Review Committee Meeting Minutes Wednesday, June 27, 2018, 10:00 A.M. Pembroke Town Hall, Paulsen Room 311 Pembroke Street Pembroke, NH

Applications

- 1. Major Subdivision Plan Application #18-06, Eric Pearson, Equivise, LLC, acting as Applicant on behalf of Cole Family Trust, owner of Tax Map 565, Lot 55 located at 354-356 Pembroke Street in the Medium Density (R1) Residential Zone, the Aquifer Conservation (AC) District, the Wetlands Protection (WP) District, and the Architectural Design (AD) District.**
The Applicant proposes to subdivide Map 565, Lot 55 into sixteen (16) single family residential lots on a proposed roadway. The proposed development will be serviced by municipal water and sewer, and includes a closed drainage system and associated drainage easement area. This permit is associated with Special Use Permits for the AC and WP Districts (SUP-AC #18-307 and SUP-WP #18-308).
- 2. Special Use Permit Application SUP-AC #18-307, Eric Pearson, Equivise, LLC, acting as Applicant on behalf of Cole Family Trust, owner of Tax Map 565, Lot 55 located at 354-356 Pembroke Street in the Medium Density (R1) Residential Zone, the Aquifer Conservation (AC) District, the Wetlands Protection (WP) District, and the Architectural Design (AD) District.**
The Applicant requests a Special Use Permit from Article 143-68.E., Aquifer Conservation District, for single-family residential use over the aquifer. This permit is associated with Major Subdivision Plan Application #18-06.
- 3. Special Use Permit Application SUP-WP #18-308, Eric Pearson, Equivise, LLC, acting as Applicant on behalf of Cole Family Trust, owner of Tax Map 565, Lot 55 located at 354-356 Pembroke Street in the Medium Density (R1) Residential Zone, the Aquifer Conservation (AC) District, the Wetlands Protection (WP) District, and the Architectural Design (AD) District.**
The Applicant requests a Special Use Permit from Article 143-72.D., Wetlands Protection District, for single-family residential use on a parcel containing wetlands. This permit is associated with Major Subdivision Plan Application #18-06.

Attendees: Jim Boisvert, DPW Director; Chris Gamache, Tri-Town EMS; Paulette Malo, Sewer/Roads Committee; David Jodoin, Town Administrator; Carolyn Cronin, Town Planner; Chief Harold Paulsen; Fire Department; Chief Dwayne Gilman, Police Department; Larry Young, Sr., Planning Board Rep.; Mike Vignale, Town Engineer; Ammy Heiser, Conservation Commission Rep.

Applicants: Brent Cole, Keach Nordstrom Associates; Dan Pascu, Keach Nordstrom Associates; Eric Pearson, Equivise LLC;

The TRC members introduced themselves, the applicant gave a presentation, and the following comments were made.

The Applicant described the project as a 16-lot single-family residential subdivision with new loop roadway, municipal water and sewer service, and closed drainage. They are requesting waivers from superelevation of the roadway and sidewalks to provide only one sidewalk on one side of the road. The Applicant's office also designed Pembroke Meadows so they tried to incorporate comments they received from that project into this one. The Applicants will be attending the upcoming Conservation Commission, Sewer Commission, and Roads Committee meetings. Their state permits are pending.

DPW – No comment.

Tri-Town EMS – Make sure the house numbering is clear and standardized throughout the development so they can find homes easily.

Sewer/Roads – The Applicant needs to file paperwork for the Sewer Commission. Pembroke has a meeting with Allenstown on July 10th to discuss purchasing flow capacity. The Applicant will have to attend the upcoming Roads Committee meeting.

Administration – Street lighting has been a controversial topic in Town. Asked if street lights are proposed. The Applicant confirmed that street lights are proposed at intersections and the utilities are underground. Asked what types of houses are proposed. Applicant described 1,800-2,100 SF homes in the style of capes and Colonials.

Building – The Building Inspector was not present, but had no comments at this time.

Assessing via memo – Current use involved so there will be penalties; Long Meadow might be too similar to nearby Sherwood Meadows for E-911 purposes; Fire Chief should assist in house numbering; Map 565, Lot 55 should be maintained as a lot number instead of skipping 55 and starting at 55-1.

Planning – Asked what the intention of Lot 7 is and who will own it. The Applicant stated that the purpose of the lot is for a single-family home. It will also include the utility and access easement to the Town for the detention basin and includes the remaining 30-something acres of the parcel. Asked if the gravel access drive to the basin should continue around the perimeter of the basin for DPW access. DPW stated they wouldn't need it all the way around. Asked about the potential for a rail trail easement on Lot 7. The Applicant explained that there could be potential for a conservation easement on that lot, so it's something we can discuss with the Planning Board and Conservation Commission. Asked if they explored the potential for roadway connectivity to Peaslee or Bow Lane. The Applicant explained that there are steep slopes and wetlands in that area that would make it challenging to connect the roadways.

Fire – Roadway connectivity would also be beneficial to Fire, Ambulance, and Police. Suggested that if they can't connect the roadways now, that they reserve a 50-foot Right of Way for future connection. Also, the homes are required to be sprinklered.

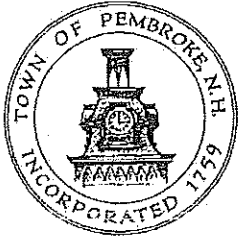
Police – Street numbering on the houses need to be clear and consistent throughout the development. Numbers should be on the house and visible. Suggested that the Town look into a system to standardize the location and design of building numbers. Traffic on Route 3 is getting worse. The majority of car accidents in town happen on Route 3 because there is so much traffic and people take chances when they turn left. The town needs more roadway connectivity outside of Route 3. Not just this project, but all of Route 3 needs to be looked at.

Planning Board Rep. – Traffic is always a concern. Likes the idea of connectivity. There would be an advantage to having access to the traffic light at Bow Lane.

Engineering – The traffic report showed that there will be a low number of trips in and out of the development, but left turns will still be difficult. Supports the waivers for superelevation and sidewalks. The proposed sidewalk would be a sidewalk to nowhere because there isn't one on that side of Route 3. Not sure what the solution is, but the Planning Board should discuss it. There are concerns about ravines and erosion on the property possibly directing stormwater away from the drainage system. Will do a full technical review of the project for the Planning Board meeting.

Conservation Commission Rep. – Should consider the rail trail and consider the riverfront area. The riverfront was identified as having high natural resource value. There are also wildlife concerns for RTE species on the property. Part of the property could be designated as conservation land.

With there being no other business the meeting was adjourned.



TOWN OF PEMBROKE

Town Hall ~ 311 Pembroke Street, Pembroke, New Hampshire 03275 Tel: 603-485-4747

To: Brent Cole, PE, Keach Nordstrom Associates

From: Carolyn Cronin, Town Planner

Date: June 27, 2018

Re: Long Meadow Estates, Map 565, Lot 55

Subdivision #18-06; SUP-AC #18-307; SUP-WP #18-308

After reviewing the application materials and plans titled "Residential Subdivision Plans, Long Meadow Estates, Map 565, Lot 55," dated May 3, 2018, the following comments are made:

Subdivision Application Checklist Review

The following item was missing from the plan set:

1. Part A. A. – Signature of all the owners. (This item is appropriate as a condition of approval. No action is needed at this time.)

Easements

2. Draft deed language for the proposed Utility and Access Easement will be required prior to approval.
3. A rail trail and/or conservation easement will likely be discussed with the Planning Board, Conservation Commission, and Applicant. If an agreement is made, draft deed language will be required prior to approval.

State Approvals

4. A copy of the Phase 1A Archeological Survey, required by the NH Division of Historic Resources, should be submitted.
5. Any requirements from Fish and Game regarding endangered and special concern wildlife should be communicated to the Planning Board.
6. All pending state approvals should be provided once permitted and permit numbers added to the plans (DOT Driveway Permit, DES Sewer Connection Permit, DES Alteration of Terrain, NPDES NOI)

Zoning Ordinance

7. Architectural renderings or photos of proposed houses in the Architectural District (Lots 55-1, 55-2, 55-3, 55-10, 55-11, and 55-12) need to be submitted to the Board.
8. The Wetlands Protection District and Shoreland Protection District should be added to the list of Overlay Districts in Sheet 1, Note 5.

9. Add a note to Sheet 1 stating, "The project area is not within the Floodplain Development District, though other portions of the parcel are."
10. Add a note to Sheet 1 stating, "The project area is not within the Shoreland Protection District, though other portions of the parcel are."

Plan Correction

11. There appears to be a legend error on Sheet 15. The stabilized stone construction entrance is shown as the "Staging and Stockpile Area" symbol.

As discussed, the Town Engineer will provide preliminary plan comments and will perform a full technical review of the project for the Planning Board. Additional escrow will be required for the full review. We will contact you with that number when the Engineer has it available.

The Conservation Commission, Sewer Commission, and Roads Committee will also provide comments at their upcoming meetings. Minutes from the TRC meeting this morning will be provided to you regarding street numbering, traffic, and roadway connectivity concerns. These issues can be discussed further with Planning Board input.

At this time, I recommend not providing revised plans for the upcoming July 24th Planning Board meeting in order for you to collect all necessary comments from the Town Engineer and the previously mentioned Commissions and Committee.

Please feel free to get in touch if you have any questions or concerns. Thank you.

Sincerely,



Carolyn Cronin

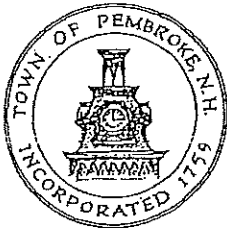
Town Planner

Town of Pembroke

CC: Planning Board

Mike Vignale, Town Engineer

File



TOWN OF PEMBROKE

Town Hall ~ 311 Pembroke Street, Pembroke, New Hampshire 03275

Town Use Only

MAP: _____

LOT: _____

APP #: _____

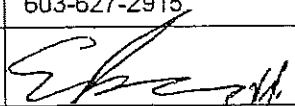
SPECIAL USE PERMIT APPLICATION

Please submit this application with the applicable fees (see Special Use Permit fee schedule). A certified notification list must be provided. If the special use permit is applied for in conjunction with a Subdivision or Site Plan Review application, you may submit the two together so the abutter fees will be combined, but newspaper notification fees will still be separate.

In the review of applications, the Planning Board may contract with consultants to review all or portions of any application. This review shall be at the applicant's expense. The Planning Board, at its discretion, may request an applicant to prepare special studies at the applicant's expense, or contract with a consultant to perform these studies at the applicant's expense.

PART 1. APPLICANT INFORMATION

The applicant is usually a professional (surveyor, engineer, developer, architect, attorney, etc) representing a property owner before the Board. Please type or print clearly.

Date	JUNE 12, 2018
Name	ERIC PEARSON
Company	EQUIVISE, LLC
Address	62 MIDDLE DUNSTABLE ROAD, NASHUA, NH 03062
Phone Number	603-888-6100
Email (required)	EPEARSON@EQUIVISE.COM
Fax	603-627-2915
Signature	

TOWN OF PEMBROKE SPECIAL USE PERMIT APPLICATION

PART 2. PROPERTY OWNER INFORMATION

If the applicant (above) will be representing the property owner before the Planning Board, please submit a **notarized** letter of authorization from the property owner(s).

	Owner 1	Owner 2
Name	SEE ADDITIONAL SHEET AND NOTARIZED LETTERS	
Address		
Phone Number		
Email		
Signature		
Date		

	Owner 3	Owner 4
Name		
Address		
Phone Number		
Email		
Signature		
Date		

PART 3. SPECIAL USE PERMIT INFORMATION

Permit Type:

Activity Within 20' of Wetlands 143-72.D	X
Activity within Aquifer Conservation District 143-68.E	
Shared Driveway 143-53	
Farm Stand 143-44.B(1)	
Shoreland Protection District 143-71 (E)	

Open Space Development Permits

OSD Height Limits	
OSD Building Envelopes	
OSD Reduction in Specification Standards	
OSD Reduction in Buildable / Open Space Area	
Other:	

TOWN OF PEMBROKE SPECIAL USE PERMIT APPLICATION

PART 3. SPECIAL USE PERMIT INFORMATION, continued

Property Address	354-356 PEMBROKE STREET
Map	565
Lot	55
Size of Lot (acres/sf)	49.281 acres / 2,146,708 sf
Frontage of Lot (ft)	212 ft
What is Your Project?	Equivise, LLC proposes to subdivide the lot of record in order to create 16 new single family residential building lots. Frontage for the created lots will be off of a proposed loop road and serviced by municipal sewer and water.
Why is Permit Necessary?	A Special Use Permit is required due to a portion of the property being within the Wetland Conservation District. Six created parcels will be encumbered by the district but no disturbance or activity will occur within the district. The district will be protected during construction by proper erosion control measures.
Is this Permit Connected with a Subdivision or Site Plan Review application? If yes, provide detail.	This Special Permit Request is part of a Subdivision Review Application for the proposed Long Meadow Estates residential subdivision.

PART 4. OTHER APPLICATION REQUIREMENTS

The following items are required for a complete application.

Certified Notification and Certified Notice of Decision Lists	✓
Notarized Letter(s) of Authorization	✓
Project Narrative Letter describing the project in detail, existing conditions, etc.	✓
Application and Escrow Fees (please refer to the appropriate fee schedule(s))	✓

TOWN OF PEMBROKE SPECIAL USE PERMIT APPLICATION

PART 4. OTHER APPLICATION REQUIREMENTS, continued

If Special Use Permit is not connected with a Subdivision or Site Plan Review application, then submit the following as needed:

Two (2) full sets of 22"x 34" plans with original signatures	
Copies of the plan reduced to 11" x 17", folded to 8.5"x11", as follows: *15 for the Planning Board *10 for Technical Review Committee and other Town Departments	
Two (2) copies of any drainage, hydrologic, or other studies and associated plans if applicable	
Copies of any local, State, Federal or other approvals or applications waiting for approval	

PART 5. ESCROW BALANCES AND RETURNS

All applications for subdivision and site plan review require a positive balance in escrow accounts set up by the Town which are used for engineering, consulting, and legal fees. Along with application fees, an escrow check will be supplied by the applicant or property owner(s). The property owner(s) acknowledges that when escrow funds are depleted, all Town work on the project will stop until the fund is replenished. The Town will notify the applicant, on behalf of the property owner(s), when the escrow balance is low.

In the review of applications, the Planning Board may contract with consultants to review all or portions of any application. This review shall be at the applicant's expense. The Planning Board, at its discretion, may request an applicant to prepare special studies at the applicant's expense, or contract with a consultant to perform these studies at the applicant's expense.

If an escrow balance is in the negative, the property owner will be invoiced by the Town to bring the balance into compliance. **Balances must be in the positive before the next Planning Board public hearing or the Board may disapprove the application.** Mylars of approved projects will not be registered without a \$0 balance or positive balance in the project's escrow accounts. Unused project escrow balances will be returned within 90 days of application denial or plan registration to ensure that outstanding invoices from consultants have been paid. You may attach additional sheets if there are more than four (4) owners.

TOWN OF PEMBROKE SPECIAL USE PERMIT APPLICATION

PART 5. ESCROW BALANCES AND RETURNS, continued

Property Owner Name PRINT	SEE ADDITIONAL SHEETS AND AUTHORIZATION LETTER	Date:
Signature		
Property Owner Name PRINT		Date:
Signature		
Property Owner Name PRINT		Date:
Signature		
Property Owner Name PRINT		Date:
Signature		

Escrow balances are to be returned to (one name/address only):

Name	ERIC PEARSON (FOR EQUIVISE, LLC)
Address	62 MIDDLE DUNSTABLE ROAD, NASHUA, NH 03062

-----For Town Use Only-----

For Aquifer permits only:

HEALTH OFFICER SIGNATURE: _____

WATER WORKS SIGNATURE: _____

Please Type for Project/Public Hearing Notification

Lot:55

Lot:

Lot:

BEDFORD, NEW HAMPSHIRE 03110

BEDFORD, NEW HAMPSHIRE 03110

CONCORD, NH 03301

N/A

Page 1 of 4

TOWN OF PEMBROKE CERTIFIED NOTIFICATION LIST

Abutters: All property owners adjoining the subject parcel either directly, at the corners, or across a street or stream must be notified. Please obtain the most current list of abutters from the Assessors' Office a maximum of 5 days prior to submission of the application per RSA 676:4.I.(b).

1.	<hr/> <hr/> <hr/>	Map:	<hr/>
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		Lot:	<hr/>

TOWN OF PEMBROKE CERTIFIED NOTIFICATION LIST

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		Lot:	<hr/>
15.	<hr/> <hr/> <hr/>	Map:	<hr/>
		Lot:	<hr/>

Please attach additional sheets as necessary

TOWN OF PEMBROKE CERTIFIED NOTICE OF DECISION LIST

Please Type for Notice of Decision Notification

Applicant:

Surveyor/Engineer:

Property Owner:

Property Owner:

Property Owner:

Property Owner:

Please attach additional sheets as necessary

Town of Pembroke - Special Use Permit Fees Planning Board Fee Worksheet

NAME: _____

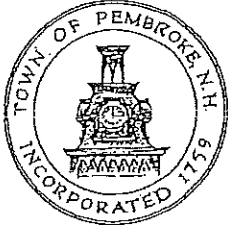
CASE #: _____

APPLICATION & REVIEW FEES	FEE	PER UNIT	QUANTITY	TOTAL
Special Use Permit (Aquifer, Driveway)	25	per permit		
Special Use Permit (Wetlands)	25	per permit		
Special Use Permit OSRD (Lot Sizing, Lot Specifications, Roadway Reduction, Open Space/Buildable Area Reduction)	25	per permit		
ADMINISTRATION FEES	FEE	PER UNIT	QUANTITY	TOTAL
Certified Notices of Hearing	10	per address		
Certified Notice of Decision	10	per applicant		
Newspaper Legal Notice	120	minimum per notice, subject to adjustment based upon actual cost via legal escrow account		
CHECK #1 TOTAL:				
ENGINEERING & LEGAL ESCROW FEES	FEE	PER UNIT	QUANTITY	TOTAL
Special Use Permit	100 *	per project (*Engineering estimate will determine remaining fee. Application will not be accepted as complete without entire fee.)		

Check #1

Check #2

1. Two separate checks must be paid to the Town. One is for application and administration fees and one is for escrow.
2. All fees must be paid by the applicant at the time of filing the application with the designated agent of the Board. Failure to pay all these expenses and fees as specified will be valid grounds for refusal to accept the application as complete or for disapproval of the application.
3. In the review of applications, the Planning Board may contract with consultants to review all or portions of any application. This review shall be at the applicant's expense. The Planning Board, at its discretion, may request an applicant to prepare special studies at the applicant's expense, or contract with a consultant to perform these studies at the applicants expense.
4. Regular escrow fees shall be placed in an account which will be used to pay for engineering and legal review and notification fees, if required. If at any time the account needs to be replenished, the applicant will do so by the date of the next public hearing or the application may be denied because of a negative balance. Any funds remaining in the account, including interest, will be returned to the applicant within 90 days of Planning Board denial or plan registration to ensure that all outstanding consultant invoices have been paid.



TOWN OF PEMBROKE

Town Hall ~ 311 Pembroke Street, Pembroke, New Hampshire 03275

Town Use Only

MAP: _____

LOT: _____

APP #: _____

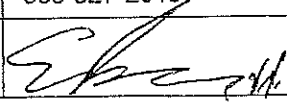
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PART 1. APPLICANT INFORMATION

The applicant is usually a professional (surveyor, engineer, developer, architect, attorney, etc) representing a property owner before the Board. Please type or print clearly.

Date	JUNE 12, 2018
Name	ERIC PEARSON
Company	EQUIVISE, LLC
Address	62 MIDDLE DUNSTABLE ROAD, NASHUA, NH 03062
Phone Number	603-888-6100
Email (required)	EPEARSON@EQUIVISE.COM
Fax	603-627-2915
Signature	

TOWN OF PEMBROKE SPECIAL USE PERMIT APPLICATION

PART 2. PROPERTY OWNER INFORMATION

If the applicant (above) will be representing the property owner before the Planning Board, please submit a **notarized** letter of authorization from the property owner(s).

	Owner 1	Owner 2
Name	SEE ADDITIONAL SHEET AND NOTARIZED LETTERS	
Address		
Phone Number		
Email		
Signature		
Date		

	Owner 3	Owner 4
Name		
Address		
Phone Number		
Email		
Signature		
Date		

PART 3. SPECIAL USE PERMIT INFORMATION

Permit Type:

Activity Within 20' of Wetlands 143-72.D	
Activity within Aquifer Conservation District 143-68.E	X
Shared Driveway 143-53	
Farm Stand 143-44.B(1)	
Shoreland Protection District 143-71 (E)	

Open Space Development Permits

OSD Height Limits	
OSD Building Envelopes	
OSD Reduction in Specification Standards	
OSD Reduction in Buildable / Open Space Area	
Other:	

TOWN OF PEMBROKE SPECIAL USE PERMIT APPLICATION

PART 3. SPECIAL USE PERMIT INFORMATION, continued

Property Address	354-356 PEMBROKE STREET
Map	565
Lot	55
Size of Lot (acres/sf)	49.281 acres / 2,146,708 sf
Frontage of Lot (ft)	212 ft
What is Your Project?	Equivise, LLC proposes to subdivide the lot of record in order to create 16 new single family residential building lots. Frontage for the created lots will be off of a proposed loop road and serviced by municipal sewer and water.
Why is Permit Necessary?	A Special Permit is required due to a portion of the property being within the Aquifer Conservation District. Three created parcels will be encumbered by the district. A proposed sewer extension will be constructed within the district in order to connect into the municipal main. Drainage infrastructure including structures, pipes, and an infiltration pond to treat, mitigate, and recharge storm water will be constructed within the district as well.
Is this Permit Connected with a Subdivision or Site Plan Review application? If yes, provide detail.	This Special Permit Request is part of a Subdivision Review Application for the proposed Long Meadow Estates residential subdivision.

PART 4. OTHER APPLICATION REQUIREMENTS


The following items are required for a complete application.

Certified Notification and Certified Notice of Decision Lists	✓
Notarized Letter(s) of Authorization	✓
Project Narrative Letter describing the project in detail, existing conditions, etc.	✓
Application and Escrow Fees (please refer to the appropriate fee schedule(s))	✓

TOWN OF PEMBROKE SPECIAL USE PERMIT APPLICATION

PART 4. OTHER APPLICATION REQUIREMENTS, continued

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Two (2) full sets of 22"x 34" plans with original signatures	
Copies of the plan reduced to 11" x 17", folded to 8.5"x11", as follows: *15 for the Planning Board *10 for Technical Review Committee and other Town Departments	
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Copies of any local, State, Federal or other approvals or applications waiting for approval	

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TOWN OF PEMBROKE SPECIAL USE PERMIT APPLICATION

PART 5. ESCROW BALANCES AND RETURNS, continued

Property Owner Name PRINT	SEE ADDITIONAL SHEETS AND AUTHORIZATION LETTER	Date:
Signature		
Property Owner Name PRINT		Date:
Signature		
Property Owner Name PRINT		Date:
Signature		
Property Owner Name PRINT		Date:
Signature		

Escrow balances are to be returned to (one name/address only):

Name	ERIC PEARSON (FOR EQUIVISE, LLC)
Address	62 MIDDLE DUNSTABLE ROAD, NASHUA, NH 03062

-----For Town Use Only-----

For Aquifer permits only:

HEALTH OFFICER SIGNATURE: _____

WATER WORKS SIGNATURE: _____

TOWN OF PEMBROKE CERTIFIED NOTIFICATION LIST

Please Type for Project/Public Hearing Notification

Applicant: ERIC PEARSON
EQUIVISE, LLC Map: 565
62 MIDDLE DUNSTABLE ROAD, NASHUA, NH 03062

Lot: 55

Property Owner (if different than the applicant):
SEE ADDITIONAL SHEETS AND Map: _____
AUTHORIZED LETTER

Lot: _____

Property Owner (if different than the applicant):

Map: _____

Lot: _____

Surveyor: MICHAEL DAHLBERG, L.L.S.
KEACH-NORDSTROM ASSOCIATES, INC.
10 COMMERCE PARK NO. SUITE 3
BEDFORD, NEW HAMPSHIRE 03110

Engineer: BRENTON COLE, P.E.
KEACH-NORDSTROM ASSOCIATES, INC.
10 COMMERCE PARK NO. SUITE 3
BEDFORD, NEW HAMPSHIRE 03110

Soil/Wetland Scientist: B A G LAND CONSULTANTS
43 ROCKINGHAM STREET
CONCORD, NH 03301

Architect: N/A

Please attach additional sheets as necessary

TOWN OF PEMBROKE CERTIFIED NOTIFICATION LIST

Abutters: All property owners adjoining the subject parcel either directly, at the corners, or across a street or stream must be notified. Please obtain the most current list of abutters from the Assessors' Office a maximum of 5 days prior to submission of the application per RSA 676:4.I.(b).

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TOWN OF PEMBROKE CERTIFIED NOTIFICATION LIST

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		Lot:	<hr/>

Please attach additional sheets as necessary

TOWN OF PEMBROKE CERTIFIED NOTICE OF DECISION LIST

Please Type for Notice of Decision Notification

Applicant:

Surveyor/Engineer:

Property Owner:

Property Owner:

Property Owner:

Property Owner:

Please attach additional sheets as necessary

Town of Pembroke - Special Use Permit Fees

Planning Board Fee Worksheet

NAME: _____

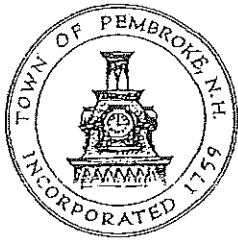
CASE #: _____

APPLICATION & REVIEW FEES		FEES	PER UNIT	QUANTITY	TOTAL
_____	Special Use Permit (Aquifer, Driveway)	25	per permit	_____	_____
_____	Special Use Permit (Wetlands)	25	per permit	_____	_____
_____	Special Use Permit OSRD (Lot Sizing, Lot Specifications, Roadway Reduction, Open Space/Buildable Area Reduction)	25	per permit	_____	_____
ADMINISTRATION FEES		FEES	PER UNIT	QUANTITY	TOTAL
_____	Certified Notices of Hearing	10	per address	_____	_____
_____	Certified Notice of Decision	10	per applicant	_____	_____
_____	Newspaper Legal Notice	120	minimum per notice, subject to adjustment based upon actual cost via legal escrow account	_____	_____
CHECK #1 TOTAL:					_____
ENGINEERING & LEGAL ESCROW FEES		FEES	PER UNIT	QUANTITY	TOTAL
_____	Special Use Permit	100 *	per project (*Engineering estimate will determine remaining fee. Application will not be accepted as complete without entire fee.)	_____	_____

Check #1

Check #2

1. Two separate checks must be paid to the Town. One is for application and administration fees and one is for escrow.
2. All fees must be paid by the applicant at the time of filing the application with the designated agent of the Board. Failure to pay all these expenses and fees as specified will be valid grounds for refusal to accept the application as complete or for disapproval of the application.
3. In the review of applications, the Planning Board may contract with consultants to review all or portions of any application. This review shall be at the applicant's expense. The Planning Board, at its discretion, may request an applicant to prepare special studies at the applicant's expense, or contract with a consultant to perform these studies at the applicants expense.
4. Regular escrow fees shall be placed in an account which will be used to pay for engineering and legal review and notification fees, if required. If at any time the account needs to be replenished, the applicant will do so by the date of the next public hearing or the application may be denied because of a negative balance. Any funds remaining in the account, including interest, will be returned to the applicant within 90 days of Planning Board denial or plan registration to ensure that all outstanding consultant invoices have been paid.



TOWN OF PEMBROKE

Town Hall -- 311 Pembroke Street, Pembroke, New Hampshire 03275 Tel: 603-485-4747

SPECIAL USE PERMIT CHECKLIST

This checklist has been included as part of the Board's operating rules to assist the applicant. The application must contain all of the information described in this section. The checklist must be completed and submitted as part of the application. Issues not included on the checklist may be raised during the review process. Waivers to any of these requirements must be requested in writing with an explanation of why the waiver should be granted.

For Special Use Permit Applications related to an active Site Plan Review or Subdivision application, submit the requirements according to the appropriate checklist.

- ☒ 1. Checklist requirements for a Site Plan Review or Subdivision application have been submitted.

For Special Use Permit Applications not related to an active Site Plan Review or Subdivision application, the following information is to be submitted:

- ☐ 2. If the presenter of the application is not the owner of record, provide a notarized letter from the owner(s) of record stating that the presenter has the authority and permission of the owner(s) of record to act on their behalf.
- ☐ 3. Submit copies of local, state, or federal permit applications, as appropriate, and copies of approvals received.
- ☐ 4. Submit two (2) 22x34" plans and twenty-five (25) 11x17" reduced plans.
- ☐ 5. Follow the Minor Site Plan Review Checklist items to add to the plans submitted under 4. above.

For ALL Special Use Permit applications, please **complete Part A, Part B, Part C, Part D, or Part E** depending on what type of application you are submitting. This is the minimum of what is required and the Planning Board may require more information.

TOWN OF PEMBROKE SPECIAL USE PERMIT CHECKLIST

PART A – FARM STAND, Zoning 143-44.B

- ☐ A. Submit a detailed narrative description of the business, including the hours, days, and months of operation; numbers of employees; parking; the types of products to be sold; estimated number of cars per day; and percentage of products sold that are grown on site.
- ☐ B. Submit a copy of the sign permit application and a drawing of the sign detail with dimensions.

PART B – SHARED DRIVEWAY, Zoning 143-53

- ☐ A. Submit a detailed narrative description of the driveway, including dimensions, surface type, location, and Map number and Lot number affected.
- ☐ B. Submit a copy of the driveway permit application.

PART C – AQUIFER, Zoning 143-68.E

- ☒ A. Submit a detailed narrative description of the activity being undertaken, the use of the site, including how the aquifer may be affected, and potential contamination sources.
- ☐ B. Submit a letter from Pembroke Water Works discussing their position on the activity.
- ☒ C. Submit a narrative and a list of all the chemicals, cleaners, hazardous materials, fuels, etc. that are proposed to be used and stored on site, irrespective of any State of NH submittal requirements.
(Added October 8, 2013.)

PART D – WETLANDS, Zoning 143-72.D(2)

The Conservation Commission and Town Engineer have 30 days from the date of submittal to review and provide a report to the Planning Board on your application.

- ☒ A. Submit a detailed narrative description of the activity being undertaken, including how the water body and surrounding wetland areas may be affected.

TOWN OF PEMBROKE SPECIAL USE PERMIT CHECKLIST

PART E – OPEN SPACE DEVELOPMENT, Zoning 143, Article X

The applicant must appear before the Planning Board for a conceptual consultation about the project prior to visiting the Zoning Board of Adjustment or Conservation Commission.

- _____ A. Submit a detailed narrative description of the open space development, including the number of open space lots versus the number of traditional lots, Map and Lot number, property characteristics and constraints, and property location.
- _____ B. Submit a letter from Conservation Commission discussing their position on the activity.

June 26, 2018

Aquifer and Wetland Special Use Permit

Long Meadow Estates
354-356 Pembroke Street (US Route 3), Pembroke, NH
Map 565; Lot 55

Equivise, LLC proposes to subdivide the lot of record in order to create 16 new single-family residential building lots. The existing lot is owned by the Cole Family Trust, The Edward A. Cole Trust, and The Phillips Living Trust and totals over 49 acres in area. The lot enjoys frontage along Pembroke Street and is undeveloped and consists of both open farmland and forest. The property lies entirely within the R1 Residential-Medium Density Zoning District, with portions of the site within the Architectural Design. The land onsite slopes from Route 3 westerly toward the Merrimack River. Residential uses abut the property to the north, south, and east and the Merrimack River abuts the property to the west.

The proposed roadway will be designed and constructed to Town of Pembroke Standards with granite curbing, closed drainage, and sidewalk along one side. Roadway construction includes installation of a closed drainage system that mitigates additional surface water runoff associated with the proposed development. The closed drainage system will outlet to one above ground stormwater management area designed to treat and mitigate stormwater prior to discharge overland toward the Merrimack River.

The parcel is bisected by the Aquifer District. The subdivision described above is located upstream of this aquifer while the majority of the aquifer on the property is to remain undisturbed. Stormwater from the development will be mitigated and treated prior to discharging back into the aquifer. Proposed treatment practices will be provided following the recommended design practices outlined in the publication entitled New Hampshire Department of Environmental Services Best Management Practices for Stormwater Management and Erosion and Sediment Control. One large infiltration basin will capture runoff from the development and recharge the aquifer after treating and proper mitigation to ensure no adverse downstream impacts to sensitive wetland areas and abutting lands.

We do not expect contamination from the development especially since the majority of the development and all the roadway is outside of the aquifer. There will be no chemicals, cleaners, hazardous materials, fuels, etc. that are proposed to be used or stored on site. The Town of Pembroke regulations states that Storm drainage facilities shall be designed so that normal infiltration to groundwater is retained which we are in keeping with. They also state one family homes are exempt from the Special Use Permit.

The parcel contains multiple wetland areas and associated buffers. The development does not propose any wetland or buffer impacts though, therefore, there is no activity undertaken within the Wetland District. The development will surround the areas but proper buffers will be upheld.

Civil Engineering

Land Surveying

Landscape Architecture

As an integral part of the engineering design of this site, an erosion and sedimentation control plan will be developed with the intent of limiting the potential for soil loss and associated receiving water quality degradation, both during and after the construction period. Traditional temporary erosion and sedimentation control devices and practices, such as siltation fencing, check dams, and seeding will be specified. Again, reference is made to the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire manual to appropriately provide and design for erosion control practices. Also, in an effort to account for abnormal adverse building conditions, common engineering practices attempt to further protect all affected areas through caution to the future contractor that any indicated erosion control practices are a minimum standard and serve as a guide only. Notes to this effect are typically added to the design plans and further state more extensive erosion control measures are, by mention, incorporated as field conditions warrant or as directed by the appropriate Local or State authority.

Finally, efforts protecting all affected areas are provided via site specific construction sequencing sensitive to limiting soil loss due to erosion as well as giving consideration to potential associated water quality degradation. It is important for the contractor to recognize that proper judgment in the implementation of work will be essential if erosion is to be limited and protection of completed work is to be realized. Moreover, any specific changes in sequence and/or field conditions affecting the ability of specific erosion control measures to adequately serve their intended purpose are immediately remedied with alternative means.

Brenton Cole

From: mggagne@comcast.net
Sent: Friday, June 22, 2018 1:24 PM
To: Brenton Cole
Subject: Re: 354 Pembroke Street

Hi Brent,

I have the plans that you sent me and I will receive what you send to the Town. I can get a letter to the Town saying that you have conditional approval from my Board but we need to review the final plans when you receive approval from the P.B. I won't be able to attend the meeting next Wednesday but I will get the letter to Carolyn before the deadline.

Thank you,
Matt

-----Original Message-----

From: Brenton Cole
Sent: Friday, June 22, 2018 8:25 AM
To: mggagne@comcast.net
Subject: Re: 354 Pembroke Street

Hey Matt,

I am touching base on this project again. We submitted to the Town and have a TRC meeting next Wednesday. In order for us to get a special use permit within the Aquifer District, I need a letter from PWW discussing their position. Can you help me with this? Do you need anything else from me?

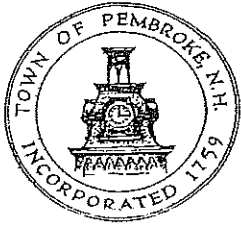
Thanks,

Brent

On Fri, Mar 16, 2018 at 9:59 AM, <mggagne@comcast.net> wrote:

> Hi Brent,
>
> Thank you for the conceptual plans. The Board discussed last night and
> you have conditional approval at this time, when you have completed
> the planning process if you can just forward the plans to us so they
> can give final approval.
>
> Thanks again,
> Matt
>
> From: pembrokewaterworks@comcast.net
> Sent: Thursday, March 15, 2018 10:36 AM
> To: Matt Gagne
> Subject: Fw: 354 Pembroke Street
>
>

>
> From: Brenton Cole
> Sent: Thursday, March 15, 2018 8:40 AM
> To: pembrokewaterworks@comcast.net
> Subject: 354 Pembroke Street
>
>
> Good morning Matt,
>
>
>
> We talked on the phone a few weeks ago about this 354 Pembroke Street
> project. We are proposing at 16 lot subdivision off Pembroke Street,
> single-family homes. I have attached a very conceptual plan. Please
> forgive any flaws you may see. We are looking to get confirmation
> from waterworks that we have capacity and pressure. Please let me
> know if you need anything else or want me to attend tonight's meeting.
>
>
>
> Thank you,
>
>
>
> Brent
>
> --
>
> Brenton J. Cole, P.E.
>
> Project Manager
>
> Keach-Nordstrom Associates, Inc.
>
> 10 Commerce Park North, Suite 3
>
> Bedford, NH 03110
>
> t. (603) 627-2881 | f. (603) 627-2915
>
> d. (603) 782-7451
>
> bcole@keachnordstrom.com www.keachnordstrom.com
>
>
>
>



TOWN OF PEMBROKE

Town Hall ~ 311 Pembroke Street, Pembroke, New Hampshire 03275

Tel: 603-485-4747

TOWN OF PEMBROKE APPLICATION FOR WAIVERS OF MAJOR SUBDIVISION PLAN REVIEW REQUIREMENTS

Date: June 12, 2018

To the Chairman and Members of the Pembroke Planning Board:

In addition to the application for subdivision plan review submitted for your consideration, please accept this written request for waiver(s) from Chapter 205, Town of Pembroke, Subdivision Regulations for the following items with reasons stated for the waiver request. I understand if any waiver request is not granted by the Planning Board, the application may be deemed incomplete and not accepted by the Board. I understand if the application is incomplete due to waivers not being accepted it could result in resubmission of required materials and application fees.

I am asking for waiver(s) from the Major Subdivision Plan Review Checklist as follows:

PART A – REQUIRED INFORMATION

- _____ A. The plat and the cover sheet of any documents submitted with it must show the names, addresses and telephone numbers of the applicant, the land surveyor or engineer, and anyone owning an interest in the property. The plat must also show the seal of the surveyor, the engineer, wetland scientist and the signatures of all owners.
- _____ B. The applicant must provide the names and addresses of all abutters, and the citation of the most recent instrument conveying title to each parcel of the property to be subdivided, giving the names of grantor and grantee, the date and the Registry of Deeds recording reference by book and page. Please note that any engineer, architect, land surveyor, or soil scientist whose professional seal appears on the plan is considered an abutter and must be notified as such.
- _____ C. The plat must show the proposed names of the subdivision and of any proposed streets. These names may not be so similar to existing names as to be likely to create confusion. The Board of Selectmen reserves the right to approve all street names. Proper names are not accepted.
- _____ D. The applicant must state the dates and the outcome of any applications to subdivide any part of the parcel in the prior ten years.
- _____ E. The plat must be prepared with pen and ink, and be on mylar or similar material, which may be recorded at the Merrimack County Registry of Deeds. It must show the date of preparation, the true north point and the magnetic north point. It must state the purpose of the subdivision (e.g. to create six (6) lots for single family dwellings, etc.)

- _____ F. The plat must include a vicinity map depicting the location of the property with respect to surrounding property and streets. It must show names of adjoining streets and any zoning district lines on this or adjacent property.
- _____ G. The plat must include the location, bearings to the nearest minutes, and dimensions of all boundary lines and lot lines, expressed in feet and hundredths of a foot.
- _____ H. The plat must show the use, total area and buildable area (according to Subdivision Regulations and Zoning Ordinance) of each lot.
- _____ I. The plat must show the existing topography of the entire parcel to be subdivided at these intervals:
 - Grade Contour Intervals
 - 0-2% 2 foot plus spot elevations
 - 2+%-5% 2 foot
 - 5+% 10 foot

Low points, high points, and other areas needing spot elevations must be shown. Existing contours shall be shown with dashed lines and proposed contours shall be shown with solid lines.

- _____ J. The plat must show the locations and approximate dimensions of all of the following, both existing and proposed, whether located on this parcel or within sixty (60) feet of its boundaries: streets (width and names, on this or adjoining property), easements, rights-of-way, bridges, paved areas, water courses, bodies of water, wetlands, drainage ditches, 100 year floodplain, parks, playgrounds or other recreational areas, cemeteries, monuments, buildings, building set-back lines, ledges, boulders, wooded areas, proposed landscaping, areas with slopes greater than fifteen percent (15%) and environmentally significant areas.
- _____ K. The plat must show the location, size, elevation and slope of existing sewer and water lines, culverts, catch basins, utility lines, or other underground structures beneath this property or within sixty (60) feet of its boundary lines.
- _____ L. The applicant must submit a proposal for connection with existing water and sewer lines, or alternative means for providing those services, specifying locations. The 4,000 sq. ft. receiving area for on-site septic systems must be located within the building set-back lines. Issuance of a permit by the New Hampshire Department of Environmental Services, Water Supply and Pollution Control Division will be considered by the Board, but is not binding on the Board.
- _____ M. The plat must show how surface water shall be collected and discharged so as to minimize and control erosion and sedimentation.
- _____ N. The plat must show soils types and boundaries based on Soil Conservation Service data. If sewage or other waste water is to be discharged on-site, or if wetland must be identified, an intensive soils survey by a qualified soil scientist is required. Soil boundaries shall be shown on the plat by dotted lines.
- _____ O. The plat must show the location of actual or proposed soil test pits, test borings, and percolation test pits.
- ☒ P. Blocks, including those in subsequent additions to subdivisions shall be numbered consecutively, or lettered in alphabetical order. All lots in each block shall be numbered consecutively. Large remaining parcels to be subdivided in the future shall be lettered in alphabetical order.
- _____ Q. The applicant must verify the classification of abutting roads.

- _____ R. The applicant must provide full legal descriptions of all existing and proposed easements, rights-of-way, covenants, reservations or other restrictions on the use of the property, with notations of each on the plat.
- X S. The plat must show the location, dimensions, area, and purpose of any existing or proposed open space. The applicant must describe any restrictions on its use and any conditions on its dedication or reservation.
- X T. If development is phased, the plat must show the proposed schedule.
- _____ U. The applicant must disclose the existence of any environmentally sensitive, significant, or unique areas within or abutting the parcel. Each applicant must affirm that the applicant consulted with the New Hampshire Natural Heritage Inventory, Department of Resources and Economic Development, concerning the significance of the parcel and abutting property.
- _____ V. The applicant must disclose whether the parcel is designated as prime agricultural land on the town map designed for that purpose, and whether the parcel abuts such land.
- X W. Applications for open space development must supply the information required by Article IX of the Town of Pembroke Zoning Ordinance.
- _____ X. The applicant must submit any available certifications of approval required by any other Federal, State or Local Government Agency, and sufficient information to demonstrate compliance with the Zoning Ordinance and these regulations.
- _____ Y. The plat must show the following form for the Board approval in the lower right corner above the title block.

Under the provisions of RSA 674:35 and 674:37, the Town of Pembroke Planning Board, in accordance with the Board vote dated _____, hereby approves this plat. Approval is limited to the lots as shown.

Chairperson

Reason for waiver requests.

Please accept this written request for waivers from the following items from Chapter 205,

Town of Pembroke, checklist items.

Item P. on the subdivision checklist refers to a subdivision that contains a large amount of lots with corresponding Blocks. Our small, 16 lot subdivision does not contain Blocks, therefore, this checklist item is not applicable to this project.

Item S. on the subdivision checklist refers to existing or proposed open space. This project does not propose any open space, nor is required to do so. The parent parcel does not contain any existing open space either, therefore, this item is not applicable to this project.

Item T. on the subdivision checklist refers to projects that are phased and showing or explaining the phasing schedule. This project is small enough that it will be completed in one phase. According to the regulations, multiple phases are required when the subdivision

exceeds 25 dwelling units, therefore, a multiple phase schedule is not required.

Item W. refers to an open space development application and supplying the requisite information. This project is not an open space development, therefore, this checklist item does not apply to this application.

Since neither of these checklist items are omitted for any reason other than not being applicable to the subdivision, they will not be detrimental to the public safety, health, or welfare. Granting these waivers will not in any manner vary the provisions of the Zoning Ordinance or Master Plan. This project meets the requirements of the subdivision regulations, therefore, granting these waivers will ensure the goals, objectives, standards, and requirements of the regulations are not compromised. These checklist requirements are not appropriate because they do not apply to this particular subdivision and by imposing them would create a hardship to the applicant by forcing a project that does not meet their objective.

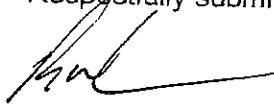
PART B – CONSTRUCTION PLAN SUBMITTAL INFORMATION

Construction plans shall be prepared for all required improvements whether private or public improvements. Map sheets shall be no larger than 22"x34". The following shall be shown:

- _____ A. Plans – Plans of all areas to be disturbed for construction of streets, drainage ways, and structures, sewer, water and electric lines, erosion and sediment control structures, and other areas to be disturbed for the construction of improvements shall be made showing existing topography shown in dashed lines and proposed contours shown in solid lines at a contour interval no greater than two (2) feet plus spot elevations, soil types and boundaries shown in dotted lines, existing tree lines and proposed trees and all other plantings, edge of all paved areas, location and size of all structures, piping and other materials, center line stationing of all proposed roads at fifty (50) foot intervals, and the location of all lot lines with the lot numbers. Plans shall be drawn at a scale of not more than one (1) inch equals fifty (50) feet.
- _____ B. Profiles. Profiles of all proposed roadways, showing existing and proposed elevations along the center lines of all proposed roads and all structures, piping and other materials. Profiles shall be drawn at a scale of one (1) inch equals fifty (50) feet horizontal scale and one (1) inch equals five (5) feet vertical scale.
- _____ C. Cross-sections. Cross-sections of all proposed roadways at one-hundred-foot stations and at all catch basins or culverts showing the roadway and all areas to be disturbed for the construction of all proposed roadways, existing grades, proposed subgrades, proposed final grades and all utilities and other structures. Cross sections shall be drawn to a convenient scale of not more than one (1) inch equals ten (10) feet, both the horizontal and vertical scales shall be the same.
- _____ D. Details. Construction details of all roadways, curbing, sidewalks, drainage structures, sediment and erosion control structures and any other required improvements shall be shown at a convenient scale.
- _____ E. Erosion and sediment control. Plans and other information indicating how increased runoff, sedimentation and erosion shall be controlled during and after construction or required improvements.
- _____ F. Impact from Site – Potential impact to abutting lots including but not limited to drainage, access, traffic, noise shall be described in plan Notes and offer mitigation options as appropriate for Board consideration.

Reason for waiver requests.

Respectfully submitted,

 PROJECT MANAGER

KEACH-NORDSTROM ASSOCIATES, Inc.

RECEIVED

JUN 07 2018

**TOWN OF PEMBROKE
PLANNING DEPT.**

MEMORANDUM

Ref: 1829A

To: Eric Pearson
Equivise, LLC

From: Stephen G. Pernaw, P.E., PTOE

Subject: Proposed Residential Development
Pembroke, New Hampshire

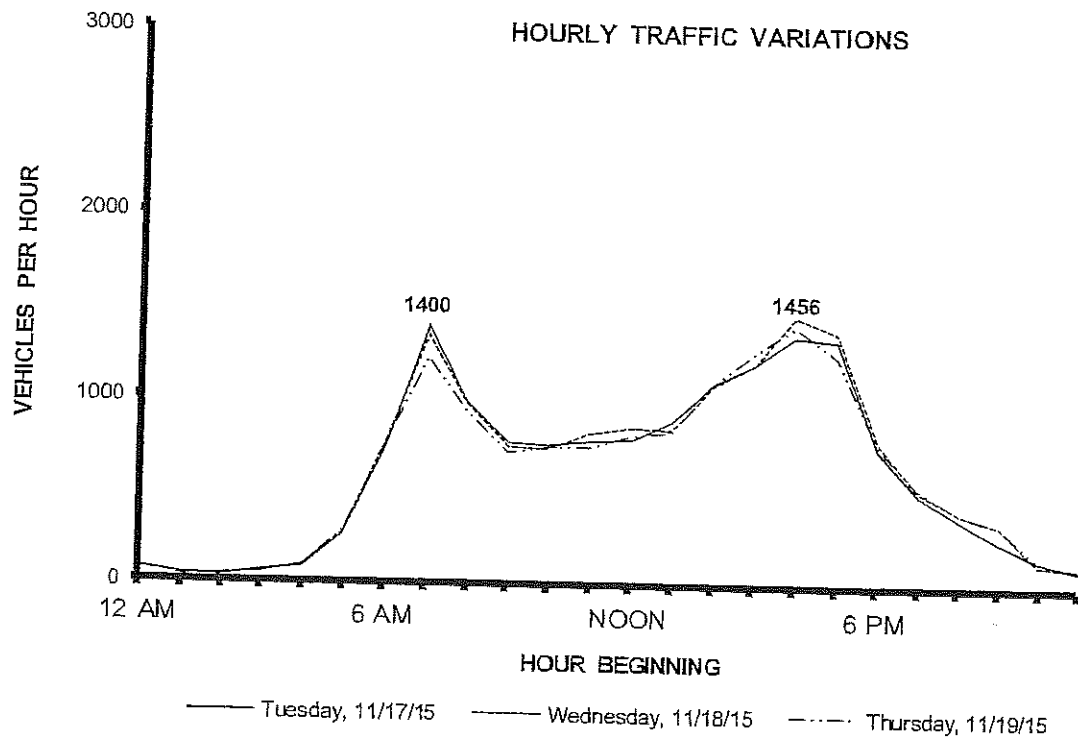
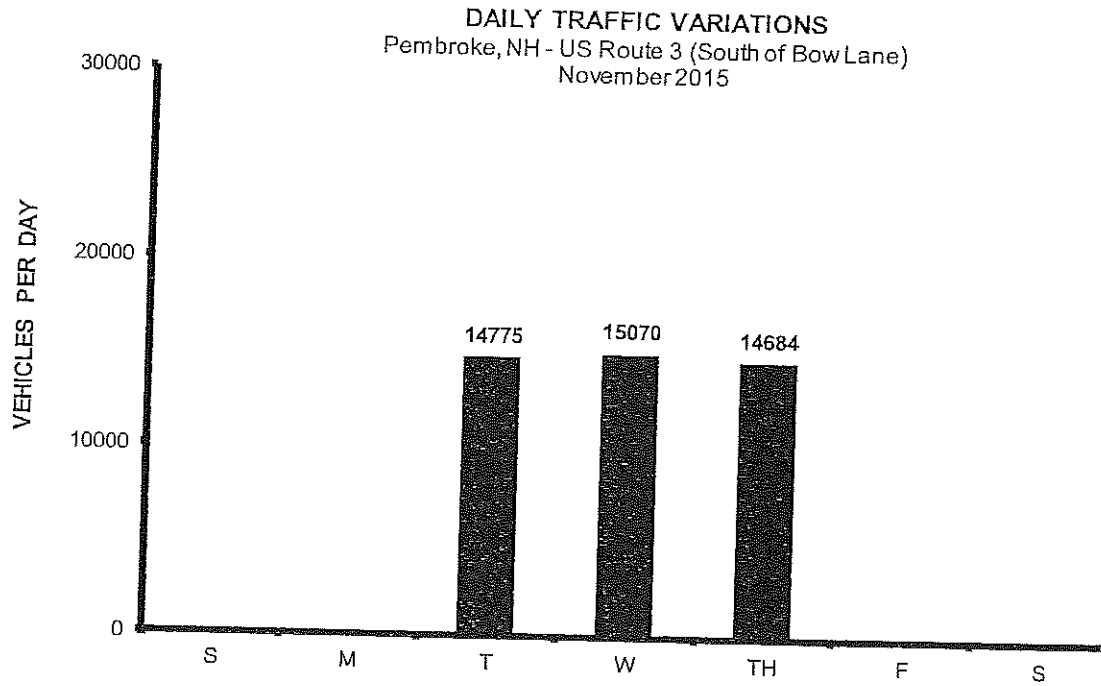
Date: March 22, 2018

As requested, Pernaw & Company, Inc. has conducted a trip generation analysis for the proposed residential subdivision located on Pembroke Street (US3) in Pembroke, New Hampshire. The purpose of this memorandum is to summarize the results of our trip generation analyses as well as our research of available traffic count data. To summarize:

Proposed Development – According to the plan entitled “Overview Plan,” prepared by Keach-Nordstrom Associates, Inc. for the Cole Family Trust (see Attachment 1), the proposed development consists of 16 single-family dwelling units located on the west side of Pembroke Street. Access to the 16 proposed dwelling units will be provided via a two-way site access loop road that will extend from the west side of Pembroke Street (north of Peaslee Drive).

Existing Traffic Volumes – Research at the NHDOT revealed that a short-term Automatic Traffic Recorder count was conducted on US3 (south of Bow Lane) in November 2015. According to the NHDOT reports, this section of US Route 3 carried an Annual Average Daily Traffic (AADT) volume of approximately 14,566 vehicles per day (vpd) in 2017, up from 14,280 vpd in 2016 (see Attachment 2).

This data also demonstrates that weekday traffic volumes in the area typically reach peak levels from 7:00 to 8:00 AM and from 4:00 to 5:00 PM, thus corresponding to the typical commuter periods. The diagrams on Page 2 summarizes the daily and hourly variations in traffic demand along US3. The detail sheets pertaining to these counts are attached (see Attachment 3).



Trip Generation - To estimate the quantity of vehicle-trips that will be produced by the proposed residences, Pernaw & Company, Inc. considered standard trip generation rates and equations published by the Institute of Transportation Engineers¹ (ITE). Land Use Code LUC 210: (Single-Family Detached Housing) is the most applicable category and the number of dwelling units was utilized as the independent variable.

The following table summarizes the results of the trip generation analyses using the trip "rate" and "equation" methods. The computations pertaining to the trip generation analyses are attached (see Attachments 4-6).

Table 1		Trip Generation Summary (16 Single-Family Detached Dwellings)	
		Estimate A ITE Trip Rate Method ¹	Estimate B ITE Trip Equation Method ¹
Weekday AM Peak Hour			
	Entering	3 veh	4 veh
	Exiting	<u>9 veh</u>	<u>12 veh</u>
	Total	12 trips	16 trips
Weekday PM Peak Hour			
	Entering	10 veh	11 veh
	Exiting	<u>6 veh</u>	<u>6 veh</u>
	Total	16 trips	17 trips
Weekday Total			
	Entering	76 veh	97 veh
	Exiting	<u>76 veh</u>	<u>97 veh</u>
	Total	152 trips	194 trips

¹ ITE Land Use Code 210 - Single-Family Detached Housing

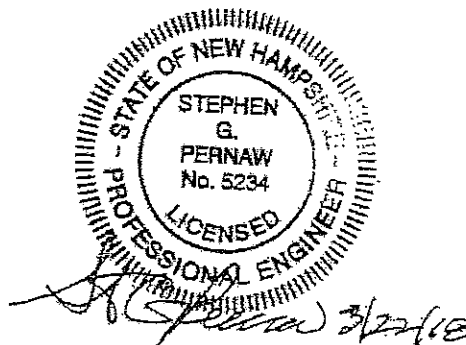
This table shows that the proposed residential development is conservatively estimated to generate approximately 16 trips (4 arrivals, 12 departures) during the weekday AM peak hour, and 17 trips (11 arrivals, 6 departures) during the weekday PM peak hour. This type of development generates primary trips, which are "new" trips to/from the area.

Findings & Conclusions

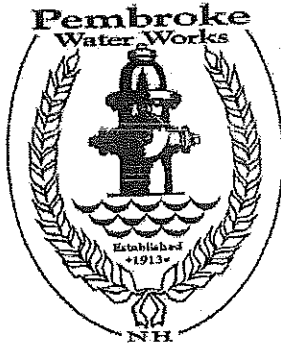
1. Access to the 16 proposed dwelling units is proposed via a new two-way site access loop road that will intersect the west side of Pembroke Street, (north of Peaslee Drive) thus creating a standard 3-leg "T" intersection.
2. The trip generation analysis indicates that the proposed residences will generate approximately 16 trips during the AM peak hour and 17 trips during the PM peak hour when fully occupied.
3. Traffic increases of this order of magnitude will not significantly impact operations at nearby intersections. The impacts of site traffic will diminish further as drivers disperse at nearby intersections.
4. The proposed site access road intersection on Pembroke Street should operate under STOP sign control (MUTCD R1-1) on the minor approach and include the installation of an 18-inch white stop line. As an option, the site access road could be delineated with a short section of four-inch double-yellow centerline markings to separate ingress and egress vehicles.

Attachments

Cc: Brent Cole, P.E., Keach-Nordstrom Associates, Inc.



ATTACHMENTS



Pembroke Water Works

346 PEMBROKE ST. PEMBROKE, NEW
HAMPSHIRE 03275-3236
TELEPHONE (603) 485-3362
FAX (603) 485-1956

Pembroke Planning Board

311 Pembroke Street

Pembroke NH, 03275

June 24, 2018

RE: 354 Pembroke Street Development

Board Members:

16 (16)

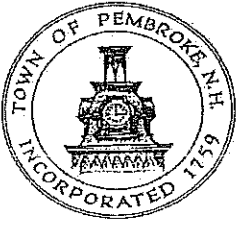
The Pembroke Water Works has reviewed the plans for a ~~1~~ unit single family development listed above. The Pembroke Water Works Board has granted conditional approval based on the plans provided. Final approval will be granted when the plans have been finalized by the Town. We have adequate water supply for the project. The project does not present any negative impacts to the aquifer. Thank you for the opportunity to comment on this application.

Sincerely,

Matthew Gagne

Superintendent

Pembroke Water Works



TOWN OF PEMBROKE

Town Hall ~ 311 Pembroke Street, Pembroke, New Hampshire 03275

Tel: 603-485-4747

7-16-18

P Planning Board
Town of Pembroke N.H.

Re Long Meadow Estates,

As Health Officer for the Town of Pembroke
I find no ill effects to the aquifer for
Pembroke resulting from this development.

[Signature]
Health Officer Pembroke N.H.

**TOWN OF PEMBROKE
MAJOR SUBDIVISION PLAN APPLICATION REVIEW
JULY 24, 2018**

TITLE: Long Meadow Estates Major Subdivision, SUP-AC & SUP-WP

APPLICATION:

- 1. Major Subdivision Plan Application #18-06, Eric Pearson, Equivise, LLC, acting as Applicant on behalf of Cole Family Trust, owner of Tax Map 565, Lot 55 located at 354-356 Pembroke Street in the Medium Density (R1) Residential Zone, the Aquifer Conservation (AC) District, the Wetlands Protection (WP) District, and the Architectural Design (AD) District.**
The Applicant proposes to subdivide Map 565, Lot 55 into sixteen (16) single family residential lots on a proposed roadway. The proposed development will be serviced by municipal water and sewer, and includes a closed drainage system and associated drainage easement area. This plan is associated with Special Use Permits for the Aquifer Conservation and Wetlands Protection Districts (SUP-AC #18-307 and SUP-WP #18-308).
- 2. Special Use Permit Application SUP-AC #18-307, Eric Pearson, Equivise, LLC, acting as Applicant on behalf of Cole Family Trust, owner of Tax Map 565, Lot 55 located at 354-356 Pembroke Street in the Medium Density (R1) Residential Zone, the Aquifer Conservation (AC) District, the Wetlands Protection (WP) District, and the Architectural Design (AD) District.**
The Applicant requests a Special Use Permit in accordance with Article 143-68.E., Aquifer Conservation District, for single-family residential use over the aquifer. This permit is associated with Major Subdivision Plan Application #18-06.
- 3. Special Use Permit Application SUP-WP #18-308, Eric Pearson, Equivise, LLC, acting as Applicant on behalf of Cole Family Trust, owner of Tax Map 565, Lot 55 located at 354-356 Pembroke Street in the Medium Density (R1) Residential Zone, the Aquifer Conservation (AC) District, the Wetlands Protection (WP) District, and the Architectural Design (AD) District.**
The Applicant requests a Special Use Permit in accordance with Article 143-72.D., Wetlands Protection District, for single-family residential use on a parcel containing wetlands. This permit is associated with Major Subdivision Plan Application #18-06.

REVIEWER: Carolyn Cronin, Town Planner

APPLICATION	SUB #18-06 SUP-AC #18-307 SUP-WP #18-308	MAP & LOT: Map 565, Lot 55
--------------------	--	---------------------------------------

APPLICANT:	Eric Pearson, Equivise, LLC	PROPERTY ADDRESS:	354-356 Pembroke St.
ENGINEER:	Brenton Cole, PE, Keach Nordstrom Associates		
PROPERTY OWNER:	Cole Family Trust: Farnum W. & Lynda L. Cole, Trustees; Millicent B. Cole, Trustee; Thomas J. & Caroline C. Phillips, Trustees	ROAD CLASS:	Proposed Town Paved
		ACRES:	49.3
DATE OF PB HEARINGS:	July 24, 2018	FRONTAGE:	212.4 (on Route 3)
		ZONES:	Medium Density (R1) Residential Zone; Aquifer Conservation (AC) District; Wetlands Protection (WP) District; Architectural Design (AD) District

Items Utilized for this Review:

- Subdivision Application & Major Subdivision Review Checklist
- Application for Waivers of Major Subdivision Plan Review Requirements
- Waiver Request Letter from Subdivision Regulations
- Special Use Permit Applications & Special Use Permit Review Checklists
- Project Narrative
- Traffic Memo dated March 22, 2018
- Stormwater Management Report dated May 31, 2018
- Plans dated May 3, 2018

OVERVIEW

The Applicant proposes to subdivide the parcel into 16 single-family residential lots with a new loop roadway. The 16 house lots range in size from 0.45 acre to 35 acres. Municipal sewer and water are proposed. A closed stormwater drainage system is proposed with an easement to the Town for access and maintenance of the stormwater basin.

Two waivers are requested from the Subdivision Regulations from roadway superelevation and sidewalks on both sides (to only provide sidewalks on one side).

The project requires several state approvals including: DOT Driveway Permit, DES Sewer Connection Permit, AOT, and Notice of Intent. The NH Division of Historic Resources has requested a Phase 1A Archeological Survey. The NH Natural Heritage Bureau has requested the applicant contact NH Fish and Game to address wildlife concerns.

ZONING ORDINANCE

The lots appear to meet the dimensional requirements of the Zoning Ordinance. The property includes the following overlay districts: Architectural Design (AD), Aquifer Conservation (AC), Wetlands Protection (WP), Floodplain Development (FD), and Shoreland Protection (SP). No part of the work area is included in the Floodplain Development or Shoreland Protection overlay districts. Special Use Permit applications have been filed for uses in the Aquifer Conservation and Wetlands Protection overlay districts. The Planning Board will need to review those Special Permits, as well as the Architectural Design criteria for the lots which fall in the AD District.

Table of Uses §143-19

The use is permitted in the R1 District. Special Use Permits are required in the AC and WP Districts.

Table of Dimensional Regulations, Zoning 143-21

The property is in the R1 District and plans to connect to municipal water and sewer. The proposed lots meet the dimensional standards.

Architectural Design (AD) Overlay District, Zoning 143-67

Per zoning 143-67.A., the Planning Board shall review proposals in this district to determine if the proposed development will be in harmony with the existing character of the surrounding area.

AD Requirements:

- Architectural plans of the exterior design and appearance of all structures, landscaping, signs, parking areas, loading areas, and recreational facilities.

Aquifer Conservation (AC) Overlay District, Zoning 143-68

Per zoning 143-68.E., a Special Use Permit is required for all uses taking place over the aquifer. A Special Use Permit application was submitted and a public hearing will be held in conjunction with the subdivision application.

SUP-AC Requirements:

- Health Officer comments
 - *The Health Officer has no concern with the project.*
- Pembroke Water Works comments
 - *PWW has no concern with the project.*
- Narrative listing each chemical to be used on site and how each will be stored and disposed of, and MSDS for each.
 - *A narrative relative to the aquifer has been submitted.*

Wetlands Protection (WP) Overlay District, Zoning 143-72

Per zoning 143.72.D., a Special Use Permit is required for all uses not permitted in the wetlands. A Special Use Permit application was submitted and a public hearing will be held in conjunction with the subdivision application.

SUP-WP Requirements:

- Conservation Commission comments
 - *At their July 9th meeting, the Commission voted in favor of granting the Wetlands SUP because the plan appears to address wetland concerns. The Commission ask that the Applicant and the Planning Board consider a deed restriction on the back portion of the parcel to provide for open space purposes, including continuing the active agricultural use, conserving the riverfront, and providing an easement for the rail trail.*
- Demonstrate the proposed use will not conflict with the purpose and intent of the WP Overlay District.
 - *A narrative addressing wetland protection plans has been submitted.*

SUBDIVISION REGULATIONS

Major Subdivision Review Checklist Waiver Requests

The following waiver requests have been submitted by the Applicant.

Part A – General Information

- P. Blocks
- S. Proposed Open Space
- T. Phasing Plan
- W. Open Space Development.

Appropriate as Condition of Approval

Part A – General Information

- A. Original Signature of all Owners

Subdivision Regulation Waiver Requests

The Applicant has requested two waivers from the Subdivision Regulations:

- §205-41 Design Standards, Section E.(3). Superelevation of the roadway.
- §205-41 Design Standards, Section E.(19).(a). Sidewalks required on both sides of the roadway.

DEPARTMENT AND PROFESSIONAL COMMENTS

A TRC meeting was held on June 27, 2018. Staff made comments relative to house numbering, traffic safety, roadway connectivity, sidewalks, and conservation. Please see TRC Minutes for full comments. (Included in packet).

The Applicant appeared before the Roads Committee. The Committee felt strongly about granite curbing on the sidewalk, but were not opposed to berm on the non-sidewalk side.

A memo has been submitted from Pembroke Water Works conditionally approving the project for water supply. (Included in packet).

The Applicant has met with the Sewer Committee but has not yet secured capacity. As of this date, Pembroke Sewer is scheduled to meet with Allenstown Sewer regarding future town sewer flows.

As of this date, comments from the full engineering review are pending.

PLANNER COMMENTS

In general, the project meets the design standards and requirements of the Town, pending State approvals.

The checklist waivers are appropriate because they are not applicable to the proposal.

The waivers from the Subdivision Regulations can be considered by the Board and voted on later.

There are several discussion points that the Board should consider.

1. TRAFFIC SAFETY

The development proposes a new loop road with 16 single-family lots having one access in/out from Route 3. The project is subject to a DOT Driveway Permit. The Planning Board has discussed Route 3 traffic and safety at length related to other Planning Board applications. The result of those conversations has typically been that Route 3 needs to be looked at comprehensively, and not just on a project by project basis. However, these projects are the Board's opportunity to look for improvements to safety and traffic flow.

At TRC, the Police Chief expressed a great need to examine traffic and connectivity in and around Route 3. The Chief's concern was traffic congestion at commuter hours (7-8 AM and 4-5 PM) makes travel difficult. He also stated that many accidents occur on Route 3, either by rear-end or left-hand turn conflicts. The Chief agrees that a comprehensive approach needs to be taken to address the increasing traffic on Route 3.

According to the traffic memo prepared by Stephen Pernaw, PE, PTOE, dated March 22, 2018, the number of new trips in and out of the site will not have a significant impact on traffic in the area. (Memo estimates 16 weekday AM peak trips and 17 weekday PM peak trips). The memo recommends a stop sign/stop bar at the intersection of the proposed road and Route 3.

- What type of traffic mitigation or improvements would the Board like to discuss relative to traffic safety and flow, as warranted by the project?

2. ROADWAY CONNECTIVITY

A major contributor to Route 3 traffic congestion and safety is the lack of roadway connectivity. Route 3 is a main corridor and currently has at least nine roads off it with no outlet besides Route 3. In addition, many neighborhoods, businesses,

and schools can only be accessed by Route 3. Limited access causes congestion on Route 3.

Roadway connectivity gives drivers choices about how to travel. It helps evenly disperse traffic to reduce congestion and promote circulation. Connectivity is also an important aid to emergency services, giving them options to save time that could save lives. At TRC, the Fire Chief recommended considering roadway connectivity.

Connectivity also improves efficiency of vehicle-dependent services like mail delivery, trash removal, snow plowing, etc., thereby saving time and ultimately reducing costs. With new development, the Board has the opportunity to explore the potential for connectivity.

The proposed site has some environmental constraints that could make it challenging to connect the proposed Long Meadow Drive to nearby Peaslee Drive or Bow Lane. The terrain outside of the project area is very wet and very steep. Significant engineering, permitting, and site work may need to be performed in order to connect the roadway. The other challenge is that property between Peaslee Drive, Bow Lane, and the subject parcel are not owned by the applicant, and existing housing and active agriculture stand between the project and these other roadway outlets. A number of utility easements also run through the area. Despite these challenges, this does not mean that a connection can never be made in the future.

- Does the Board want to consider future roadway connectivity of this project? If so, does the Board want to discuss the potential for a future access parcel or right of way?

3. SIDEWALKS

The Applicant has requested a waiver from the Subdivision Regulations requirement of sidewalks on both sides of the road. Instead, the applicant proposes a sidewalk on one side of the road. This request is not unusual because on smaller streets one sidewalk is typically adequate to serve the neighborhood, and creates less maintenance for the Town than two sidewalks would.

The issue with this development is that the existing sidewalk on Route 3 does not run along the west side (project side) of the road. It runs along the eastern side of Route 3. That means any proposed sidewalk within the development would not connect to any other existing sidewalk. A pedestrian would have to cross Route 3 without the assistance of a crosswalk or a light to walk in and out of the development.

The benefit of a sidewalk within the development is pedestrian safety. People walking their dogs, children on bikes, and parents with strollers would all benefit from the added protection of walking on a sidewalk rather than in the roadway.

- Does the Board see a benefit to two sidewalks, one sidewalk, or no sidewalks?

4. OPEN SPACE POTENTIAL

The parcel includes 586 feet of frontage on the Merrimack River. The NH Heritage Bureau data check returned evidence of nearby endangered and special concern wildlife and plants. In addition, the property has been identified as having Prime Farmland Soils and is currently farmed by a local farmer. The parcel also includes a segment of the potential Concord to Manchester Rail Trail. Based on this combination of natural assets, some part of the property would be appropriate to consider for conservation and future rail trail potential.

The Town's Natural Resource Inventory identified the riverfront as having high natural resource value and, therefore, is a priority to the Conservation Commission when considering land to protect. The Commission would like to see the back portion of the lot deed restricted to protect the high-value conservation land, active agricultural use, and provide for future rail trail development.

This project presents an opportunity to negotiate ownership or an easement for conservation purposes and/or a trail easement for the construction, maintenance, and use of the rail trail. Provisions for continued agricultural use should also be explored.

- The Planning Board should work in conjunction with the Conservation Commission to identify portions of the property that might be appropriate for conservation, and negotiate with the applicant to find an agreeable arrangement.

Discussion

[illegible]

SUGGESTED ORDER OF BUSINESS

1. Planner reports on application.
2. Board decides to:
Vote to grant waiver requests and vote to accept the application as complete.

Vote to not grant the waivers and deem the application as incomplete.
3. If the application is accepted as complete, the Board can open the public hearing and the applicant makes a presentation to the Board and move on to #4.

If the application is not accepted as complete, the Board shall take no further action on said application. The Board can explain to the applicant they can revise and resubmit the application to a subsequent regular meeting of the Board with the missing required information and new application fees.
4. Board reviews and discusses the application.
5. Chair allows for public input.
6. Chair continues the public hearing.

If the Board Agrees with the Checklist Waiver Requests

A motion can be made with the suggested language:

_____ made a motion to grant the waiver requests for checklist items:

Part A - Items: P, S, T, and W

_____ seconded the motion.

Discussion:

Call for the vote. Motion _____ by a _____ vote.

If the waivers are granted, the application can be accepted as complete.

A motion can be made with the suggested language:

_____ made a motion to accept the application as complete.

_____ seconded the motion.

Discussion:

Call for the vote. Motion _____ by a _____ vote.

If the Board Does Not Grant the Checklist Waiver Requests

A motion can be made with the suggested language:

_____ made a motion to deny (any or all) of the following waiver requests for checklist items:

Part A - Items: P, S, T, and W.

_____ seconded the motion.

Discussion:

Call for the vote.

Motion _____ by a _____ vote.

If the waivers were not granted, the application is incomplete.

If the subdivision application is not accepted as complete, the Board could consider discussing the SUP applications, but historically the Board has not allowed a SUP application submitted as part of a subdivision plan to move forward when the subdivision is not accepted.

If the Board Votes to Continue the Hearing

A motion can be made with the suggested language:

_____ made a motion to continue consideration of New Business Agenda Items #1, 2 and 3 to the August 28, 2018 meeting.

_____ seconded the motion.

Discussion:

Call for the vote. Motion _____ by a _____ vote.



June 4, 2018

Ms. Carolyn Cronin, Town Planner
Planning and Building Department
Town of Pembroke
311 Pembroke Street
Pembroke, New Hampshire 03275

Subject: Application for Subdivision Review
Long Meadow Estates – 16 Lot Subdivision
354-356 Pembroke Street, Pembroke, NH
KNA Project No. 16-0927-3

Dear Ms. Cronin:

On behalf of Equivise, LLC, Keach-Nordstrom Associates, Inc. submits the following materials for Subdivision Review during the Planning Board's July 24, 2018 Public Hearing:

1. A complete application for Subdivision Review;
2. A current abutters list prepared by this office;
3. A notarized Authorization from the owners;
4. A completed Subdivision Checklist;
5. A comprehensive Project Narrative;
6. Applicable deeds for the property;
7. Two copies of the Alteration of Terrain Permit Application/Stormwater Management Report;
8. Two copies of the Traffic Impact Report prepared by Stephen G. Pernaw & Company, Inc.;
9. (25) Twenty-Five packets for distribution including a half-size plan set, copy of the application, notarized authorization, project narrative, checklist, and waiver request;
10. Two full size sets of project plans (rolled); and
11. Certified mailing envelopes, ready for mailing.

Eric Pearson, the applicant, will deliver the checks associated with the project on Thursday.

I trust you will find the content of this submittal complete and in keeping with the requirements for Subdivision review. Should you find anything missing or require further information, please do not hesitate to contact me directly.

Respectfully,

Brenton Cole, P.E.
Project Manager

Civil Engineering

Land Surveying

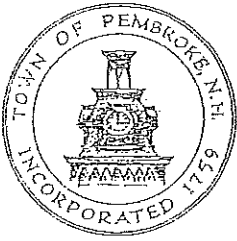
Landscape Architecture

10 Commerce Park North, Suite 3B

Bedford, NH 03110

Phone (603) 627-2881

Fax (603) 627-2915



TOWN OF PEMBROKE

Town Hall ~ 311 Pembroke Street, Pembroke, New Hampshire 03275

Tel: 603-485-4747

SUBDIVISION AND SITE PLAN REVIEW APPLICATION For New and Amended Applications

General Information

This application form is required by the Pembroke Planning Board in order to process the planning actions listed in Part I. The Town of Pembroke Subdivision and Site Plan Review Regulations require that the specific material listed on the Subdivision and Site Plan Review Checklists be submitted with this application form in order for an application to be considered complete. Appropriate fees, property owner authorization letters, large and reduced-size plan sets, relevant studies, permits and approvals, and written requests for waivers must be submitted with this application form.

Please be advised it is the applicant's responsibility to submit a complete and accurate application package.

The Planning Board will not take jurisdiction over incomplete applications. Only after applications are deemed complete by the Board can a public hearing be held.

Deadline Information

All completed applications, plans and any additional information must be submitted 30 days prior to the next regularly scheduled Planning Board meeting. The Planning Board meets on the fourth (4th) Tuesday of the month. The Planning Board meeting dates and application deadlines is available from the Planning Department.

Please contact the Town of Pembroke Planning & Land Use Department at (603) 485-4747 with any questions.

****It is recommended applicants meet with the Town Planner prior to application submission to ensure the application contains the correct and complete information.****

TOWN OF PEMBROKE SUBDIVISION AND SITE PLAN REVIEW APPLICATION

Town Use Only

MAP: _____

LOT: _____

APP #: _____

PART 1. APPLICATION TYPE

Please check the appropriate Planning Board action:

Major Subdivision (4 or more lots)	X
Minor Subdivision (up to 3 lots)	
Lot Line Adjustment	
Major Site Plan Review (all new development, 10% or greater expansion of use or structure) Change in use resulting in changes to the building or site plan	
Minor Site Plan Review	

PART 2. PROJECT INFORMATION Please type or print clearly.

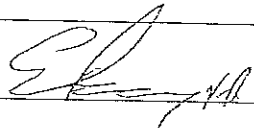
Date	MAY 31, 2018
Project Name <i>Example: Smith Major Subdivision</i>	LONG MEADOW ESTATES
Site Address or Location	PEMBROKE STREET
Tax Map Number	MAP 565
Tax Lot Number	LOT 55
Zoning District(s)	R1 RESIDENTIAL - MEDIUM DENSITY
Zoning Overlay District(s)	ARCHITECTURAL DESIGN
Special Use Permit Required?*	NO
ZBA Variance or Special Exception Required?**	NO
Total Acres	49.281 ACRES
Total Frontage	212.40 FT (ROUTE 3)
<u>Purpose of Plan and project narrative. Attach additional sheets if necessary.</u>	THE PURPOSE OF THIS PLAN IS TO SUBDIVIDE MAP 565, LOT 55 INTO 16 RESIDENTIAL BUILDING LOTS.

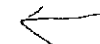
**If special use permits are required, complete the separate application(s) and submit concurrently with this Application. ** If ZBA variances or special exceptions are required please refer to RSA 676:4.I.(i). It is recommended, but not required, to obtain the ZBA approvals prior to Planning Board approval. If ZBA approvals are obtained first please include with this Application.*

TOWN OF PEMBROKE SUBDIVISION AND SITE PLAN REVIEW APPLICATION

PART 3. APPLICANT INFORMATION

The applicant is usually a professional (surveyor, engineer, developer, architect, attorney, etc) representing a property owner before the Board.


Name	ERIC PEARSON
Company	EQUIVISE, LLC
Address	62 MIDDLE DUNSTABLE ROAD. NASHUA, NH 03062
Phone Number	(603) 888-6100
Email (required)	EPEARSON@EQUIVISE.COM
Fax	
Signature	



PART 4. PROPERTY OWNER INFORMATION

If the applicant (above) will be representing the property owner(s) before the Planning Board, submit an original notarized letter of authorization from the property owner(s). You may attach additional sheets if there are more than two (2) owners.

	Owner 1	Owner 2
Name	See attached Additional Owners list for list of all owners of the property.	
Address		
Day Phone Number		
Email		
Date		
Signature	See attached signed Authorization from property owners.	



PART 5. OTHER APPLICATION REQUIREMENTS

The following items are required for a complete application. The Board will make a determination at its next regular meeting, after the project has been publicly noticed, whether the application is complete.

****It is recommended applicants meet with the Town Planner prior to application submission to ensure the application contains the correct and complete information.****

Additional Owners
Long Meadow Estates
Pembroke, NH
KNA#16-0927-3

Tax Map	Lot	Owners
565	55	Farnum W. & Lynda L. Cole, Trustees Cole Family Trust 900 Jimeno Road Santa Barbara, CA 93103 Millicent B. Cole, Trustee The Edward A. Cole Trust 145 Salem Road Topsfield, MA 01983 Thomas J. & Caroline C. Phillips, Trustees The Phillips Living Trust 113 Tradescant Drive Chapel Hill, NC 27571

TOWN OF PEMBROKE SUBDIVISION AND SITE PLAN REVIEW APPLICATION

Unless deemed unnecessary by the Planning Department, ALL applicants shall attend a Technical Review Committee (TRC) meeting prior to being placed on the Planning Board Agenda.

Certified Abutter Notification and Certified Notice of Decision Lists	
Notarized Letter(s) of Authorization	
Application Checklist	
Project Narrative Letter describing the project in detail, existing conditions, etc.	
Waiver requests if applicable- applicant must include written justification for waiver requests.	
Application, Administration, and Engineering Fees (refer to the appropriate fee schedule)	
<u>Two full sets of 22"x 34" plans, folded with original signatures and stamps.</u> <u>*ROLLED PLANS WILL NOT BE ACCEPTED UNLESS THE PLAN SET IS TEN (10) SHEETS OR MORE*</u>	
<p style="text-align: center;"><u>APPLICATION SUBMISSION REQUIREMENTS</u></p> <p><u>One complete application submitted with original signatures of property owner(s) and professional agents, notarized owner authorization letter, project narrative, checklist, waivers (if applicable), and any other permits or applications, e.g. state or federal permits</u></p> <p><u>Twenty- five (25) packets shall be submitted that include copies of the application, notarized owner authorization letter, project narrative, checklist, waiver requests (if applicable), and 11x17 copy of the plan. DO NOT include the abutter list or fee sheet in the packet.</u></p> <p><u>If there are waiver requests, do not include the application checklist in the packets</u></p> <p style="text-align: center;"><u>Only include the waiver requests in the packets.</u></p> <p><u>ABUTTER NOTIFICATION shall be pursuant to RSA 672:3 and 676:4.I.(b)</u></p> <p><u>*It is the applicant's responsibility to verify accurate abutter mailing information*</u></p> <p><u>*Property owner(s) and project professional(s) e.g. engineers, surveyors, lawyers, wetland scientists, etc. are considered abutters by NH law and are required to receive certified notification.*</u></p>	

ABUTTER NOTIFICATION REQUIREMENTS

It is recommended that Avery 5160 labels be used for the mailing labels.

If there are ten (10) or more abutters, it shall be the responsibility of the applicant to complete all the abutter notification mailing envelopes, Certified Notice slips, and Return Receipt slips, including envelopes for the certified notification(s) of the Notice of Decision(s). The abutter mailing labels shall include up to date abutter mailing address and map and lot number for the project parcel/lot.

The abutter mailing labels shall be affixed to each envelope, each Certified Notice Receipt, and each Return Receipt Notice for the abutter notification and for the Certified Notice of Decision(s) if applicable.

The applicant must use the "Town of Pembroke" as the return address on the abutter envelopes, the Return Receipt Notice for the abutter notification, and the certified notification of the Notice of Decision(s) if applicable.

The return address is: "Town of Pembroke, Planning Department,
311 Pembroke St. Pembroke NH 03275"

If there are less than ten (10) abutters it shall be the responsibility of the applicant to submit the correct abutter mailing labels for each Certified Notice Receipt and Return Receipt Notice for the abutters and for recipient(s) of the certified Notice of Decision(s) if applicable.

The mailing labels shall be in triplicate and include the map and lot number for the project parcel/lot.

Property owner(s) and project professional(s) e.g. engineers, surveyors, wetland scientists, etc. are considered abutters by NH law and are required to receive certified notification.

Two (2) copies of any drainage, hydrologic, or other studies and associated plans if applicable

Copies of any local, State, Federal or other approvals or applications waiting for approval

TOWN OF PEMBROKE SUBDIVISION AND SITE PLAN REVIEW APPLICATION

PART 6. ESCROW BALANCES AND RETURNS

All applications for subdivision and site plan review require a positive balance in escrow accounts set up by the Town which are used for engineering, consulting, and legal fees. Along with application fees, an escrow check will be supplied by the applicant or property owner(s). The property owner(s) acknowledges that when escrow funds are depleted, all Town work on the project will stop until the fund is replenished. The Town will notify the applicant, on behalf of the property owner(s), when the escrow balance is low.

In the review of applications, the Planning Board may contract with consultants to review all or portions of any application. This review shall be at the applicant's expense. The Planning Board, at its discretion, may request an applicant to prepare special studies at the applicant's expense, or contract with a consultant to perform these studies at the applicant's expense.

If an escrow balance is in the negative, the property owner will be invoiced by the Town to bring the balance into compliance. Balances must be in the positive before the next Planning Board public hearing or the Board may disapprove the application. Mylars of approved projects will not be registered without a \$0 balance or positive balance in the project's escrow accounts. Unused project escrow balances will be returned within 90 days of application denial or plan registration to ensure that outstanding invoices from consultants have been paid. You may attach additional sheets if there are more than two (2) owners.

Property Owner Name PRINT	See attached Additional Owners list for list of all owners of the property.	Date:
Signature	See attached signed Authorization from property owners.	
Property Owner Name PRINT	See attached Additional Owners list for list of all owners of the property.	Date:
Signature	See attached signed Authorization from property owners.	

Escrow balances are to be returned to (one name/address only):

Name	ERIC PEARSON (FOR EQUIVISE, LLC)
Address	62 MIDDLE DUNSTABLE ROAD, NASHUA, NH 03062

Town of Pembroke - Subdivision Review Fees

Planning Board Fee Worksheet

NAME: Long Meadow Estates - 16 Lot Subdivision

CASE #:

APPLICATION REVIEW FEES				QUANTITY	TOTAL
✓					
X	Subdivision	175	per lot	16	\$2,800.00
	Lot Line Adjustment	200	per first two lots		
N/A		plus 100	per each additional lot		
N/A	Lot Merger per RSA 674:39	25	per lot merged plus \$25.00 Administration Fee		
CONDOMINIUM FEES				QUANTITY	TOTAL
	Conversion of Existing Development	300	per project		
N/A		plus 50	per dwelling unit		
	New Condominium Declaration	300	per project		
N/A		plus 100	per dwelling unit		
ADMINISTRATIVE FEES				QUANTITY	TOTAL
X	Certified Notices of Hearing	10	per address	21	\$210.00
X	Certified Notice of Decision	10	per applicant	1	\$10.00
N/A	Recording Fee for Plans	50	per sheet		
N/A	Recording Fee for Plans (for each additional attempt)	25	per sheet		
N/A	Recording Fee for Documents	25	per document (includes Town easements, etc)		
X	Newspaper Legal Notice	120	minimum per notice, subject to adjustment based upon actual cost via legal escrow account	1	\$120.00
CHECK #1 TOTAL:					\$3,140.00

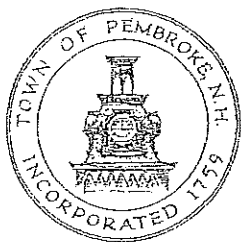
Check #1

ENGINEERING AND LEGAL FEES				QUANTITY	TOTAL
	Lot Line Adjustment	100 *	per project (*Engineering estimate will determine remaining fee. Application will not be accepted as complete without entire fee.)		
	Minor Subdivision	300 *	per project (*Engineering estimate will determine remaining fee. Application will not be accepted as complete without entire fee.)		
X	Major Subdivision	500 *	per project (*Engineering estimate will determine remaining fee. Application will not be accepted as complete without entire fee.)		\$500.00

Check #2

CHECK #2 TOTAL: \$500.00

- Two separate checks must be paid to the Town. One is for application and administration fees, one is for escrow fees.
- All fees, except state LCHIP fees, must be paid by the applicant at the time of filing the application with the designated agent of the Board. Failure to pay all these expenses and fees as specified will be valid grounds for refusal to accept the application as complete or for disapproval of the application. State LCHIP fees shall be included with the submission of the final plans and Mylars. LCHIP checks shall be made out to Merrimack County Registry of Deeds.
- In the review of applications, the Planning Board may contract with consultants to review all or portions of any application. This review shall be at the applicant's expense. The Planning Board, at its discretion, may request an applicant to prepare special studies at the applicant's expense, or contract with a consultant to perform these studies at the applicant's expense.
- Regular escrow fees shall be placed in an account which will be used to pay for engineering and legal review and notification fees, if required. If at any time the account needs to be replenished, the applicant will do so by the date of the next public hearing or the application may be denied because of a negative balance. Any funds remaining in the account, including interest, will be returned to the applicant within 90 days of Planning Board denial or plan registration to



TOWN OF PEMBROKE

Town Hall ~ 311 Pembroke Street, Pembroke, New Hampshire 03275 Tel: 603-485-4747

MAJOR SUBDIVISION REVIEW CHECKLIST

This checklist has been included as part of the Board's operating rules to assist the applicant. However, the applicant is responsible for reviewing the Town's Subdivision Regulations and Zoning Ordinance to ensure that all required information is submitted or addressed. At a minimum, the application must contain all of the information described in this section. The checklist must be completed and submitted as part of the application. Issues not included on the checklist may be raised during the review process. Waivers to any of these requirements must be requested in writing with an explanation of why the waiver should be granted.

Most of the information described in this section must appear on the plat. The rest of the information may appear on the plat or in separate documents.

PART A – REQUIRED INFORMATION

- X A. The plat and the cover sheet of any documents submitted with it must show the names, addresses and telephone numbers of the applicant, the land surveyor or engineer, and anyone owning an interest in the property. The plat must also show the seal of the surveyor, the engineer, wetland scientist and the signatures of all owners.
- X B. The applicant must provide the names and addresses of all abutters, and the citation of the most recent instrument conveying title to each parcel of the property to be subdivided, giving the names of grantor and grantee, the date and the Registry of Deeds recording reference by book and page. Please note that any engineer, architect, land surveyor, or soil scientist whose professional seal appears on the plan is considered an abutter and must be notified as such.
- X C. The plat must show the proposed names of the subdivision and of any proposed streets. These names may not be so similar to existing names as to be likely to create confusion. The Board of Selectmen reserves the right to approve all street names. Proper names are not accepted.
- X D. The applicant must state the dates and the outcome of any applications to subdivide any part of the parcel in the prior ten years.

TOWN OF PEMBROKE MAJOR SUBDIVISION REVIEW CHECKLIST

- X E. The plat must be prepared with pen and ink, and be on mylar or similar material, which may be recorded at the Merrimack County Registry of Deeds. It must show the date of preparation, the true north point and the magnetic north point. It must state the purpose of the subdivision (e.g. to create six (6) lots for single-family dwellings, etc.)
- X F. The plat must include a vicinity map depicting the location of the property with respect to surrounding property and streets. It must show names of adjoining streets and any zoning district lines on this or adjacent property.
- X G. The plat must include the location, bearings to the nearest minutes, and dimensions of all boundary lines and lot lines, expressed in feet and hundredths of a foot.
- X H. The plat must show the use, total area and buildable area (according to Subdivision Regulations and Zoning Ordinance) of each lot.
- X I. The plat must show the existing topography of the entire parcel to be subdivided at these intervals:

<u>Grade</u>	<u>Contour Intervals</u>
0-2%	2 foot plus spot elevations
2+%-5%	2 foot
5+%	10 foot

Low points, high points, and other areas needing spot elevations must be shown.

Existing contours shall be shown with dashed lines and proposed contours shall be shown with solid lines.

- X J. The plat must show the locations and approximate dimensions of all of the following, both existing and proposed, whether located on this parcel or within sixty (60) feet of its boundaries: streets (width and names, on this or adjoining property), easements, rights-of-way, bridges, paved areas, water courses, bodies of water, wetlands, drainage ditches, 100 year floodplain, parks, playgrounds or other recreational areas, cemeteries, monuments, buildings, building set-back lines, ledges, boulders, wooded areas, proposed landscaping, areas with slopes greater than fifteen percent (15%) and environmentally significant areas.
- X K. The plat must show the location, size, elevation and slope of existing sewer and water lines, culverts, catch basins, utility lines, or other underground structures beneath this property or within sixty (60) feet of its boundary lines.

TOWN OF PEMBROKE MAJOR SUBDIVISION REVIEW CHECKLIST

- X L. The applicant must submit a proposal for connection with existing water and sewer lines, or alternative means for providing those services, specifying locations. The 4,000 sq. ft. receiving area for on-site septic systems must be located within the building set-back lines. Issuance of a permit by the New Hampshire Department of Environmental Services, Water Supply and Pollution Control Division will be considered by the Board, but is not binding on the Board.
- X M. The plat must show how surface water shall be collected and discharged so as to minimize and control erosion and sedimentation.
- X N. The plat must show soils types and boundaries based on Soil Conservation Service data. If sewage or other waste water is to be discharged on-site, or if wetland must be identified, an intensive soils survey by a qualified soil scientist is required. Soil boundaries shall be shown on the plat by dotted lines.
- X O. The plat must show the location of actual or proposed soil test pits, test borings, and percolation test pits.
- N/A P. Blocks, including those in subsequent additions to subdivisions shall be numbered consecutively, or lettered in alphabetical order. All lots in each block shall be numbered consecutively. Large remaining parcels to be subdivided in the future shall be lettered in alphabetical order.
- X Q. The applicant must verify the classification of abutting roads.
- X R. The applicant must provide full legal descriptions of all existing and proposed easements, rights-of-way, covenants, reservations or other restrictions on the use of the property, with notations of each on the plat.
- N/A S. The plat must show the location, dimensions, area, and purpose of any existing or proposed open space. The applicant must describe any restrictions on its use and any conditions on its dedication or reservation.
- N/A T. If development is phased, the plat must show the proposed schedule.
- X U. The applicant must disclose the existence of any environmentally sensitive, significant, or unique areas within or abutting the parcel. Each applicant must affirm that the applicant consulted with the New Hampshire Natural Heritage Inventory, Department of Resources and Economic Development, concerning the significance of the parcel and abutting property.

TOWN OF PEMBROKE MAJOR SUBDIVISION REVIEW CHECKLIST

- X V. The applicant must disclose whether the parcel is designated as prime agricultural land on the town map designed for that purpose, and whether the parcel abuts such land.
- N/A W. Applications for open space development must supply the information required by Article IX of the Town of Pembroke Zoning Ordinance.
- X X. The applicant must submit any available certifications of approval required by any other Federal, State or Local Government Agency, and sufficient information to demonstrate compliance with the Zoning Ordinance and these regulations.
- X Y. The plat must show the following form for the Board approval in the lower right corner above the title block.

Under the provisions of RSA 674:35 and 674:37, the Town of Pembroke Planning Board, in accordance with the Board vote dated _____, hereby approves this plat. Approval is limited to the lots as shown.

Chairperson

TOWN OF PEMBROKE MAJOR SUBDIVISION REVIEW CHECKLIST

PART B – CONSTRUCTION PLAN SUBMITTAL INFORMATION

Construction plans shall be prepared for all required improvements whether private or public improvements. Map sheets shall be no larger than 22"x34". The following shall be shown:

- ☒ A. Plans – Plans of all areas to be disturbed for construction of streets, drainage ways, and structures, sewer, water and electric lines, erosion and sediment control structures, and other areas to be disturbed for the construction of improvements shall be made showing existing topography shown in dashed lines and proposed contours shown in solid lines at a contour interval no greater than two (2) feet plus spot elevations, soil types and boundaries shown in dotted lines, existing tree lines and proposed trees and all other plantings, edge of all paved areas, location and size of all structures, piping and other materials, center line stationing of all proposed roads at fifty (50) foot intervals, and the location of all lot lines with the lot numbers. Plans shall be drawn at a scale of not more than one (1) inch equals fifty (50) feet.
- ☒ B. Profiles. Profiles of all proposed roadways, showing existing and proposed elevations along the center lines of all proposed roads and all structures, piping and other materials. Profiles shall be drawn at a scale of one (1) inch equals fifty (50) feet horizontal scale and one (1) inch equals five (5) feet vertical scale.
- ☒ C. Cross-sections. Cross-sections of all proposed roadways at one-hundred-foot stations and at all catch basins or culverts showing the roadway and all areas to be disturbed for the construction of all proposed roadways, existing grades, proposed subgrades, proposed final grades and all utilities and other structures. Cross-sections shall be drawn to a convenient scale of not more than one (1) inch equals ten (10) feet, both the horizontal and vertical scales shall be the same.
- ☒ D. Details. Construction details of all roadways, curbing, sidewalks, drainage structures, sediment and erosion control structures and any other required improvements shall be shown at a convenient scale.
- ☒ E. Erosion and sediment control. Plans and other information indicating how increased runoff, sedimentation and erosion shall be controlled during and after construction or required improvements.
- ☒ F. Impact from Site – Potential impact to abutting lots including but not limited to drainage, access, traffic, noise shall be described in plan Notes and offer mitigation options as appropriate for Board consideration.



KEACH-NORDSTROM ASSOCIATES, INC.

May 31, 2018

Project Narrative

Long Meadow Estates

354-356 Pembroke Street (US Route 3), Pembroke, NH

Map 565; Lot 55

Equivise, LLC proposes to subdivide the lot of record in order to create 16 new single family residential building lots. The existing lot is owned by the Cole Family Trust, The Edward A. Cole Trust, and The Phillips Living Trust and totals over 49 acres in area. The lot enjoys frontage along Pembroke Street and is undeveloped and consists of both open farmland and forest. The property lies entirely within the R1 Residential-Medium Density Zoning District, with portions of the site within the Architectural Design. The land onsite slopes from Route 3 westerly toward the Merrimack River. From Route 3 towards west on the subject property, a 50-foot wide gas line easement maintained for the Tennessee gas pipeline is crossing the property. Further to the west, the Town of Pembroke maintains a 30-foot wide sewer easement. Residential uses abut the property to the north, south, and east and the Merrimack River abuts the property to the west.

Frontage for the new lots will be derived off the proposed street, as shown on the attached drawings. The roadway will start at Pembroke Street and will provide a loop for return. All 16 new lots will be served by municipal sewer and water utilities. As well, underground electric/telephone/cable services and natural gas services will be extended to each new home.

The proposed roadway will be designed and constructed to Town of Pembroke Standards with granite curbing, closed drainage, and sidewalk along one side. Roadway construction includes installation of a closed drainage system that mitigates additional surface water runoff associated with the proposed development. The closed drainage system will outlet to one above ground stormwater management area designed to treat and mitigate stormwater prior to discharge overland toward the Merrimack River.

This project is subject to approval from the NHDES Alteration of Terrain program and Wastewater Engineering Bureau. In addition, the project is subject to NHDOT District 5 approval for the curb cut at Pembroke Street. State applications are being submitted contemporaneously with the application for Subdivision Review.



KEACH-NORDSTROM ASSOCIATES, INC.

May 31, 2018

Mr. Alan Topliff, Chair
Town of Pembroke Planning Board
311 Pembroke Street
Pembroke, New Hampshire 03275

Subject: Waiver Request – Long Meadow Estates
354-356 Pembroke Street
KNA Project No. 16-0927-3

Dear Chairman Topliff:

Keach-Nordstrom Associates, Inc. (KNA) serves as the Land Surveying and Civil/Site Engineering consultants to Equivise, LLC, the applicant of the subject project. We respectfully request that the Board consider waiving certain provisions of those Articles as listed below:

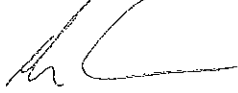
- Article VI. 205-41 Design Standards
 - E. Street Improvements
 - (3) To allow a normal roadway crown throughout the proposed Long Meadow Estates residential subdivision whereas the regulations require all roadway horizontal curves to be superelevated; and
 - (19) To allow sidewalks along only one side of the proposed streets in the development whereas the regulations require sidewalks along both sides of new streets in the R1 Zoning District.

Few towns require superelevation of horizontal curves in situations like that at Long Meadow Estates. The superelevation or “banked curve” creates higher driver speed potential which is often opposite of the desired outcome in residential settings. This road was designed for small centerline radius where the low volume and short lengths are expected to keep driver speeds low. Based on the foregoing, driver safety is not expected to be impacted by allowing a normal crown roadway section through horizontal curves. In fact, in the opinion of this office, the purposes of this section of the regulations may be served to a greater extent than with superelevated curves, due to the impact on speed and the resultant pedestrian safety.

Sidewalks are only proposed along one side of the roadway for Long Meadow Estates. It is this firm’s understanding that the position of the Town Engineer and Director of Public Works is the need for two sidewalks is questionable and will require additional maintenance that will burden the Town if roadways are accepted. Substantial financial hardship is borne by the applicant to construct sidewalks along both sides of a relatively small subdivision, with no substantial gain to the public interest.

Neither of the waiver requests listed above will nullify the intent and purpose of the Subdivision Regulations as detailed in Article I. The Board's kind consideration of these requests is very much appreciated.

Respectfully,

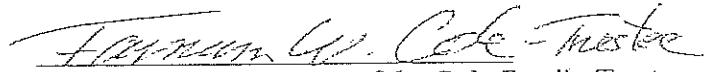
A handwritten signature in black ink, appearing to be 'Brenton Cole', written over a horizontal line.

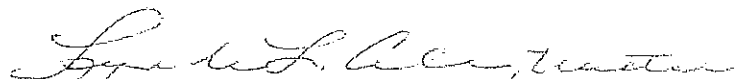
Brenton Cole, P.E.
Project Manager

AUTHORIZATION

The undersigned, Farnum W. Cole and Lynda L. Cole, as Trustees of the Cole Family Trust of 900 Jimeno Road Santa Barbara, California, as a co-owner of certain real estate located at 354-356 Pembroke Street, Pembroke, New Hampshire, hereby consent to and authorize Equivise, LLC, with a place of business at 62 Middle Dunstable Road, Nashua, New Hampshire, as applicant, and its representative, Keach-Nordstrom Associates, Inc., with a place of business at 10 Commerce Park No. Suite 3, Bedford, New Hampshire, to file for, pursue and obtain any and all permits and approvals as may be necessary or proper in connection with the proposal to subdivide said real estate to create sixteen (16) new single family residential building lots, including but not limited to applications to the Town of Pembroke Planning Board. Nothing contained herein shall be construed to impose upon the undersigned any responsibility for any fees, expenses or other liability incurred in connection with any such applications or submittals, or otherwise.

IN WITNESS WHEREOF, the undersigned have caused this instrument to be duly executed this 27 day of June, 2018.


Farnum W. Cole, Trustee of the Cole Family Trust


Lynda L. Cole, Trustee of the Cole Family Trust

[SEE ATTACHED STATE OF CALIFORNIA ALL-PURPOSE CERTIFICATE OF
ACKNOWLEDGMENT - CALIFORNIA CIVIL CODE SECTION 1189]

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Santa Barbara

On June 1, 2018 before me, Susan L. Cervantes Notary Public

Date

Here Insert Name and Title of the Officer

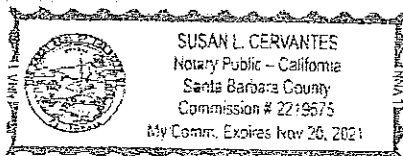
personally appeared Farnam W. Cole & Lynda L. Cole

Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Susan L. Cervantes
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document:

Title or Type of Document: Authorization Document Date: 6/1/18

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

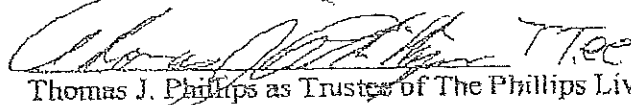
☐ Other: _____

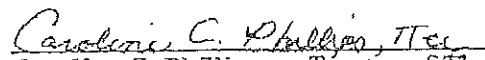
Signer Is Representing: _____

AUTHORIZATION

The undersigned, Thomas J. Phillips and Caroline C. Phillips, as Trustees of The Phillips Living Trust of 113 Tradescant Drive Chapel Hill, North Carolina, as a co-owner of certain real estate located at 354-356 Pembroke Street, Pembroke, New Hampshire, hereby consent to and authorize Equivise, LLC, with a place of business at 62 Middle Dunstable Road, Nashua, New Hampshire, as applicant, and its representative, Keach-Nordstrom Associates, Inc., with a place of business at 10 Commerce Park No. Suite 3, Bedford, New Hampshire to file for, pursue and obtain any and all permits and approvals as may be necessary or proper in connection with the proposal to subdivide said real estate to create sixteen (16) new single family residential building lots, including but not limited to applications to the Town of Pembroke Planning Board. Nothing contained herein shall be construed to impose upon the undersigned any responsibility for any fees, expenses or other liability incurred in connection with any such applications or submittals, or otherwise.

IN WITNESS WHEREOF, the undersigned have caused this instrument to be duly executed this 2 day of June, 2018.

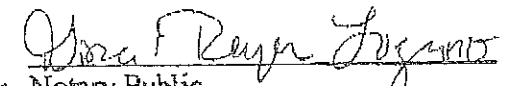

Thomas J. Phillips as Trustee of The Phillips Living Trust

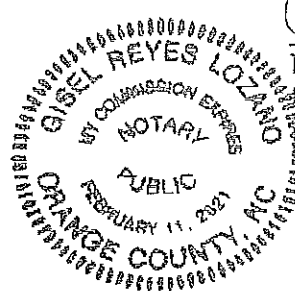

Caroline C. Phillips, as Trustee of The Phillips Living Trust

STATE OF NORTH CAROLINA

Orange County, ss. 2, June, 2018

Then personally appeared Thomas J. Phillips, Trustee of The Phillips Living Trust, who is personally known to me, or has proved to me through satisfactory evidence of identification, which was NC Driver License, to be the person whose name is signed on the preceding document, and acknowledged to me that he signed it voluntarily for its stated purpose, before me,

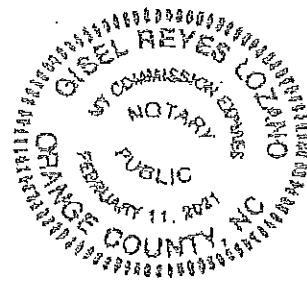

Notary Public
Print: Gisel Reyes Lozano
My commission expires: 2/11/21



STATE OF NORTH CAROLINA

Orange County, ss.2 June, 2018

Then personally appeared Caroline C. Phillips, Trustee of The Phillips Living Trust, who is personally known to me, or has proved to me through satisfactory evidence of identification, which was NC Driver License, to be the person whose name is signed on the preceding document, and acknowledged to me that she signed it voluntarily for its stated purpose, before me,

Gisel Reyes Lozano

Notary Public

Print: Gisel Reyes LozanoMy commission expires: 2/11/21

AUTHORIZATION

The undersigned, Millicent B. Cole, as Trustee of The Edward A. Cole Trust of 145 Salem Road Topsfield, Massachusetts, as a co-owner of the certain real estate located at 354-356 Pembroke Street, Pembroke, New Hampshire, hereby consents to and authorizes Equivise, LLC, with a place of business at 62 Middle Dunstable Road, Nashua, New Hampshire, as applicant, and its representative, Keach-Nordstrom Associates, Inc., with a place of business at 10 Commerce Park No. Suite 3, Bedford, New Hampshire, to file for, pursue and obtain any and all permits and approvals as may be necessary or proper in connection with the proposal to subdivide said real estate to create sixteen (16) new single family residential building lots, including but not limited to applications to the Town of Pembroke Planning Board. Nothing contained herein shall be construed to impose upon the undersigned any responsibility for any fees, expenses or other liabilities incurred in connection with any such applications or submittals, or otherwise.

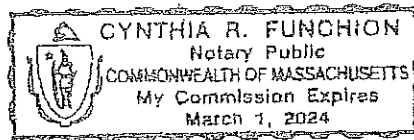
IN WITNESS WHEREOF, the undersigned has caused this instrument to be duly executed this 2nd day of June, 2018.

Millicent B. Cole
Millicent B. Cole, as Trustee of The Edward A.
Cole Trust

COMMONWEALTH OF MASSACHUSETTS

Essex County, ss. June 2, 2018

Then personally appeared Millicent B. Cole, as Trustee of The Edward A. Cole Trust, who is personally known to me, or has proved to me through satisfactory evidence of identification, which was Mass. license, to be the person whose name is signed on the preceding document, and acknowledged to me that she signed it voluntarily for its stated purpose, before me,



Cynthia R. Function
Notary Public
Print: Cynthia R. Function
My commission expires: 3-1-2024