

Minutes of Meeting

Approved 12/6/2016

**Pembroke Planning Board
November 22, 2016
Three Rivers School Cafeteria
243 Academy Road
Pembroke, NH**

MEMBERS PRESENT: Alan Topliff, Chairman; Larry Young, Sr.; Kathy Cruson, Brent Edmonds, Richard Bean; Vincent Greco, Selectmen's Rep.

ALTERNATES EXCUSED: Robert Bourque

EXCUSED: Brian Seaworth, Vice Chairman

STAFF PRESENT: Stephanie Verdile, Town Planner; Susan Gifford, Recording Secretary; David Jodoin, Town Administrator

Chairman Topliff called the meeting to order at 7:00 p.m. He announced that six full Planning Board members were present, making up a full board. There are no alternates at the meeting to appoint for Vice Chairman Seaworth.

Chairman Topliff proposed to change the agenda, putting agenda items #3, 4 and 5 first, as most of the public was here for Pembroke Meadows LLC application. The applicant declined this offer to change the agenda as his attorney was not present. The agenda was followed as printed.

Old Business-

1. **Special Use Permit Application SUP-AC #16-307, Mark Sargent, Richard Bartlett & Associates, LLC, for D'Pergo Realty Investment LLC, owner of Tax Map 561, Lot 35, located at 107 Sheep Davis Road, in the Commercial Industrial (C1) Zone and the Aquifer Conservation (AC) District.** The applicant Mark Sargent, on behalf of property owner D'Pergo Realty Investment LLC, requests a Special Use Permit from Article 143-68.E, Aquifer Conservation District for the operation of tractor trailer/commercial vehicle repair business, outside storage of dry trailers, and parking for tractors and commercial vehicles. A Special Use Permit is required for any activity taking place within the Aquifer Conservation (AC) District.
Continued from October 25, 2016.

2. **Major Site Plan Application #16-108, Mark Sargent, Richard Bartlett & Associates, LLC, for D'Pergo Realty Investment LLC, on Tax Map 561, Lot 35, located at 107 Sheep Davis Road, in the Commercial/Light Industrial (C1) Zone and the Aquifer Conservation (AC) District.** The applicant, Mark Sargent, of Richard Bartlett and Associates, LLC, on behalf of the property owner, D' Pergo Realty Investment, LLC, proposes a Change in Use of an existing, vacant, commercial facility to permit the operation of tractor trailer/commercial vehicle repair business, outside storage of dry trailers, and parking for tractors, trailers, and commercial vehicles. *Continued from October 25, 2016.*

Present: Mark Sargent of Richard Bartlett and Associates, LLC; John Dapergolas; Jason Woodard, Manager of MBI Trucking; and Attorney James Steiner.

Ms. Verdile stated the applicant received the special exceptions for the uses on October 24, 2016.

The application was granted the waiver requests and the plan was accepted as complete on October 25, 2016. The Board requested that staff write a letter to the property owner asking him to explore possible ways the trailers might be covered when they are stored on site and to explore the possibility of engaging a private firm to conduct inspections of the site to ensure compliance with the BMP's before the November 22, 2016 meeting. This letter was sent to John Dapergolas in October.

Chairman Topliff reopened the public hearing at 7:08 p.m. He asked that anyone wishing to speak to the two agenda items to please rise, state their name for the record and direct all questions to him.

Mark Sargent, Richard Bartlett & Associates, LLS presented an update on the proposed application. Mark Sargent stated the lot is the old Epoch Homes site. The proposal is to allow MBI Trucking to occupy a 4,475 square foot building at the rear of the site for light maintenance and repairs.

Approximately 6-10 dry trailers may be stored outside. Board concerns last month included whether the tarps covering the trailers were water repellent.

John Dapergolas described some water tight testing completed on the trailers in response to Planning Board request to explore possible ways that the trailers could be protected from rainfall. He brought one of the trailers MBI Trucking owns to the John's Wrecker site on Integra Drive, Concord, NH. A fire truck was positioned to spray water on the trailer from above the location where the trailer was parked. The tarp is made of rubber/canvas material. Paper was placed on the floor of the trailer and the fire truck hose proceeded to wet the trailer down for 2-3 hours. The findings were that inside the trailer, the paper stayed dry. It actually rained that night and the trailer continued to have water fall on it.

The trailers at the Pembroke site are proposed to be empty, so testing was devised to cover the scenario of what would happen if a broken down full trailer were brought to the site. A loaded tractor trailer sat inside the John's Wrecker building over the entire weekend. No drips or leaks were found on the concrete floor.

Matt Gagne, Superintendent, and Chris Culbertson, Pembroke Water Works Commissioner, observed this test and the results. They confirmed the trailer tarp did not allow water to go through and the test paper stayed dry. Matt Gagne and John Dapergolas sat inside the tractor and did not observe any light coming in through the tarp, other than some stitching. Over time, the condition of the canvas tarp could deteriorate. Jason Woodard, Manager of MBI Trucking, stated the tarp used was representative of the typical tarp condition. He stated that any rip or hole is fixed immediately as trash cannot escape from the truck while being driven on NH highways. How does MBI ensure that tarp is tied back down when the trailer is empty? Jason Woodard stated the procedure is for the driver to re-tarp the trailer when it is empty.

Member Bean asked which fire department provided the fire truck for the test – Concord or Pembroke. John Dapergolas responded that the fire truck used for the test belonged to him. It is a support vehicle for John's

Wrecker Service that is brought to crash scenes to put out fires or act as a light tower.

Chris Culbertson, Pembroke Water Commissioner, stated that from the water department side, Matt Gagne, Superintendent, and he can spend a lot of time making recommendations but follow through is key. What happens if the tarp wears out? What happens 6 months out? Pembroke Water Commission has no teeth to enforce any concerns about inadequate Best Management Practices or test results. We can hope MBI Trucking and John Dapergolas will be good stewards for the Pembroke water supply. We can be the eyes for the town but we have no authority as a board to enforce action. We rely on the town and specifically, the Code Enforcement Officer, to enforce any recommendations made.

On the technical side, Chris Culbertson stated that he observed staining on the outside of the tarp used in the testing. Pembroke Water Works has no control over what comes onto the trucks. Matt Gagne felt the use can be managed with Best Practices; however, the Water department typically inspects facilities once per year. Monitoring well testing is set up more often for this use.

Again, Chris Culbertson stated that we rely on the town's Code Enforcement Officer to enforce corrective action for any deficiencies. Chairman Topliff stated that the Planning Board has no enforcement power either. Chairman Topliff asked David Jodoin if the town has enough resources to provide enforcement. David responded yes they do.

Member Bean asked about inspections related to using the State of NH interstate system. Jason Woodard, MBI Manager, stated that on the interstate, NH DOT does inspections of each truck every week. Loads are put into the trailer over the side and the materials are all local household waste. Chairman Topliff asked if the trailers haul construction debris. Jason Woodard responded yes, they do and admitted construction material could be other material, not household waste.

Chairman Topliff stated the Town of Pembroke and Pembroke Water Works really don't have the resources, and expertise in some cases, to ensure Site Specific and Best Management Practices are being followed.

Jim Steiner, attorney for John's Wrecker, stated MBI Trucking has a national fleet of 260 trailers and 115 tractors. MBI has been operating in New England almost eight years (in March 2017). During that time MBI has not had an environmental problem. As Jason explained, the town does not have to perform enforcement. All interstate trucks are stopped at the weigh station by NH DOT and go through a safety inspection. Littering or a leak or tear in the tarp would be a violation. MBI keeps its fleet new to maintain the warranty for any major repairs that may occur. NH State Police perform weekly safety checks for interstate protection. MBI does more than is reasonable to show the safe nature of its vehicles. The tarps withstood fire suppression spray from a fire truck for hours. State law protects Pembroke and other communities. MBI Trucking anticipates storing 6-8 dry trailers in Pembroke. This is a small number but is important for local area hauling. Jason Woodard confirmed that all MBI trailers are permitted in New Hampshire.

Chairman Topliff acknowledged the testing done for water seeping through the tarps on the trailers. Chairman Topliff asked the applicant if they had anything to present regarding possible third-party contractors for testing. John Dapergolas stated that he spoke with Pembroke Water Works and was told that they perform their own inspections and testing. John confirmed he had nothing prepared tonight for any additional testing.

At 7:34 p.m. Chairman Topliff closed the public hearing for D'Pergo Realty Investment LLC.

Chairman Topliff stated the Planning Board made a specific request for information and cost of third party testing. A letter was sent to John Dapergolas after the October 25, 2016 meeting requesting that he explore the possibility of engaging a private firm to conduct inspections of the site to ensure compliance with the BMP's.

Chairman Topliff asked if the town should undertake that task.

Member Bean stated that in his sidebar notes, he had written down that trailers with covers may require scheduled checks by an independent firm, above and beyond Pembroke Water Works oversight.

MOTION: Member Cruson moved to consider continuation of Special Use Permit Application SUP-AC #16-307 and Major Site Plan Application #16-108, until January 24, 2017. Seconded by Member Young. Unanimously approved.

Chairman Topliff announced the original abutters for this application would not be renoticed. The public hearing was continued to January 24, 2017. All interested parties were encouraged to check the Town website or call the Planning Department to get information pertaining to future meetings and locations.

3. **Major Subdivision Application, Subdivision #16-06, Pembroke Meadows, LLC and DHB Homes, LLC. (c/o Bob Meissner), on Tax Maps 264, 266, and 567, Lots: 4 and 7, 25-4 and 26, and 1 respectively located at 282 Pembroke Street, in the Medium Density-Residential (R1) Zone, Architectural Design (AD) District, the Wetlands Protection (WP) District, and the Aquifer Conservation (AC) District, and.** The applicant Patrick R. Colburn, P.E. of Keach-Nordstrom Associates, Inc., on behalf of the property owner Pembroke Meadows, LLC and DHB Homes, LLC (Bob Meissner) is proposing a major subdivision that includes: the consolidation/merger of five existing lots of record, totaling approximately 125 acres of land, and re-subdivide the consolidated lots in order to create 110 new residential building lots, connection to municipal water and sewer systems, and the construction of approximately 10,800 linear feet of new roadway. *Continued from October 25, 2016.*
4. **Special Use Permit Application, SUP-WP #16-308, Pembroke Meadows, LLC and DHB Homes, LLC. (c/o Bob Meissner), on Tax Maps 264, 266, and 567, Lots: 4 and 7, 25-4 and 26, and 1 respectively located at 282 Pembroke Street, in the Medium**

Density-Residential (R1) Zone, Architectural Design (AD) District, the Wetlands Protection (WP) District, and the Aquifer Conservation (AC) District. The applicant Patrick R. Colburn, P.E. of Keach-Nordstrom Associates, Inc., on behalf of the property owner Pembroke Meadows, LLC and DHB Homes, LLC (Bob Meissner), requests a Special Use Permit from Article 143.72. D (2), Wetlands Protection District, which is required for the construction of streets, roads, and other access ways and utility rights-of-way, if essential to the productive use of adjoining land. This permit is associated with the Major Subdivision Plan application. Sub #16-06.

Continued from October 25, 2016.

5. **Special Use Permit Application SUP-AC #16-309, Pembroke Meadows, LLC and DHB Homes, LLC. (c/o Bob Meissner), on Tax Maps 264, 266, and 567, Lots: 4 and 7, 25-4 and 26, and 1 respectively located at 282 Pembroke Street, in the Medium Density-Residential (R1) Zone, Architectural Design (AD) District, the Wetlands Protection (WP) District, and the Aquifer Conservation (AC) District.** The applicant Patrick R. Colburn, P.E. of Keach-Nordstrom Associates, Inc., on behalf of the property owner Pembroke Meadows, LLC and DHB Homes, LLC (Bob Meissner), requests a Special Use Permit from Article 143-68.E, Aquifer Conservation District for construction roads, utilities, infrastructure, and building lots for a 110-lot subdivision. A Special Use Permit is required for any activity taking place within the Aquifer Conservation (AC) District. This permit is associated with the Major Subdivision Plan. *Continued from October 25, 2016.*

Present: Patrick Colburn, Paul Chisholm, both from Keach-Nordstrom Associates and Bob Meissner, DB Homes LLC; Attorney John Cronin, Manchester, NH; Stephen Pernaw, Traffic Engineer; 15-20 residents present

Ms. Verdile stated this is a major subdivision application covering five existing lots to be done in several phases over several years. We have received comments from the Town Engineer, NHDOT, CNHRPC, and the

Town of Hooksett. There were not comments submitted from the City of Concord, Town of Allenstown, and the Town of Epsom.

The Town of Hooksett recognized the increase in traffic.

NHH-DES sent a letter to Bob Meissner dated November 14, 2016 with five requests for more information.

Application was accepted as complete on October 25, 2016. This meeting will be the first public hearing for the application.

Chairman Topliff opened the public hearing at 7:45 p.m. He encouraged the members of the public to speak. Your input is very valuable to us. The Planning Board and the applicant both appreciate your comments and concerns.

Chairman Topliff asked that anyone wishing to speak to the three agenda items to please rise, state their name for the record and direct all questions to him

Patrick Colburn, Keach-Nordstrom, stated the Pembroke Meadows proposal is a consolidation of 5 adjoining lots of record. The area touches Pembroke Street three times and Broadway once. The proposed development is bordered on the north by Littlefield Condominiums, on the south by Brittany Circle, on the west by Eversource and on the east by Pembroke Academy. The lots are in the R1 zoning district. Each lot will meet the 20,000 square feet, 120 feet frontage, and 120 feet depth requirement. We propose construction of 6 new classified roads. One road, Ashwood Lane, is a connector road. At Pembroke Street, traffic movement will be restricted to right in, right out. There is a full access curb cut at Broadway. Lot 25-2 and Lot 25-3 require two wetland crossings at the narrowest point. All homes will have Pembroke water and sewer. The cable, gas and electric utility lines will be buried. There is an existing Tennessee Gas easement. After much discussion with the Conservation Commission, all land not common space will be conservation land. The logical sewer connection is at the low point.

There are two waiver requests related to roads. Pembroke road standards call for sidewalks on both sides. The town engineer agrees that sidewalks on one side are sufficient. The standard also requires horizontal curb be super elevated. This is atypical of road standards and can lead to increase vehicle speed. The plans have gone through design review, TRC, and we have heard from abutters. Two of the three proposed cul de sac streets were removed from the plan. There is a 40' no cut restriction closest to Littlefield. The applicant met with the Littlefield Condominium Board of Directors and owner.

Street trees and lighting were added to the plan. The applicant met with the Pembroke Sewer Commission and was told there was sufficient sewer capacity for 110 units. State permits are pending. Above ground storm water improvements are proposed. A favorable verbal recommendation was received from the Conservation Commission and a written letter will follow. The applicant paid for a Kinder Morgan representative to be on site while excavation was conducted near their lines.

A geotechnical engineering report and a traffic report were commissioned. We have engaged a water systems engineer to provide minimum fire water flows and a wetland scientist to look at archeological soils. We have assembled a team of consultants who are equipped to take this project through construction. Patrick Colburn further stated that NH DES Alteration & Terrain provided a list of concerns and changes that were addressed in the plan. Town engineer and TRC requested changes which were done. The Pembroke Sewer Commission is comfortable that the wastewater treatment facility in Allenstown can handle the added capacity from Pembroke.

Cindy Thorrell, Littlefield Condominium unit owner, asked several questions about drainage and the type of heavy equipment that will be utilized on site. Cindy noted that 36 of 65 condos are cliff units on the edge of a steep slope. Littlefield engages a geotechnical study yearly.

Patrick Colburn addressed Cindy's concerns about stability and seepage. The nearest Littlefield unit is 250 feet to the berm. He offered to take the Planning Board members on a site walk. A ravine separates our work from

Littlefield Condominiums. Specifically, Lots 9, 10, and 11 will go to an interceptor swale. The equipment will be excavator, bulldozer, dump truck and manpower. It is over 500 feet to the river.

Member Bean asked if Bow was included in the Development of Regional Impact notification. Ms. Verdile said no, but several abutters in Bow were notified. Member Bean asked what the planned phasing would be. Patrick Colburn stated that on sheet 2, there are 7 distinct phases shown. Subdivision egress was discussed. Maximum dead end street length per zoning regulations is 1,000 feet.

Chairman Topliff stated that NH legislature prohibits Planning Boards from requiring residential sprinkler systems. However, a fire chief can require sprinklers as a Life/Safety issue.

Member Bean stated he is concerned there is only one access road and if that is disabled there is no other egress. Selectmen's Rep. Greco asked if the Planner had received the favorable comment letters from town departments that Patrick Colburn referenced. Actually, the Sewer Commission letter went to applicant from Paulette Malo. The Conservation Commission letter has not yet been received. Roads Commission sent a letter that they would like to see all roads built at the same time, not in phases. Selectmen's Rep. stated that was an accurate comment as he is on the Roads Committee.

Ms. Verdile stated there is probably going to be a revised plan. Information is still coming in and not all of it is on the plan. There will be plan revisions for the Board and residents to consider.

Patrick Colburn confirmed that the closed and open drainage proposed would be maintained by Pembroke DPW.

The price point of the homes is expected to be \$300,000.

Member Young asked, with 3-4 bedroom homes, there is likely to be a lot of school age students. How will students safely cross Pembroke Street at Academy Road? What is your plan?

Ray Leblanc, 280 Pembroke Street, asked if the houses would have foundations and what is the drainage plan is going to be. Patrick Colburn stated the houses will have foundations. Preferred drainage is to link closed drainage to street drains.

Cindy Therrell, Littlefield, stated that proposed lot #8 borders Littlefield. It is 50 feet to the nearest Littlefield building. Patrick Colburn stated there will be an addition 40 feet no cut area by that building. Patrick Colburn stated that the land slopes laterally to Ashwood Lane.

Patrick Colburn stated the applicant is willing to plant trees at the rear setback and cover 50% of the cost if the Littlefield Board of Directors agrees to cover the other 50% of the cost. Patrick Colburn agreed to show how a building might be sited on Lot 8 and how the lot would be graded. Cindy Therrell would like to see that because the space behind that building closest to construction is the most private space at Littlefield Condominiums.

Nelson Howard, 3 Savage Ct., Littlefield, stated he lives in the building closest to proposed construction. Nelson is pleased with the 40 foot no cut zone. He would also like to see what a house on Lot 8 might look like.

Stephen Pernaw, Traffic Engineer, stated that in February 2016 there was a traffic study scope meeting to discuss the Impact Study process. Pembroke, CNHRPC, and NH DOT representatives and Steve Pernaw met to identify the intersections to include in the traffic study. They discovered two specific concerns. One was traffic delays on Route 3 and the other was how the signalized light at Bow Lane and Pembroke Hill Road was functioning. Steve Pernaw presented his report on flip charts, to make it understandable to the board and to the citizens of Pembroke. The applicant proposes 110 units with 2 points of access. The study area is three intersections with Pembroke Street – Pembroke Hill, Broadway and Academy Road. The am peak time was 7-9 am and the afternoon peak time was 3-6 pm.

Steve pointed out that traffic varies by day of week and time of day. The hourly rate of flow every day is different by 7-14%. The morning peak hour was 7-8 am traveling northerly, impacted significantly by school traffic, and 4:15-5:15 pm in the evening heading south. Turning movements are affected by school traffic, as are travel times for the marked 2 mile section. Steve Pernaw provided no build scenario, and built out projected scenario in 2027. Standard trip generation in a residential subdivision is 10 one way trips a day per home. That is equivalent to 87 trips during am peak hour and 114 trips during evening peak hour. From the results, Mr. Pernaw recommended turns be restricted to right in, right out at the development on Pembroke Street.

Chairman Topliff asked if 10 trips per home were accurate. Member Bean asked if the Planning Board could get a copy of the report. A copy of the full report has been provided to the Planning Board. Member Bean asked why the intersection of Academy Road could not be squared off to function more efficiently.

Steve Pernaw provided analysis of the signalized intersection at Pembroke Hill Road and Bow Lane. The traffic light is currently functioning at 93% capacity in the morning peak hour and 77% capacity during the evening peak hour. Future projections in 2027 show this light over capacity. If the road were able to accommodate 2 through lanes in each direction, it would greatly improve the capacity.

Selectmen's Rep. Greco asked if a stop sign is adequate for the development at Pembroke Street. Steve Pernaw said yes, with right turns only.

Clint Hanson, 101 Broadway, suggested that north bound traffic will come out on Broadway and take a left at the light. Member Cruson mentioned that there has been discussion of the School District moving some grade levels to Hill School.

Cindy Thorrell, Littlefield, asked have you tried to get out of your driveway on Route 3 during the peak am hour? It is a disaster now. Will there be an

additional lane at the proposed subdivision? Steve Pernaw stated that there will be a right turn taper.

Rebecca Hanson, 101 Broadway, stated that from our house to Broadway, the road can only fit 10 cars. The Broadway light also has a no right on red signal.

Chairman Topliff stated that folks will come out on Broadway and take a left to go north on Route 3. Cars pull into opposing traffic now if there is an opening.

Member Cruson noted when you add high school drivers to the Academy Road intersection, it gets worse. Steve Pernaw agreed that traffic will be over capacity in 2027. Planner Verdile noted that there is no bus service to Pembroke Academy and that means a lot of vehicle and pedestrian traffic.

Steve Pernaw stated the Academy Road and Pembroke Hill Road intersections studied will be over capacity in 2027. The Broadway intersection will be at 93% capacity with no change in level of service. The way to increase capacity is to add travel lanes. Proximity to houses along Pembroke Street precludes that option. Engineers evaluate geometric design. It is anticipated that a left turn lane is not needed at Broadway. A T intersection will be sufficient at this time. Yes, the proposed development will cause an impact on Pembroke Street of about one car per minute during peak am hour. Delays in queuing should be short. Steve Pernaw explained that his study results and recommendations go to NH Department of Transportation. The NH DOT maintains both Route 3 and Broadway. Driveway permits are also issued by NH DOT on these roads.

Member Cruson stated she anticipates that if Pembroke Street is right only, and if Broadway Street backs up, drivers will turn right and make a U-turn at the safety complex to head north. Steve Pernaw stated that we do not expect that to happen.

Woody Woodbuck stated he agreed traffic would make U turns if necessary to head north on Route 3.

Justine Courtemanche stated that if a car wants to turn left, that is going to be a difficult traffic movement. Steve Pernaw advised that if you as a Planning Board, want the developer to make two exit lanes, ask for it.

Selectmen's Rep. Greco asked how are students from the proposed subdivision going to cross Pembroke Street safely at Academy Road. Member Bean agreed this is a valid concern. Students will either walk or need to cross Pembroke Street or will drive their own car to school and increase traffic flow.

Steve Pernaw stated Town officials and residents can weigh in at the NH DOT level. If the sidewalk system is put in and the signal at Academy Road and Pembroke Street is changed to pedestrian phasing, the capacity of that intersection will definitely go south.

Cindy Thorrell, Littlefield owner, commended Pembroke Department of Public Works for clearing snow and ice from town maintained sidewalks. NH DOT clears sidewalks less well.

Chairman Topliff stated he appreciates this sharing of information. The public's concerns have been a great help to the applicant in updating the plans.

Patrick Colburn stated he will calculate the drainage with a house situated on Lot 8 and show the possible grading. Please keep in mind that this is a non-binding lot layout plan. Patrick Colburn stated that he sees apprehension from abutters. Patrick Colburn suggested that Ms. Verdile consider whether residents would benefit from the town hiring a third party to prepare a traffic impact study at the applicant's cost.

Chairman Topliff closed the public hearing at 9:30 p.m.

Ms. Verdile noted the project engineer has recommended that the Planning Board consider a third party traffic study at the applicant's expense that would also specifically address school children crossing the road at the intersection of Academy Road and Pembroke Street. Ms. Verdile noted that NH DOT sent comments and approved driveway permits for a previous

application for a subdivision in 2004 on this property. If there have been significant changes, there would need to be a new DOT review. Ms. Verdile reported that Central NH Regional Planning Commission will have updated traffic counts soon on strategic intersections along Pembroke Street selected by the town.

Selectmen's Rep. Greco reported that traffic volume has steadily increased on Pembroke Street. Ten years ago there were 6,000 cars per day and now there are 16,000 cars per day traveling on Pembroke Street.

Chairman Topliff asked if the Planning Board wants to request an independent traffic study at the applicant's expense. Member Cruson asked will the developer make changes if our engineer's opinion is different. It is assumed the developer would make changes according to study results. Member Edmonds asked if a new traffic study would tell us anything that we don't already know. Selectmen's Rep. Greco noted the traffic engineer selected would likely research the same data figures used by Mr. Pernaw. Member Young stated we already know the answer about traffic impact on Route 3 from a new subdivision. Member Young would rather see the independent study focus on the adequacy of the sewer service to an additional 110 homes using the existing clay pipes. Member Bean is in favor of doing another traffic study. Another traffic study funded by the developer may provide supportive data on the impact. The right independent study would address how fire trucks and emergency vehicles will access the subdivision.

Ms. Verdile noted an additional independent traffic study, paid for by the applicant, may come up with design features and solutions that have not been proposed yet. An independent study provides expert opinions and comments on behalf of the Town. She said at the TRC meeting Fire Chief Paulson is prepared to declare that every house in this subdivision must have a residential sprinkler system under Life Safety code if there is only one means of egress because the proposed intersection onto Pembroke Street is designed as a right turn out and right turn in. The Chief interprets that as a limited access.

Chairman Topliff stated that as a former fire fighter, he is aware of the fact that most people die from smoke inhalation if the fire department cannot perform a rescue. Chairman Topliff summarized that the consensus of the Board tonight is not to request an independent traffic study at this time.

MOTION: Member Edmonds moved to consider continuation of: **Major Subdivision Application, Subdivision #16-06; Special Use Permit Application, SUP-WP #16-308; and Special Use Permit Application SUP-AC #16-309** until December 13, 2016. Seconded by Selectmen's Rep. Greco. Unanimously approved.

Chairman Topliff announced that the original abutters for this application would not be renoticed. The public hearing was postponed until December 13, 2016. All interested parties were encouraged to check the Town website or call the Planning Department to get information pertaining to future meetings and locations.

Chairman Topliff announced that 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.

MOTION: Member Bean moved to continue the meeting and hear the Conceptual Consultation Seconded by Member Young. Unanimously approved.

New Business-

Conceptual Consultation- Robert MacCormack, Keystone Pembroke LLC, conceptual plans for development proposals for 31-39 Whittemore Rd. **Present:** Robert MacCormack, Keystone Pembroke LLC

Chairman Topliff stated that a conceptual is purely a discussion. No comments made are binding on either party. The proposal is for a Major Site Plan Review Conceptual.

Bob MacCormack proposed three scenarios. The site at 31-39 Whittemore abuts a golf course we own. We could use a portion of the land and build single-family homes measuring approximately 2,066 square feet, with three or four bedrooms targeting 46-64 year olds. This would be a conventional subdivision with associated roads.

Bob MacCormack said the second option is they could build duplex townhomes, which are allowed by right in zoning. The townhomes would be two stories with a first floor master bedroom and bath, kitchen, living room, laundry and optional den. There would be a guest bedroom and bath upstairs for visitors. The units would measure 1,800-2,200 feet and target buyers age 55 plus.

Bob MacCormack said the third option is to build the same townhouses in 4-unit buildings as a planned community. He stated that he met with the Pembroke Conservation Commission and they are willing to accept a 30 acre parcel that ties into White Sands beach and the walking trail along the Merrimack River. This would leave the area in its natural state. This is an area of benefit to the town. Bob MacCormack would design a planned community with more density in exchange for his donation of conservation land. Ms. Verdile asked if this community would be organized as a condominium. Mr. MacCormack has not planned that far yet.

Chairman Topliff noted that next year, the town hopes to update its Master Plan. There is interest in creating more mixed use developments with drugstores, shops and cafes close enough to residential use that residents can walk to services. Bob MacCormack stated that this property is connected to two residential areas and other land up toward Route 3 near the golf course may be more amenable to this type of plan.

Bob MacCormack stated that if he builds single-family homes, he will subdivide 18 acres and keep 70 acres for future use. If the town has an appetite for townhomes, he would build them on 17 acres with increased density. Duplex zoning would allow 120-140 units. He could build a maximum of 70 units and consider donating conservation land if quad buildings were constructed. Road construction would be reduced with increased density and open space connecting to conservation land.

Chairman Topliff asked if the design of the units is really targeted to 55-plus residents. Bob MacCormack stated he has done a lot of this type of construction in southern New Hampshire. People aged 67 and up whose children are grown prefer one story living and community services. He would propose to leave some percent of units for under 55 so a 49 year old who wants maintenance free living could meet the requirements.

Member Young agreed that aging residents and people looking to downsize like a condominium concept.

Member Edmonds stated this type of housing is an ideal market for these times.

Selectmen's Rep. Greco is in favor of 55 plus type housing. Bob MacCormack would like to see 10-20% of the units waived from the age guidance. It depends on whether the developer would be using HUD federal funds. This project is not using federal funds.

Chairman Topliff stated he is not aware of any definition or specific language in the Pembroke zoning regulations describing housing for that age group.

Member Bean stated he has heard that Taylor Community is looking to expand their first floor living model homes. There are new units on Church Road.

Member Cruson stated the proposal sounds intriguing. Hopefully, Mr. MacCormack will not end up with a population he was not targeting – single parents with children. Member Cruson would like to see age guidance on the units.

Bob MacCormack stated that limiting the units to two bedrooms effectively reaches his target market of empty nest and older demographics. Bob MacCormack clarified that the townhomes would be 1,811-2,200 square feet and would actually be a story and a half, with a dormer built into the

roofline over the garage. The duplexes would be two units per building and quads would be 4 units per building.

Bob MacCormack stated that single-family homes and duplexes are allowed on the property by right. If he went with four-plex buildings he would need to go to the ZBA for a Special Exception.

Chairman Topliff clarified that the Planning Board can only approve something allowed by zoning regulations. The intent of planned developments is to encourage more open space, not to put multiple families under one roof. Bob MacCormack stated that in New Hampshire, there is a 35% shortage of new, good inventory for baby boomer age residents. He built apartments in Derry that currently rent for \$2,100 per month.

Chairman Topliff asked Ms. Verdile if applicants can go to Pembroke ZBA for conceptual consultation. She will report back to the Planning Board. Bob MacCormack explained his last meeting with the ZBA resulted in a denial of the fifth criteria, in the best interest of the town, for a Variance request. Ms. Verdile confirmed that a Special Exception is needed to build four-plex units and the criteria were less strict than a Variance.

Mr. MacCormack thanked the Planning Board for their time.

Chairman Topliff explained that 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.

Ms. Verdile noted that proposed zoning amendments public hearings and a presentation from the National Guard are on the December 13, 2016 meeting agenda, along with the public hearings continued this evening.

MOTION: Member Bean moved to continue the remaining items on the agenda to the December 13, 2016 meeting. Seconded by Member Young. Unanimously approved.

Minutes- November 15, 2016 Meeting Minutes were continued until December 13, 2016.

Miscellaneous

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

MOTION: Member Bean moved to adjourn the meeting. Seconded by Member Cruson. Unanimously approved.

The meeting was adjourned at 10:17 p.m.
Respectfully submitted,
Susan Gifford, Recording Secretary