

Pembroke Planning Board Meeting Minutes April 23, 2019

MEMBERS PRESENT: Brian Seaworth, Chair; Alan Topliff, Vice Chair; Kathy Cruson; Brent Edmonds; Robert Bourque; Selectman's Rep. Ann Bond

ALTERNATES PRESENT: Dan Crean

EXCUSED: Timothy Goldthwaite

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

GUEST: Laura Spector-Morgan, Town Attorney

Chair Seaworth called the meeting to order at 7:00 pm and introduced the Board's new Alternate Member, Dan Crean.

Vice Chair Topliff said that at their last meeting they had the annual election of officers and was pleased to report that Vice Chair Seaworth is now Chair Seaworth. I've been Chair for a number of years and I think change of leadership for any group is healthy. Brian is very experienced. I have a very high level of confidence that the Board will continue to be in great hands. Mr. Topliff was elected to be Vice Chair.

Chair Seaworth explained that at their last business meeting they took a vote that reconsidered completeness of an application, which left the application in limbo. We re-noticed for that tonight and I think we have someone who wants to reconsider that vote they took a month ago.

MOTION: SELECTMEN'S REP. BOND MOVED TO RECONSIDER THE VOTE ON THE APPLICATION AS COMPLETE. SECONDED BY MEMBER EDMONDS.

Chair Seaworth explained that one of the first orders of business on an application is to vote to accept the application as complete. On the first vote for completeness, Member Cruson participated in that vote with the intention to recuse herself. We thought it would be cleaner to re-take the vote, but when we retook it, the vote had a different result. That vote stopped the hearing last month. Having considered the discussion and received some advice, what we've learned is that the document that instructed us to have Selectmen's approval before we considered completeness, was not a Planning Board document, and legally the Planning Board is authorized by state law to do things a certain way. We also follow the ordinances voted in by the town, and a document that isn't adopted according to those rules won't have the same legal force as if it was adopted that way.

Members Bourque and Cruson recused themselves and left the Board. Alternate Crean will vote in place of Member Bourque.

Alternate Crean said that he would abstain from this vote since he was not involved with it previously.

VOTE: B. Seaworth – Y A. Bond – Y D. Crean – Abstained

B. Edmonds – Y

A. Topliff – Abstained

MOTION TO RECONSIDER PASSED ON A 3-0 VOTE WITH TWO ABSTENTIONS.

MOTION: TO ACCEPT THE APPLICATION AS COMPLETE

VOTE: B. Seaworth – Y

A. Bond – Y

D. Crean – Abstained

B. Edmonds – Y

A. Topliff – Y

MOTION TO ACCEPT THE APPLICATION AS COMPLETE PASSED ON A 4-0 VOTE WITH ONE ABSTENTION.

Chair Seaworth explained the vote to reconsider the application has been taken and the application has been found complete. We suspended the public hearing and application last month. We will pick up where we left off and I will read for the record Old Business items 1, 2, and 3. When considering items that are interrelated we hold the public hearings concurrently.

Old Business

- 1. Major Subdivision Plan Application #18-09, Jon Rokeh, Rokeh Consulting, LLC, acting as Applicant on behalf of San-Ken Homes, Inc. and SKRE Holdings, LLC, owners of Tax Map 262, Lots 43 & 45 located at 373 Fourth Range Road in the Rural/Agricultural-Residential (R3) Zone and the Wetlands Protection (WP) District.**

The Applicant proposes a 48-lot subdivision, including a new roadway and improvements to Fourth Range Road and Flagg Robinson Road. All lots will be served by private on-site septic and well. This plan is associated with Special Use Permits SUP-WP #18-318 and SUP-DW #18-319.

- 2. Special Use Permit Application SUP-WP #18-318, Jon Rokeh, Rokeh Consulting, LLC, acting as Applicant on behalf of San-Ken Homes, Inc. and SKRE Holdings, LLC, owners of Tax Map 262, Lots 43 & 45 located at 373 Fourth Range Road in the Rural/Agricultural-Residential (R3) Zone and the Wetlands Protection (WP) District.**

The Applicant requests a Special Use Permit in accordance with Article 143-72.D., Wetlands Protection District, for construction of roadway resulting in impacts to the wetlands. This permit is associated with Major Subdivision Plan Application #18-09.

- 3. Special Use Permit Application SUP-DW #18-319, Jon Rokeh, Rokeh Consulting, LLC, acting as Applicant on behalf of San-Ken Homes, Inc. and SKRE Holdings, LLC, owners of Tax Map 262, Lots 43 & 45 located at 373 Fourth Range Road in the Rural/Agricultural-Residential (R3) Zone and the Wetlands Protection (WP) District.**

The Applicant requests a Special Use Permit in accordance with Article 143-53, Driveways, to permit three shared driveways in the development. This permit is associated with Major Subdivision Plan Application #18-09.

Present: Jon Rokeh of Rokeh Consulting, LLC and Ken Lehtonen, Vice President of San-Ken Homes, Inc.

Chair Seaworth reminded everyone that any discussion with the public should be addressed through the Board. The Board will relay questions to the applicant. Discussions should not be had between the applicant and audience. It's important to make the distinction that there is also an application to open the range roads before the Board of Selectmen. Discussion of the range roads should be reserved for the Board of Selectmen process.

Ms. Cronin stated that since the last meeting she received a couple abutters' letters and a letter from the Conservation Commission. Yesterday afternoon I received revised plans to address the staff and engineer comments. The plans came in too late to meet the deadlines for packets but will be included in the next packet. Staff has not reviewed the revised plans yet.

Chair Seaworth said that the last time we had a hearing we devoted a lot of time to public comments. The Board had a discussion that they would like to focus on Board member items tonight. We were asked to consider the information and bring forward particular questions that the Board may have. Ms. Cronin has put together a list of items to think about, which may help guide the discussion. Her focus is on information that we, as a Board, want to request additionally to help us make a decision. One of our goals tonight is to come up with any additional items that we want to request from the applicant.

Chair Seaworth noted that the revised plans were not a formal plan submission. The applicant was working with the engineering comments and trying to come up with solutions. In the meantime, they want to give us a conceptual idea of where they're headed. We can't provide too much guidance since we didn't receive the plan for review.

Alternate Crean said that he reviewed the packet and, while he recused himself from the earlier vote, he feels qualified to participate in the discussion.

At 7:16 p.m. the public hearing was opened on Old Business items 1, 2, and 3. The Board will start with the applicant's presentation.

Mr. Rokeh started with a discussion of the intersection layout. He said that Fourth Range Road is planned to be a future bypass for Route 3 per the Master Plan. He realigned Fourth Range Road to be a straight line. We tried to create some traffic calming to get people to come to a stop and then make the turn. With this plan, we would be removing pavement in the area closest to the Town Pound, so the road will get further away from the Town Pound. There would be stop signs and stop bars at all four directions.

Mr. Rokeh said the road doesn't change much with regard to grading. By removing pavement and realigning things, it will be flatter and there won't be the tendency for cars to go around the curve, especially since there will be a stop sign. We are trying to set the intersection up for the future when it will be a more busy intersection than it is now. We

also tried to make a smooth curve going straight across into Pembroke Hill Road. Pembroke Hill Road and Flag Robinson Road don't line up and there is no way to make them line up, so we had to have a curve through the intersection.

Mr. Rokeh explained that he made a color plan to show the whole parcel. There would be 48 houses and the existing farm house at the corner. A color plan is helpful to see the wetlands, and how the houses relate to the wetlands, and how big the houses are for scale. There is a lot of room around the houses. It's a conventional subdivision, so the lots are a lot bigger than one acre. The plans turned in yesterday were more in anticipation of the Board of Selectmen meeting in May. The Selectmen didn't have any other questions other than what Town Engineer Mike Vignale had for comments. I wanted to address the Selectmen comments and Mr. Vignale's comments all at once. I turned in a set of plans so that Ms. Cronin and Mr. Jodoin knew that the comments were addressed. My intention is to work with Mr. Vignale next week before the site walk.

One of the comments from Mr. Vignale, the Planning Board, the Selectmen, and the Roads Committee is that Fourth Range Road is set up to be a collector road. The Master Plan says that it will be a through road. Mr. Vignale wanted it 24' wide instead of 22' wide. We revised the shoulders to be 4' of gravel on both sides. We didn't push back on that comment because we are asking for waiver from sidewalks. This will have more room to walk than other roads in the area. We hope this makes you more comfortable with the sidewalk waiver we are asking for.

We addressed a lot of notes, like the stop signs should be 30" and we updated the cross sections to show where the curbing is and isn't. There were no comments on the drainage report. The comments on drainage were related to erosion control and adding riprap to areas where water is moving, like culverts and ditches.

Mr. Rokeh said that Mr. Vignale and AOT both made the comment that the retention ponds are in a high water table and are designed as micropools, so we have to make sure there is no slumping of the embankments. The State requires liners and under-treatment soils. We have not addressed that, but we will work with Mr. Vignale on those details.

Mr. Rokeh said that Mr. Vignale asked for gravel roads to access the ponds. Two ponds are accessible from hammerheads. We added access roads to the 3rd and 4th ponds.

Mr. Rokeh said that a question he had for the Board was related to traffic and Steve Pernaw's report. The traffic study needs to be updated to reflect that there are reduced (fewer) lots, but he said Mr. Vignale commented that he concurred with the original traffic memo that traffic impacts will be minimal. At the prior meeting, there was a lot of discussion about traffic impacts. I want to know what kind of information the Planning Board wants to see in the traffic study. So far, the only input we've had from the town is that they concur that traffic impacts will be minimal.

Mr. Rokeh said there was also discussion at prior meetings about how to handle the drainage. We have existing flows coming down at the roads. Engineering practice is to do a drainage analysis to find out how much flow will be coming at the crossings, and then

size the crossings accordingly. In areas with a lot of water at the crossings, there will be box culverts. Where there are small flows, there will be regular 15", 18", or 24" pipe going under the road. These will address existing flow. Our ponds will account for the additional impervious surface from the roads. We will be using ditches to convey water, as well as closed drainage with curbing and structures to convey the water to the ponds where there are wetland crossings. Everything is sized according to AOT regulations. I made a completed application to AOT.

Mr. Rokeh said that's the update on what they've been trying to do. We haven't been able to get input from the Board because we've had January, February, and March meetings, and at the January and March meetings we weren't allowed to talk. We are trying to do everything we can in the background while trying to move the process forward. We are hoping to get some more input.

Selectmen's Rep. Bond asked when you said you reduced the lots, did you mean the number or the size?

Mr. Rokeh clarified that there were initially 52 lots in the conceptual plans and those numbers were used to do the traffic memo, but Mr. Vignale's comment was that the traffic trip generation report wasn't changed to what was actually submitted for number of houses.

Member Edmonds asked what frequency of storms was used for the drainage design.

Mr. Rokeh said that he had to design for a 50-year storm and check for a 100-year storm. The design reflects a 50-year and you try not to overflow your ponds at the 100-year storm.

Vice Chair Topliff said that there might be an opportunity to grant some leeway on dead-end streets. He talked to town officials in general terms and the feedback he got is that they don't like dead-end streets and want them as short as possible. There may be some leeway, but probably not from a 500' road to a 1,500' road. There may be some flexibility to grant to some extent more than what we are normally limited to, which would historically be around 600'.

Mr. Rokeh explained that a 600' road would probably only result in about four lots on each frontage.

Vice Chair Topliff said that if there's a way to minimize some of the wetland crossings, then that would be attractive. Has your team given any thought to the shared driveways and options for reducing, eliminating, or changing those?

Mr. Rokeh said a lot of that effort went into the conceptual stage when they came last fall. We went to the Roads Committee, Selectmen, and Planning Board in late 2018 before we made the formal submittal. We had a lot of shared driveways and backlots at the time. We went from 14 shared driveways to 3 shared driveways. We had 15 backlots with 50' of frontage and we eliminated all of them. We put a lot of effort in to minimize the shared

driveways and by balancing out all the other things that we were asked by the other boards, this is where we ended up.

Vice Chair Topliff reminded them that input from other boards are just their opinion, but the Planning Board is where the decisions are made. One of the issues with shared driveways is they run through side yards or backyards where kids may be playing. There is the potential for someone to get hurt. If you feel that you can't eliminate the shared driveways, I would ask that you look at any opportunity to put them on their own 50' private strip so that they are not going through a homeowner's land or making some buffer to some with plantings or fences as an effort to ensure safety for the residents of the community.

Mr. Rokeh said that the dedicated 50' strip feels like it's going to a backlot situation. Or do you want 250' of frontage for that lot, where maybe 200' is along a wetland and 50' comes out the other end, like two prongs.

Vice Chair Topliff said he would have to envision it, but he thinks the Board is flexible and open to suggestions. If you come up with something to make it safer, that would fulfill the need.

Mr. Rokeh said without shared driveways, we would have to make multiple wetland crossings. We discussed it with the Conservation Commission. By having to put in the middle road, it's created about 75% of the project's wetland impact at those two crossings. We were trying to come up with ways to reduce any other wetland impact.

Vice Chair Topliff said he understands that 200' frontage that's wetlands takes away a house and there's a financial impact, but safety is something we need to stay focused on. My opinion is that we need to eliminate any through traffic in a homeowner's side or backyard.

Chair Seaworth raised a question about the driveway with three houses on it. Someone explained that if a driveway has a certain number of houses, it has to be a named street and each house has to be numbered.

Mr. Rokeh answered yes, that's why they called the shared driveway with three houses Baylor Lane. We discussed it with the Fire Dept. at Technical Review Committee (TRC). They wanted it a named road with visible designation of the name and numbers for each house.

Chair Seaworth asked if Baylor Lane is built differently than the roads that are built to Town specs.

Mr. Rokeh said it is slightly smaller. The main roads are 22' wide with 4' shoulders. The shared driveways are 18' wide with 2' shoulders, so they have the capability for two-way traffic. It's a decent standard.

Vice Chair Topliff confirmed that the shared driveways would be paved.

Vice Chair Topliff recalled that at the last meeting there was brief conversation about open space subdivision design. Is that something you gave more thought to?

Mr. Lehtonen explained that if that idea was brought to them two years ago, when they went to all the boards conceptually before they spent all the money for engineering and design, it could have been looked at more in depth. At this point, we have a fully designed, paid for plan, that's ready to break ground and build. At this point, to change gears and entertain something else wouldn't be feasible. We are two years in on this project with feedback from all the boards, and we are at the plan that we have now. An open space design is not something we can entertain at this point.

Vice Chair Topliff said he finds it unusual for applicants to go to before all the other boards before going to Planning Board. I'm curious why you chose that route.

Mr. Lehtonen said he was looking for feedback from everyone to make sure that the plan they were presenting was something that all the different boards felt comfortable with. We wanted to present a plan that would fit the town and fit the needs. We weren't looking for a fight, so that's what we attempted to design here.

Vice Chair Topliff said the Board sees this process as an important part of the design review to make adjustments as necessary.

Selectmen's Rep. Bond asked if there were three shared driveways and one private road.

Mr. Rokeh clarified that there are three shared driveways. The shared driveway with three houses is called a private road.

Selectmen's Rep. Bond confirmed that one shared driveway has three houses and the other two shared driveways have two houses.

Alternate Crean asked what is going into the traffic study.

Mr. Rokeh said in anticipation of making an application, we did a trip generation and distribution report. It's a simple version of a traffic study and that's all we've done so far. We are hoping to get input from the Board on what else they would like to see.

Chair Seaworth said that Ms. Cronin provided a number of items she suggested that the Board discuss. One thing I have trouble with in trying to evaluate the traffic study is that it looks at traffic counts and then concludes that it's below a threshold that is necessary for action. I don't know what those thresholds are. We want to know how new roads and a new intersection will work with 48 new houses in that area. Another concern is that this is putting a large number of houses at the end of a network of rural roads. I imagine there will be a lot of traffic going down Pembroke Hill Road to Pembroke Street. The preliminary study said that the impacts weren't significant relative to existing traffic.

Chair Seaworth mentioned the Central New Hampshire Regional Planning Commission (CNHRPC) memo that talked about not only adding 48 houses, but extending the road

network, which might bring more development on the other side of Fourth Range Road. We need to think ahead about what the next threshold might be. I would want to see the traffic engineer put those figures into the report within that context for the Planning Board.

Selectmen's Rep. Bond said she is thinking about traffic during school hours because of the Pembroke Hill School.

Chair Seaworth asked the applicant about their marketing focus on empty nesters. Are the traffic figures dependent on how you characterize the neighborhood?

Mr. Rokeh said that what's been done so far is a standard case. We didn't convey anything to Steve Pernaw about who we might market to. The trip generation was done based on a standard neighborhood of single family homes.

Vice Chair Topliff asked if there was anything in the traffic memo about what impact the traffic would have at the intersection of Rte. 3 and Pembroke Hill Road at peak hours and how much time it would take to get through the intersection with regard to wait times.

Mr. Rokeh replied that there was no information like that in the memo. They only looked at how many cars were anticipated and which direction they will go.

Vice Chair Topliff said he was most interested in the Rte. 3/Pembroke Hill Rd. intersection and anything Mr. Pernaw can do to help them understand the expected impacts.

Selectmen's Rep. Bond said that in September, the Village School will be combined with the Hill School. The traffic will increase with the additional 137 students. Everyone wants to drive their kids to school. After September we will truly know how much traffic there will really be.

Alternate Crean stated his concern is that traffic studies done by and for the applicants answer their concerns and not the town's concerns. He suggested any traffic study be done in consultation with the town engineer or have an independent firm do the traffic study at the cost of the applicant.

Chair Seaworth noted that is on the table and they haven't made that decision. The applicant did a traffic study that was reviewed with our town engineer. We have to determine what we want as an improvement on that.

Vice Chair Topliff said he agrees with Alternate Crean's recommendation of an independent study done by a third party and not by CNHRPC.

Chair Seaworth asked whether the Board prefers to engage an engineer of our choosing to prepare the traffic study.

Mr. Rokeh said that their engineer is Steve Pernaw and I don't think you'll find any town that says Mr. Pernaw would jeopardize his license to give any particular developer what they think they need.

Alternate Crean clarified that that is not what he thinks will happen. What he is saying that there's a lot of data to look at and anyone looking at data will look at data that is in the best interest of the client, and I'd prefer that client be the Pembroke Planning Board.

Chair Seaworth asked individual members to weigh in on whether to have a third party prepare the traffic report.

Alternate Crean would like to use an independent party hired by the Board.

Member Edmonds said he wouldn't be opposed to a third party review, but would be surprised if anything significantly different would come out of it.

Selectmen's Rep. Bond and Vice Chair Topliff agreed with Alternate Crean.

Chair Seaworth seconded Member Edmonds' comments, but it appears that a majority of the Board would want an independent review and it's a prudent way for the Board to go. Ms. Cronin will work with the applicant to get something that is agreeable to everyone.

Mr. Lehtonen asked if the town is going to provide quotes on what you are proposing and allow him to choose between two or three potential people. Prices can vary significantly.

Mr. Jodoin suggested the applicant provide the study and have Mr. Vignale review it. The majority of traffic studies are done by Mr. Pernaw. To draft an RFP for this could be difficult. I suggest Mr. Vignale review it and the cost to review will be borne by the applicant.

Alternate Crean does not disagree, but he wants to see Mr. Vignale also review the scope of study. I would like to see a process used through our engineer and planner so we have input into what goes into the study

Chair Seaworth noted that it may make sense to have Mr. Vignale work with Mr. Pernaw upfront to get the scope done.

Mr. Jodoin said the Board should contribute to the scope, then Mr. Pernaw prepares the report, and Mr. Vignale reviews it.

The Board supported that approach.

Chair Seaworth brought up wetlands as the next discussion topic. There are questions from the Board and audience about how the wetlands study was done. He said one of the comments that came from the CNHRPC memo is that there is a wetland network that crosses from one side of the property to the other. It's important to look at it that way. With the Wetlands Protection District, it's a part of our process to evaluate impacts on the wetlands on its own merit separately from the application itself.

Vice Chair Topliff said that the site walk on May 4th will help. One thing we need to look at is the impact to the wetlands and the impact on the wildlife and plant life that we expect to occur as a result of the crossings. I'd like to know more detail about the wetland types and long term impacts to the life that depend on the wetlands to survive. I would assume that the wetland scientist could help answer these questions and should be invited to a Planning Board meeting.

Mr. Lehtonen said he will see if their wetland scientist can attend a meeting.

Alternate Crean agreed and is concerned about impacts to the wetlands and also stormwater management. Because of the extensive wetlands, a stormwater management plan should be provided as part of the approval.

Mr. Rokeh stated that it is a requirement of the AOT application and will be included in the permit.

Member Edmonds said that he was initially concerned about the open drainage versus closed drainage. He has since talked Mr. Vignale and a lot of it has to do with the high groundwater table. Mr. Vignale favored the open drainage because it's a little bit more successful in this type of situation. In light of his comments, I feel more comfortable with the open drainage than I was earlier on.

Chair Seaworth said an issue with open drainage stems from bad experience where maintenance has fallen by the wayside as years go by and ownership changes. There have been some questions about what the maintenance plans are in regard to the town's responsibilities versus the owners.

Member Edmonds said if open drainage turns out to be the final concept on this plan, the Town and DPW will have to be vigilant in making sure that those stream channels are kept clean and don't get filled. The town has had issues in the past because while these drainage systems work fine, we have been lax in overseeing them. We would have to monitor them with regard to plantings, encroachments, etc.

Alternate Crean said one way that's been addressed in other towns is to require a homeowner's association to address drainage and maintenance.

Ms. Spector-Morgan added that if it's on individual lots, have language in the deed to say what they are responsible for and that way they're on notice that they are aware of it.

Mr. Rokeh said that the roadway improvements are all proposed to be public roads. They were not planning on a homeowners association. The intention was to maintain it for only a year or two until the town accepts it and takes it over. My opinion is that closed drainage is harder to maintain in the long run because you have to be on top if it all the time

Selectmen's Rep. Bond asked what size pipes will be installed.

Mr. Rokeh said it varies. In small areas, it will be 15"-18" pipe, but in large areas there are 3' by 5' box culverts. It depends on what each drainage area requires.

Selectmen's Rep. Bond asked if the development would divert water from other residents' wells.

Chair Seaworth clarified that as you add wells in an area, you can impact the aquifer to different extents, so what part of the approval process looks at that.

Mr. Rokeh said the State takes care of it with the subdivision application because you have to show what type of development you're doing. Some residents have the problem of too much water near their wells and they have had to put drainage in, so I don't think the wells will be an issue.

Member Edmonds noted that there is a significant amount of surface water recharge that goes with this project. All the water generated onsite is charged back into the site.

Selectmen's Rep. Bond suggested she would ask the wetland scientist about it. Are there any endangered species?

Mr. Rokeh said they did a NHB request and there were no hits for endangered species on either of the lots.

Vice Chair Topliff agreed that whatever we can do to minimize the town's responsibility for maintenance of the stormwater system to the extent that the town has responsibility. The applicant needs to provide documentation of what has to be done to maintain it.

Chair Seaworth reiterated the Board's request to have the wetland scientist attend a future meeting. The next item on Ms. Cronin's list is whether the Board thinks more details about the style of homes should be provided.

Chair Seaworth said keep in mind that the Board is approving the subdivision, which will create individual lots. The applicant's plan is to develop those lots as a package and sell the built homes, but that's not a requirement of the subdivision plan. They could sell any number of them as undeveloped lots for the homeowner to decide what style of house to build, so getting into too many details about what they want to build may not be productive.

Alternate Crean agreed but wanted to know the target market and if it impacts affordable housing under state law.

Mr. Lehtonen said their Milford development is about 70%-80% ranches and about 20% colonials. The residents are about 65%-70% retirees and the rest are couples with 1-2 children. Our plan is to use the same floor plans in this development, but it is market driven. We will put up a couple spec houses and adjust according to what we see is needed.

Chair Seaworth asked a question, which a member of the audience brought up. Is there interest in considering any public use area as part of the development?

Vice Chair Topliff said public access can be a challenge to manage, but there is a potential for a significant number of children that may require additional recreational space. However, there is the challenge of maintenance.

Selectmen's Rep. Bond said that the resident discussed it because there is no way for them to walk to the school because roads are so narrow on Pembroke Hill Road.

Alternate Crean said given its location and the number of lots, I don't see a public recreation area but something for the subdivision itself might be appropriate where there is usable land to use for recreation. It might be something to consider.

Chair Seaworth concluded he didn't hear concrete action from Board on this issue.

Mr. Rokeh said that if we hit our target market and have more retirees, what type of outdoor recreation area would we put together that differs from the outdoor recreation on the range roads?

Alternate Crean said a lot developments offer walking trails or some internal area for the residents to have the opportunity to do some other forms of passive recreation.

Chair Seaworth said that with no other comments from the Board, we have some letters to be read into the record, but he wants to first give a chance for people to speak from the audience. We expect to continue to another meeting, so this won't be the last opportunity to comment.

Kathy Cruson, 315 Pembroke Hill Rd. – I want to clarify that when I mentioned at previous meetings a possible donation of land, it was for a substation for emergency services. The development is at the geographic center of town and people living in North Pembroke don't have easy access to Ambulance, Fire, or Police because of the hills and the amount of time it takes to get to that area of town. I had requested they might consider donating a small piece of land to house emergency vehicles, if necessary. It was mentioned that lots were one acre or more. This is R3 Zone, which is two-acre zoning.

Mr. Rokeh clarified the lots are a minimum 80,000 sq. ft., just under two acres, with 56,000 sq. ft. of buildable area that is contiguous.

Kathy Cruson, 315 Pembroke Hill Rd. – You said you were designing to the 50-year flood. Merrimack County has exceeded the 100-year flood many times in the last 15-20 years. I encourage you to look at the records of what has happened around here. Our water tables have been very high and our flooding significant. With regard to the traffic study, we have farm vehicles on Fourth Range Road. There are two horse farms, farms that are hayed, and tractors going up and down Fourth Range Road frequently. That's a consideration with the traffic and kids going through.

Chair Seaworth said he had a conversation with the Police Chief about geographic expansion in town and he said that the way they operate, a substation is not something they need. The way they have computers in their cars, they are mobile headquarters wherever they are in town. I didn't speak to anyone from the Fire Dept. and that could be something we do.

Stanley Grimes, Buck St. – Asked if Baylor Lane would be a town road and would it have a required cul-de-sac.

Chair Seaworth and Mr. Rokeh explained it would be a private drive with a hammerhead to turn around, which was discussed with the Fire Dept. The town won't be responsible for plowing or trash pickup.

Stanley Grimes, Buck St. – Who controls the decision to extend Fourth Range Road?

Chair Seaworth explained that the process is before the Selectmen.

Stanley Grimes, Buck St. – Where Fourth Range Road is Class VI and will be changed to Class V, there are snowmobiles, four wheelers, and horses that use it. I own property on Sixth Range Road and as a property owner I can't drive on there right now. If Fourth Range Road is made a town road, something should be done for the other landowners who are on Class VI roads.

Chair Seaworth explained these are issues that have to do with the range road process. It's beyond the purview of the Planning Board and not something that is pertinent to what we are considering tonight.

Stanley Grimes, Buck St. – My understanding is that each house has to have its own driveway and has to have 2 acres. Some of these lots are not quite 2 acres. I don't think the shared driveways or lots meet the requirements of the town.

Chair Seaworth clarified that when the applicant said one acre, he was talking about the buildable area. The Town Engineer reviewed each lot to meet or exceed the requirement of total size and buildable area. They all have the minimum lot size of 80,000 sq. ft. The ordinance requires a driveway but allows through special use permit a shared driveway. They will come before us for that for those three cases. In each of those cases, their lot still has required road frontage but they aren't accessing the lots off their own frontage due to wetlands. They came up with a solution to minimize wetland crossings by using shared driveways.

Stanley Grimes, Buck St. – In my opinion, each lot should have its own driveway. Have they done any study on taking out the existing house to build the road, without interrupting the range road?

Mr. Rokeh said in that situation, you would have a 600' cul-de-sac and you'd only get 1-2 lots.

Stanley Grimes, Buck St. – Every house should be equipped with a sump pump. Where does the water go at the lower end of the project?

Mr. Rokeh said the underdrains from the houses will definitely have water coming from them. It will pass through the culverts and go into the wetlands. It won't affect other houses. The amount of water coming from underdrains won't affect the size of the culverts going under the road. We will maintain pre and post rates of flow. So it will flow a little longer in the end. That's the way the State regulations read, is you control the rate of runoff.

Ayn Whytemare, 730 Borough Rd. – You had asked about issues to inquire from the wetland scientist. I would like the Board to look at how all the driveways and impervious surfaces impact the connectivity of the wetlands. There has been a lot of talk about the amount of water and where it will go. I'm very concerned about the quality of the water. When people start applying pesticides and fertilizers, it will impact water in the wetlands and, in turn, the aquifer. There is a myth that it takes 100 years for a pesticide to get into the aquifer and that is not true. That would be good to ask the wetland person. Would it be possible for the town to say no basements because of water quality? Water being pumped out of basements will affect the aquifer.

Justin Byrne, Third Range Rd. – These people will use Fourth Range Road to go to Concord. Fourth Range Road is in disrepair. This is the same type of intersection they have on Manchester Street, an offset four-way. They have accidents there and that intersection has a traffic light. The safety of the intersection needs to be looked at.

Chair Seaworth wrapped up the hearing because there are other applications on the agenda. There were three letters received and we won't have time to read all three, so we can push the longer ones off to the next meeting and read the letter from the Conservation Commission tonight.

Ms. Cronin read a letter from the Conservation Commission to the Planning Board aloud for the record.

Chair Seaworth mentioned there is a site walk scheduled on May 4th at 10 a.m. for the Selectmen's process. We are assuming that a quorum of the Planning Board will likely attend that, so we will notice it. It will not be a public hearing of the Planning Board, but we will take notes on what we discuss. Also, the Board is running up against the time limit that the Planning Board has to consider an application. It's not the applicant's fault. The deadline now falls before our next Planning Board meeting. State law requires the extension to be agreeable among all parties. A memo hasn't been submitted by the applicant which, at this point would leave us nothing to vote on as we are usually in the habit of doing so.

Alternate Crean stated we have the authority to propose an extension that the applicant can agree to. The background material suggests a 67-day extension to July 8th. I prefer to extend it longer than that in case there is a weather event or something. I propose a 70-day extension to July 11, 2019.

Ms. Spector-Morgan said that a 90-day extension makes the most sense given the volume of material to review. You can do that without a written request from the applicant.

Chair Seaworth requested that if we come to an agreement tonight, the applicant can follow up with a memo to the planner so we have it in writing.

Mr. Lehtonen was more agreeable to a 60-day extension. His goal with this project was a summer start and time is of the essence.

Chair Seaworth explained the reason for the 67-day extension is that the Planner found it would coincide with the Selectmen's deadline.

Mr. Lehtonen said that 67 days would be agreeable.

Chair Seaworth asked for a vote on the date.

Selectmen's Rep. Bond mentioned that the public are invited to the May 4th site walk.

At 8:59 PM the public hearing was continued to May 28, 2019. It will not be re-noticed so make sure that you follow the town's website and agendas.

MOTION: Alternate Crean moved to extend the Planning Board's review time limit for a period of 70 days to expire on July 11, 2019. Seconded by Selectmen's Rep. Bond.

VOTE: B. Seaworth – Y A. Bond – Y D. Crean – Y
 B. Edmonds – Y A. Topliff – Y

MOTION TO EXTEND THE PLANNING BOARD'S REVIEW TIME LIMIT FOR A PERIOD OF 70 DAYS TO EXPIRE ON JULY 11, 2019 PASSED ON A 5-0 VOTE.

MOTION: Alternate Crean moved to continue consideration of Old Business Agenda Items #1, 2, and 3 to the May 28, 2019 meeting. Seconded by Vice Chair Topliff.

VOTE: B. Seaworth – Y A. Bond – Y D. Crean – Y
 B. Edmonds – Y A. Topliff – Y

MOTION TO CONTINUE CONSIDERATION OF OLD BUSINESS AGENDA ITEMS #1, 2, AND 3 TO THE MAY 28, 2019 MEETING PASSED ON A 5-0 VOTE.

Vice Chair Topliff left the meeting at 9:07 PM.

New Business

4. *WITHDRAWN*****

Major Subdivision Plan Conditional Approval Extension Request, Subdivision Plan #17-03, Special Use Permit SUP-AC #17-304, Special Use Permit SUP-WP

#17-305, and Special Use Permit SUP-OSD #17-306. Charles F. Cleary of Wadleigh, Starr, and Peters, PLLC, acting as Applicant on behalf of Keystone Pembroke, LLC, owner of Tax Map 634, Lot 1 located at 31-39 Whittemore Road in the Medium Density (R1) Residential Zone, the Aquifer Conservation (AC) District, and the Wetlands Protection (WP) District.

Extension Request for Time Limits of Conditional Approval –The Applicant requests a one-year extension of the conditional approval granted on May 22, 2018 (valid until May 22, 2019) for the subdivision of Map 634, Lot 1 into three single-family lots and an Open Space Development consisting of eighteen 4-plex units for a total of 72 residential dwelling units.

Members Bourque and Cruson returned to the Board. Alternate Crean will vote in place of Vice Chair Topliff.

Ms. Cronin read aloud a letter from Attorney Charles Cleary withdrawing the extension request for The Lodges at Pembroke Pines.

- 5. Minor Subdivision Plan Application #19-01, Timothy F. Bernier, T. F. Bernier, Inc., acting as Applicant on behalf of Silver Hill Development Corporation, owner of Tax Map 559, Lot 12, located at 774-778 Silver Hills Drive and New England Flower Farms, LLC, owner of Tax Map 559, Lot 14, located at 830 North Pembroke Road, in the Commercial/Light Industrial (C1) Zone, the Aquifer Conservation (AC) District, the Wetlands Protection (WP) District, the Floodplain Development (FD) District, and the Shoreland Protection (SP) District.**

The Applicant proposes a lot line adjustment to convey 18.7 acres from Lot 12 to Lot 14.

Present: Tim Bernier of T. F. Bernier, Inc.

Ms. Cronin explained it is similar to the lot line adjustment approved in January. Since that time, the property was rezoned from R3 to C1 and was reviewed based on the C1 dimensional standards. Waivers from the checklist were requested for proposed street names, all lot lines, topography, all information within 60' of the lot, sewer and water lines, sewer and water connection, soil types, test pits, proposed open space, and open space development. Those waiver requests are items that are either not applicable to the application or are items that would be a hardship to provide because the lots are so large and irregularly shaped. They showed everything within the subject area. They went to TRC on April 3rd and the departments and town engineer had no concerns. The property is within Concord's wellhead, but typically lot line adjustments don't warrant a Development of Regional Impact (DRI).

MOTION: Member Bourque moved to grant the waiver requests for checklist items:

Part A – Items: C, G, I, J, K, L, N, O, S and W.

Seconded by Member Cruson.

VOTE: K. Cruson – Y B. Seaworth – Y B. Edmonds – Y
A. Bond – Y R. Bourque – Y D. Crean – Y

**MOTION TO GRANT THE WAIVER REQUESTS FOR CHECKLIST ITEMS:
PART A – ITEMS: C G, I, J, K, L, N, O, S and W PASSED ON A 6-0 VOTE.**

MOTION: Member Bourque moved to accept Minor Subdivision Plan Application #19-01 as complete. Seconded by Selectmen’s Rep. Bond.

VOTE: K. Cruson – Y B. Seaworth – Y B. Edmonds – Y
A. Bond – Y R. Bourque – Y D. Crean – Y

MOTION TO ACCEPT MINOR SUBDIVISION PLAN APPLICATION #19-01 AS COMPLETE PASSED ON A 6-0 VOTE.

Chair Seaworth said that it’s prudent that we discuss the DRI. Last time, a similar application was not found to be a DRI, but we should consider it.

MOTION: Member Bourque moved that Minor Subdivision Plan Application #19-01 NOT be considered a Development of Regional Impact. Seconded by Selectmen’s Rep. Bond.

VOTE: K. Cruson – Y B. Seaworth – Y B. Edmonds – Y
A. Bond – Y R. Bourque – Y D. Crean – Y

MOTION THAT MINOR SUBDIVISION PLAN APPLICATION #19-01 NOT BE CONSIDERED A DEVELOPMENT OF REGIONAL IMPACT PASSED ON A 6-0 VOTE.

The public hearing was opened at 9:14 PM. If the application is not completed tonight and continued to another meeting, the public hearing will also be continued and not be re-noticed.

Mr. Bernier stated that they prepared the plans for the applicants, Silver Hill Development and New England Flower Farms. NE Flower Farms operates Pleasant View Gardens. As Pembroke Sands gets mined out, NE Flower Farms buys additional land from them to expand their facility. We were here a couple months ago with a smaller version of this. Pleasant View is planning to expand the greenhouse again. We propose to do a lot line adjustment for 18 acres. Pleasant View Gardens will purchase all the way to the river and some land to the north that has all been mined and reclaimed. Both of these properties have been surveyed to death, so some of the waivers were about not having to survey the gravel pit again. As far as regional impact, we always submit everything to Concord. I called their planner and she had no issues.

Member Bourque confirmed the location of the zoning line between the R3 and C1 Zones.

Chair Seaworth asked who owns the remaining property that is still R3.

Mr. Bernier was not sure. It's the last commercial piece of property that is not zoned commercial.

Chair Seaworth said it was his understanding that it was an oversight in the zoning petition to not include that piece.

Member Edmonds said for the record, the Conservation Commission discussed the application at the last meeting and had no concerns with this proposal.

Ms. Cronin read aloud the drafted conditions:

1. All waivers and the date granted shall be listed on the plan.
2. All conditions of approval shall be listed on the plan.
3. The original signatures of all property owners shall be provided on the final plan.
4. The plan will not be considered as receiving final approval until all conditions of approval are met.
5. The plan shall be recorded at the Merrimack County Registry of Deeds.

Mr. Bernier had no issue with any of the conditions.

Chair Seaworth asked if any other Members or if members of the public had any questions or comments.

Ayn Whytemare, 730 Borough Rd. – I want to say that I spoke to the owners and they said this is the best place in town for them to be. I don't think we have to worry about them expanding any other place in town.

At 9:23 PM, the public hearing was closed. If this application isn't concluded tonight it will be continued.

MOTION: Member Bourque moved to approve Minor Subdivision Plan Application #19-01 with the conditions as read.

Seconded by Selectmen's Rep. Bond.

VOTE:	K. Cruson – Y	B. Seaworth – Y	B. Edmonds – Y
	A. Bond – Y	R. Bourque – Y	D. Crean – Y

MOTION TO APPROVE MINOR SUBDIVISION PLAN APPLICATION #19-01 WITH THE FOLLOWING CONDITIONS:

1. ALL WAIVERS AND THE DATE GRANTED SHALL BE LISTED ON THE PLAN.
2. ALL CONDITIONS OF APPROVAL SHALL BE LISTED ON THE PLAN.
3. THE ORIGINAL SIGNATURES OF ALL PROPERTY OWNERS SHALL BE PROVIDED ON THE FINAL PLAN.
4. THE PLAN WILL NOT BE CONSIDERED AS RECEIVING FINAL APPROVAL UNTIL ALL CONDITIONS OF APPROVAL ARE MET.

5. THE PLAN SHALL BE RECORDED AT THE MERRIMACK COUNTY REGISTRY OF DEEDS.

PASSED ON A 6-0 VOTE.

6. **Minor Subdivision Plan Application #19-02, James E. M. Coughlin, Jr., acting as Applicant on behalf of Wilfrid Poirier, owner of Tax Map 563, Lot 90 located at 210 Center Road in the Medium Density-Residential (R1) Zone, the Architectural Design (AD) District, and the Wetlands Protection (WP) District.** The Applicant proposes to subdivide the parcel into three lots: two residential lots with existing homes and one remainder lot intended to be purchased by the Conservation Commission. In addition, 6,289 SF are to be conveyed to the Right of Way. This plan is associated with Wetlands Special Use Permit SUP-WP #19-301.
7. **Special Use Permit Application SUP-WP #19-301, James E. M. Coughlin, Jr., acting as Applicant on behalf of Wilfrid Poirier, owner of Tax Map 563, Lot 90 located at 210 Center Road in the Medium Density-Residential (R1) Zone, the Architectural Design (AD) District, and the Wetlands Protection (WP) District.** The Applicant requests a Special Use Permit in accordance with Article 143-72.D., Wetlands Protection District, for single-family residential and/or conservation use on a parcel containing wetlands. This permit is associated with Minor Subdivision Plan Application #19-02.

Present: James Coughlin, Jr.

Ms. Cronin said this is a minor subdivision. It's a peculiar situation because it's an existing nonconforming lot with two existing houses on a large lot without frontage. This plan is an attempt to make it less nonconforming so that each house will have its own parcel. The long skinny strip of the parcel along Center Road will be conveyed to the right of way and the Conservation Commission would purchase the remainder of the parcel. They are not proposing any new homes or new buildable lots with this application. There are wetlands, but there are no proposed impacts to the wetlands. The Conservation Commission voted to approve the plan. A portion of the lot is in the Architectural Design District, but no structures are in that area.

Waiver requests from the checklist were submitted for proposed streets, all information within 60' of the lot, all utilities, drainage, test pits, easement and restrictions, open space, and open space development. A lot of those items are not applicable because they are not proposing any new buildable lots and some items would be a hardship due to the size and shape of the lot. The waiver from easements and restrictions is actually a pending item because they are working on language for that.

They went to TRC on April 3rd. DPW and the town engineer brought up concerns about town trucks using the private driveway. Fire brought up a hydrant that is not connected to the water line and mentioned removing it.

Easement language about the town trucks accessing the property will need to be approved by the Selectmen and many of those issues were discussed when the applicant went to the Zoning Board in January to get relief from frontage.

MOTION: Member Bourque moved to grant the waiver requests for checklist items:

Part A – Items: C, J, K, M, O, R, S and W.

Seconded by Member Edmonds.

VOTE: K. Cruson – Y B. Seaworth – Y B. Edmonds – Y
 A. Bond – Y R. Bourque – Y D. Crean – Y

MOTION TO GRANT THE WAIVER REQUESTS FOR CHECKLIST ITEMS:

PART A – ITEMS: C, J, K, M, O, R, S and W.

PASSED ON A 6-0 VOTE.

MOTION: Member Bourque moved to accept Minor Subdivision Plan Application #19-02 as complete. Seconded by Member Cruson.

VOTE: K. Cruson – Y B. Seaworth – Y B. Edmonds – Y
 A. Bond – Y R. Bourque – Y D. Crean – Y

MOTION TO ACCEPT MINOR SUBDIVISION PLAN APPLICATION #19-02 AS COMPLETE PASSED ON A 6-0 VOTE.

At 9:29 PM the public hearing was opened.

Mr. Coughlin stated that he is partners with Wilfred Poirier. The property is in R1 and is about 100 acres. It's located on Center Road and Third Range Road. It was originally a hospital built in the 1950s prior to the adoption of the Zoning Ordinance. The owner wants to subdivide the property into three lots. Lots 90-2 and 90-3 have existing houses and are occupied. Both have town sewer. 90-2 has town water and 90-3 has a well. The remainder of lot 90 has 87 acres and will be sold to the Conservation Commission. We have a purchase and sale agreement. The proposal is not increasing the lot or the use of the property. It is a long-standing preexisting condition. The driveway will be repaired and maintained by the owners of 90-2 and 90-3 through a recordable driveway agreement. The Town will pick up trash as has been done for many years. The reason the Town drives up on the property is to turn around. The plans were approved by the Board of Selectmen, Conservation Commission, and Roads Committee. None of the 87 acres for conservation abuts the driveway, as requested by the Selectmen.

A variance was granted to permit the subdivision of lots 90-2 and 90-3 without the required frontage. No state permits for subdivisions are required. The subdivision doesn't propose any disturbance of wetland and there are no wetlands on the two house lots. Steve Whitely from Town counsel will be preparing the common driveway easement language. Part of the plan is to convey our 6,900 sq. ft strip to the town road. We did a report on the road as a requirement of the Zoning Board.

Chair Seaworth confirmed that the driveway for 90-2 is all the way at the end past the cell tower.

Mr. Coughlin said there is an easement on the driveway for the cell tower and Lot 90-3 owns the driveway. There will be a common driveway agreement between lots 90-2 and 90-3.

Member Bourque confirmed that the costs of repairing the driveway will be on lots 90-2 and 90-3.

Member Cruson asked who owns and maintains the cell tower.

Mr. Coughlin said a company out of Florida owns and maintains it. He said that if ever the need for it no longer exists, they would take it down and the easement would go away and it would revert back to the owner of 90-3.

Ayn Whytemare, 730 Borough Rd. – I'm an abutter and also a member of the Conservation Commission. For over 40 years I've seen the town battle over this piece of land. This is the best possible use. It gives the Town a way to turn around for its service vehicles, it doesn't add additional usage to Center Rd., and it gives conservation land in the middle of town to people who are using it and will continue to use it. As an abutter, I think this is great.

Ms. Cronin read the draft conditions aloud:

1. All waivers and the date granted shall be listed on the plan.
2. All conditions of approval shall be listed on the plan.
3. The typo in the word "Existing Conditions" in the title block of Sheet 3 shall be corrected.
4. The original signatures of all property owners shall be provided on the final plan
5. The final plan and the Special Use Permit (SUP-WP #19-301) Notice of Decision shall be recorded at the Merrimack County Registry of Deeds.
6. The driveway easement and the Town maintenance agreement shall be approved by the Board of Selectmen, reviewed by Town counsel, and recorded at the Merrimack County Registry of Deeds.
7. All new lot corners shall be monumented in the field.
8. The plan will not be considered as receiving final approval until all conditions of approval are met.
9. The disconnected hydrant on the property shall be removed.

Mr. Coughlin said that he would discuss the removal of the hydrant with Fire and Water to see what they want to do. The only difference is that Town Counsel will prepare the driveway agreement. If Mr. Whitely prepares it, he's been reviewing it.

Selectmen's Rep. Bond had a concern about the TRC meeting comment when sewer said lot 90-3 was built as a two-family and used as a single family. Sewer says if they want to convert it back to a two-family, they have to go before the town because of sewer capacity.

Ms. Cronin said it would be flagged if they file a building permit.

At 9:45 PM the public hearing was closed. If we don't complete the application tonight it will continue to another meeting and the public hearing will also be continued without notice.

MOTION: Member Bourque moved to approve Wetlands Special Use Permit SUP-WP #19-301 conditionally until Minor Subdivision Plan #19-02 has received final approval, at which time the Special Use Permit becomes final for as long as the case is approved. If at any time the case is revoked or final approval is not received, the Special Use Permit becomes invalid.

Seconded by Member Edmonds.

VOTE: K. Cruson – Y B. Seaworth – Y B. Edmonds – Y
 A. Bond – Y R. Bourque – Y D. Crean – Y

MOTION TO APPROVE WETLAND SPECIAL USE PERMIT SUP-WP #19-301 CONDITIONALLY UNTIL MINOR SUBDIVISION PLAN #19-02 HAS RECEIVED FINAL APPROVAL, AT WHICH TIME THE SPECIAL USE PERMIT BECOMES FINAL FOR AS LONG AS THE CASE IS APPROVED. IF AT ANY TIME THE CASE IS REVOKED OR FINAL APPROVAL IS NOT RECEIVED, THE SPECIAL USE PERMIT BECOMES INVALID.

PASSED ON A 6-0 VOTE.

MOTION: Member Bourque moved to approve Minor Subdivision Plan Application #19-02 with the conditions as read.

Seconded by Selectmen's Rep. Bond.

VOTE: K. Cruson – Y B. Seaworth – Y B. Edmonds – Y
 A. Bond – Y R. Bourque – Y D. Crean – Y

MOTION TO APPROVE MINOR SUBDIVISION PLAN APPLICATION #19-02 WITH THE FOLLOWING CONDITIONS:

- 1. ALL WAIVERS AND THE DATE GRANTED SHALL BE LISTED ON THE PLAN.**
- 2. ALL CONDITIONS OF APPROVAL SHALL BE LISTED ON THE PLAN.**
- 3. THE TYPO IN THE WORD "EXISTING CONDITIONS" IN THE TITLE BLOCK OF SHEET 3 SHALL BE CORRECTED.**
- 4. THE ORIGINAL SIGNATURES OF ALL PROPERTY OWNERS SHALL BE PROVIDED ON THE FINAL PLAN**
- 5. THE FINAL PLAN AND THE SPECIAL USE PERMIT (SUP-WP #19-301) NOTICE OF DECISION SHALL BE RECORDED AT THE MERRIMACK COUNTY REGISTRY OF DEEDS.**

6. **THE DRIVEWAY EASEMENT AND THE TOWN MAINTENANCE AGREEMENT SHALL BE APPROVED BY THE BOARD OF SELECTMEN, REVIEWED BY TOWN COUNSEL, AND RECORDED AT THE MERRIMACK COUNTY REGISTRY OF DEEDS.**
7. **ALL NEW LOT CORNERS SHALL BE MONUMENTED IN THE FIELD.**
8. **THE PLAN WILL NOT BE CONSIDERED AS RECEIVING FINAL APPROVAL UNTIL ALL CONDITIONS OF APPROVAL ARE MET.**
9. **THE DISCONNECTED HYDRANT ON THE PROPERTY SHALL BE REMOVED.**

PASSED ON A 6-0 VOTE.

Minutes April 9, 2019

MOTION: MEMBER BOURQUE MOVED TO ACCEPT THE APRIL 9, 2019 MINUTES AS PRESENTED. SECONDED BY MEMBER CRUSON. UNANIMOUSLY APPROVED. SELECTMEN'S REP. BOND AND ALTERNATE CREAN ABSTAINED.

Miscellaneous

1. Correspondence
 - A. CNHRPC Transportation Data Collection Program 2019

Ms. Cronin said we have the memo from Regional Planning about traffic counts, which we discussed at the last meeting. It has gone to the Roads Committee. The deadline is April 26th.

Member Bourque said they could consider Bow Lane and Donna Drive where they meet Route 3.

Chair Seaworth said that Bow Lane was done last year. Usually they don't do the same road two years in a row, but in this case it may be appropriate to pick up any changes.

The Board discussed the best places to pick up traffic counts in the Donna Dr., Bow Ln, and Whittemore Rd. area.

In addition to the Roads Committee recommendation of: Fourth Range Rd. north of Cross Country Rd., Pembroke Hill Rd. east of Third Range Rd., and Glass St., the Board agreed to include Whittemore Rd. west of Route 3, Donna Dr. west of Route 3, and Bow Ln. west of Route 3.

B. Letter from Steven Lewis dated April 9, 2019

The Board received a letter from Steve Lewis, the developer of the conceptual Beacon Hill Apartment plan. Mr. Lewis invited the Planning Board members to take a tour of his existing project. He would prefer that visit happen at the end of May or June. Ms. Cronin offered to coordinate that with him if the Board thinks it will be beneficial.

Member Bourque asked if they have given any indication of when they'll submit an application.

Ms. Cronin said not yet.

Member Bourque pointed out that there may be issues on his yield plan that showed quadplexes for a buildout.

Ms. Cronin confirmed that the yield plan can only show single-family and duplex uses, only uses allowed by right. To do more than allowed by the yield plan, they'd have to go to the Zoning Board for a variance. The applicant can file concurrently with the Planning Board and Zoning Board.

Member Edmonds thought that anything related to that development is premature at this point. The gentleman was sincere in his presentation, but he's a long way away from having anything that we can seriously consider.

Selectmen's Rep. Bond agreed, why plan a time to go and look at what he's doing, because he may never file the application.

Chair Seaworth noted that the Board has never put in that level of effort on a conceptual proposal. This is something we would do when we have an actual application before us.

Ms. Cronin will write back to Mr. Lewis and let him know.

Member Bourque noted that is it appropriate in the letter to say that once an application is before us, then that would be a good time to do a site walk on one of his properties.

Member Cruson said that she spent a couple hours going through Ben Frost's report and Mr. Lewis can contact NH Municipal Association or CNHRPC to find statistics on workforce housing in Pembroke. The last needs assessment by CNHRPC was in 2009 and it indicated that Pembroke has a substantial amount of workforce housing and according to the statute it relays that the town determines its fair share. Member Cruson noted that Reginal Planning would be due for another evaluation of all towns in 2019-2020.

Selectmen's Rep. Bond was concerned that when he appeared before the Board, he mentioned elderly housing, but his letter doesn't mention that.

2. Committee Reports

Selectmen's Rep. Bond said that the Selectmen is close to doing a regulation on the light poles. The San Ken Homes site walk is at 10 a.m. on May 4th.

3. Other Business

Ms. Cronin announced that Alternate Member Andrew Githmark is regrettably resigning from the Board. He wrote a very nicely worded letter and ultimately, the issue was the time

commitment. That being said, the Selectmen appointed two new alternate members: Dan Crean and Clint Hanson. Clint could not be here tonight, but we are glad to have them both.

4. Planner Items

None.

5. Board Member Items

Member Bourque wanted to thank Dan for joining the Board and doing an outstanding job tonight.

Member Edmonds asked if we need a Planning Board quorum at the site walk on May 4th.

Alternate Crean clarified that it's not a meeting of the Planning Board.

Ms. Cronin will post a notice that says a quorum of the Board may be attending and will take notes on the site walk.

6. Audience Items

None.

MOTION: Member Bourque moved to adjourn the meeting. Seconded by Selectmen's Rep. Bond. Unanimously approved.

The meeting was adjourned at 10:15 p.m.

Respectfully submitted,
Jocelyn Carlucci, Recording Secretary
Carolyn Cronin, Town Planner