

**Pembroke Planning Board
Minutes of Meeting
(ADOPTED)
April 25, 2017**

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

ALTERNATES PRESENT: Kellie Dyjak

EXCUSED: Richard Bean; Sandy Goulet, Selectmen's Rep.; Robert Bourque

STAFF PRESENT: Stephanie Verdile, Town Planner; Jocelyn Carlucci, Recording Secretary

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

Old Business-

1. **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 March 21, 2017*
2. **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 March 21, 2017*

3. **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 March 21, 2017*

Chairman Topliff opened the meeting

Ms. Verdile said the Applicant's attorney requested a 90-day extension. She called the Applicant's Attorney and explained that unless a specific date is chosen, the Applicant would be required to re-notice everyone. Ms. Verdile suggested July 25, 2017 and the Attorney agreed so the Applicant would not have to pay to re-notice.

Member Cruson asked if Patrick Colburn would be the Applicant's spokesman. Ms. Verdile said yes, unless they inform her otherwise.

MOTION: Vice Chairman Seaworth moved to grant the extension to July 25, 2017. Seconded by Member Young. Unanimously approved.

New Business

1. Election of 2017 Board Officers

MOTION: Vice Chairman Seaworth moved to nominate Allan Topliff as Chairman. Seconded by Member Cruson. Unanimously approved.

MOTION: Member Young nominated Brian Seaworth as Vice Chairman. Seconded by Alternate Member Dyjak. Unanimously approved.

2. Master Plan discussion

Chairman Topliff said he would like the Board to decide which sections of the Master Plan were important enough to be rewritten and included in the new Master Plan.

Alternate Member Dyjak asked why the 2004 Master Plan included a section on Schools since she had never seen a School Section in a Town's Master Plan. Chairman Topliff

said the Master Plan has no jurisdiction over the schools. Alternate Member Dyjak encouraged the Board to not include a School chapter in the new Master Plan.

Vice Chairman Seaworth said he recalled that the Master Plan and the Growth Management Ordinance were occurring at the same time. He speculated that perhaps if the Town decided they could not afford to build a lot of new houses, the reason would have been that there was not enough room to accommodate the additional children in the schools. He said there may have been a need to show an analysis of what the school capacity was at that time.

Member Young said there are things in the 2004 Master Plan that are over and above what the RSA recommends. He felt the Board could do a better job to make the Master Plan more readable if it only included those chapters suggested by the RSA.

Chairman Topliff referred to an e-mail from Central New Hampshire Regional Planning Commission (CNHRPC) dated April 21, 2017, which pointed out that the RSA says the Master Plan must contain a Vision Section and a Land Use Section.

Alternate Member Dyjak also said that it also says that "Each section of the master plan shall be consistent with the others in its implementation of the vision section." Therefore, her opinion was that there should be an implementation chapter.

Member Young said that in the 1970s most people moved to Pembroke because it was a bedroom community. In the 2004 Master Plan survey, it showed that the residents wanted business and commercial zones in order to alleviate some of the tax burden.

Alternate Member Dyjak said that the Master Plan could include chapters on Housing, Transportation, Utilities and Public Services, Community Facilities, Recreation, Conservation and Preservation, Construction Materials, Economic Development, Natural Resources, Natural Hazards, Regional Impact, Implementation, Energy, and Coastal Management.

Chairman Topliff said that he would first like to get a consensus on each chapter in the existing Master Plan.

COMMUNITY AND RECREATION

Chairman Topliff suggested something on this topic should be included in the Master Plan especially since the Board has been talking about bike trails but with less detail than the 2004 Master Plan.

Alternate Member Dyjak said Community and Recreation overlaps between Community Facilities, Conservation, and Recreation. She agreed it should be included and combined in one chapter.

Member Cruson said since it is frequently emphasized that NH is one of two states that has an increasingly aging population, she felt it was very important to have a chapter on Recreation and Community Facilities. Both will be necessary in the future especially since families have changed in the last 20 years to rely more upon community facilities and formalized recreation than in the past.

Ms. Verdile thought Recreation could be consolidated with Community Facilities which would include parks, fields, and trails.

Vice Chairman Seaworth agreed with Ms. Verdile. In his opinion, the statement read earlier by Alternate Member Dyjak regarding the State's requirement of being consistent with its implementation meant that a chapter should not be created because the Town has a lot of information about it. A chapter should be created because it supports the vision for the community.

For example, if the Town's vision does not include something about what the Town would like to do regarding recreation or community facilities, then it should not be included.

Member Young said that it is important to create a plan for what we envision in 10 years and to act on it. He said he always felt bad about the survey that was done in 2004. It contained a lot of good answers that everyone agreed on that the Planning Board should have accomplished, such as changing the zoning in certain areas and creating additional commercial areas.

Member Edmonds agreed that those chapters should be included and updated.

Alternate Member Dyjak agreed with Vice Chairman Seaworth.

Member Cruson said the Master Plan should be presented in such a way that it is clearly understood. It should be very readable.

Ms. Carlucci said the key to a successful Master Plan is to have a forward thinking Planning Board that is willing to take the time to accomplish some of the goals.

Member Cruson said the applications and programs that normally come before the Board could easily trump a topic such as the preparation of the Master Plan. Chairman Topliff pointed out the Board never completed the Simple Site Plan Application that was prepared quite some time ago.

Ms. Verdile agreed. The most productive boards are proactive rather than reactive boards that react to applications. She said that regulation changes revolves around the Zoning Ordinance (i.e. Table of Permitted Uses and Definitions) which is the responsibility of the Planning Board.

Chairman Topliff agreed that the Board would have to be more protective of their worksession meeting times in order to stay focused on the Master Plan.

DEMOGRAPHICS

Chairman Topliff said there is reference to demographics in the State RSAs. He thought that information would be quickly obtained from the last census (i.e. how many adults and children live in town, employment, range of ages, income ranges, etc.).

Ms. Verdile said Central NH Regional Planning Commission would have demographic information.

Chairman Topliff suggested perhaps the Demographics Chapter would include a reference to a site (town's website) for additional information.

Member Edmonds, Vice Chairman Seaworth, Ms. Verdile, and Member Young agreed that an entire chapter would not be necessary if the information could be referenced elsewhere.

Member Cruson disagreed. She thought it did not need a chapter, but there should be a few sentences that explains the general framework of the town such as population, etc. and introduce what is coming in the Master Plan.

ECONOMIC DEVELOPMENT

Member Young pointed out that Concord hired an Economic Development Director. He said Hooksett has had one for years. He said the State and the Town's lifeblood is economic development and Pembroke has no one with the interest or power to talk anyone into coming to Town. He said that that was a mistake.

Member Dyjak asked if there was a business association in town.

Ms. Carlucci said she was once part of the Suncook Village Merchants Association and the Pembroke Economic Development Committee (EDC). She said the problem was that there was no one at Town Hall with the time to implement the ideas and goals of either committee. When Kerrie Diers was the Planner, the Soucook River Development TIF District was created. That was a goal of EDC along with the use of the Town-owned 4 Union Street building. Once Ms. Diers left, EDC and its ability to accomplish other goals such as the rezoning of Route 106 to increase the commercial zone along the gravel pit areas was never accomplished.

Chairman Topliff said the Master Plan could include the need for an Economic Development Director.

Ms. Cruson said it was obvious that the Town needs economic development but did not know where the Town's abilities and power stands in comparison to other small towns.

Chairman Topliff said the Master Plan can identify goals such as keeping the character of Route 3 and, once it is in the Master Plan, the Board could champion that with Town staff in order to accomplish those goals.

Alternate Member Dyjak said a business association would be advantageous because the businesses in Town could help fund the goals for economic development.

Member Young said one of the highest achievements when he was Selectman was getting water and sewer on Route 106. Although, at the time, it was a "hard sell", the last survey in 2004 showed that residents realized that a 100 lot subdivision would not help reduce taxes but a commercial area would.

Member Young said if an opportunity for a housing development presented itself for the land on Route 106, the opportunity to rezone the area to commercial land would be gone. Thinking that the land would not be developed for another 20 years because it is being mined, is the mistake that the Board is making now. He said the Board cannot continue to wait to rezone that area.

Ms. Verdile agreed. She said it is very important to change the zoning in that area. It would require public hearings and a Town meeting but would be quickly beneficial.

Vice Chairman Seaworth said economic development is what is on a lot of people's minds. He agreed the Board should work on it. He thought those interested in creating the Economic Development Chapter may also be interested in implementing its goals especially if a timeframe was set.

Chairman Topliff asked if the CNHRPC had a staff person available to help with economic development. Ms. Verdile said yes. He thought that setting money aside to hire someone from CNHRPC may be a possibility.

Member Edmonds said he thought it was very important to address economic development and, perhaps, the formation of a committee or a director could be a recommendation.

Alternate Member Dyjak agreed that an EDC chapter should be included.

EXISTING AND FUTURE LAND USE

Vice Chairman Seaworth said that it was one of the State's required chapters.

ADOPTED GOALS AND OBJECTIVES

Chairman Topliff said the way he sees this chapter evolving is for the Board to take the recommendations and vision that are flushed out through the Master Plan process and lay a framework on how things might be achieved.

Member Cruson also suggested using whatever can be salvaged from the last Master Plan. If a section from 2004 was well done and is still important to the Town, the Board should use it.

Ms. Verdile suggested placing the goals and objectives of each chapter at the start of each chapter.

Alternate Member Dyjak agreed. She said that the Henniker Master Plan is laid out that way and is very useful.

HISTORIC AND CULTURAL

Chairman Topliff said there seems to be a fair amount of historic and cultural information in other places, so he suggested referencing them rather than spending a lot of energy on that chapter.

Member Cruson agreed.

Vice Chairman Seaworth said the report in the existing chapter would be a nice thing to have on line as a reference.

Ms. Verdile agreed.

Alternate Member Dyjak suggested including it in the Conservation and Preservation chapter.

Member Edmonds agreed.

Member Young said he felt the history of Pembroke is very important because it determines where the Town is going. The information should be available because Pembroke has an interesting history.

HOUSING

Chairman Topliff said the chapter is important because the whole demographic of NH and Pembroke is changing and he felt that it was important to have multiple housing choices.

Member Young said that it is an RSA recommendation but not a requirement. He would like to see the chapter shortened.

Chairman Topliff said the thought the chapter could potentially lead to some zoning changes, especially if it was found that a particular type of housing was in short supply. It could also lead to a developer filling the need for a particular type of housing.

Member Edmonds said if Pembroke was successful in attracting industry to its commercial area, housing would be a factor that business owners would be looking at.

Alternate Member Dyjak agreed that it was important to have this chapter in the Master Plan because it would also provide a place to say how Pembroke would like its neighborhoods to be designed.

Ms. Verdile said many generations are colliding such as baby boomers caring for elderly parents. Allowing a residence to be converted in such a way that someone could age in place and have their keepers live with them is important. Zoning could be a contributor to this chapter.

Member Young said demographics show that young people are leaving New Hampshire in search of work and the elderly are coming to New Hampshire to retire because it is a nice place to live. Fifty-five plus housing is where the market will be.

Vice Chairman Seaworth said that this is one of the chapters that should be on the Board's outline to start with. If the Board finds that it merely lists the type of housing in Pembroke, the Board may find that the chapter is not necessary and could be combined with another chapter. The purpose of this chapter should be to indicate where the Board wishes to go or where they want to impose some type of housing. The chapter could also state what should not be changed in Pembroke.

Member Cruson said there is no place in Pembroke where older people can live and have resources for food, health, community rooms, etc. It would be helpful to have some place that is similar to apartments or condominiums that would also have these amenities.

Vice Chairman Seaworth said in the Midwest there is a very large facility for 55+ residents. It has a restaurant, two swimming pools, and community rooms. They also have their own choir and orchestra. Something similar in a smaller scale may be something that the Town could consider.

Member Cruson said that that was why she had suggested small enclaves in zoning so there could be a gas station, a small grocery store, and a food service place within a mile or two from where they live.

NATURAL RESOURCES

Member Edmonds said they have completed their National Resource Inventory which he felt should be referenced and found on the Town's website because it may be too large to fully include it in the Master Plan.

Alternate Member Dyjak said the Natural Resources chapter should be included in the Conservation and Preservation Chapter which could reference the National Resource Inventory.

Vice Chairman Seaworth shared Member Edmond's concern and said that the RSA says that the reason for this chapter is to identify any conflicts in other elements of the Master Plan. He said that the Board may find that the goals for the natural resources are at odds with economic development.

Ms. Verdile said having an abridged version of the Conservation Commission's Natural Resource Inventory would be important. It should be given recognition in the Master Plan and not just referenced to an online site.

Member Cruson said the Board should reference the rivers which have determined so much of the economic, housing, and transportation in Town.

REGIONAL

Chairman Topliff said the chapter could include transportation and how other communities affect Pembroke's housing communities.

Alternate Member Dyjak said the chapter should include the rivers.

Member Edmonds had no comment.

Member Young said he had no thoughts because Pembroke has no control over development in surrounding areas such as Concord or Hooksett.

Vice Chairman Seaworth said to keep it short and goal-oriented. It should focus on things that are in our control. There may be things that Pembroke may not want to do in reaction to what other communities do. The Master Plan should not simply discuss what other communities are doing.

Ms. Verdile said that she was not familiar with the regional section of the 2004 Master Plan but agreed that it should look to the rivers.

Member Cruson said that it could be addressed in other areas. Regional concern because of traffic could be done under transportation. The influence that being near Concord and Manchester has on housing could be addressed under the Housing section. She did not feel that a regional chapter was necessary.

SCHOOLS:

The consensus of the Board was not to have a school section in the Master Plan.

TRANSPORTATION

Chairman Topliff said that Mike Tardiff was working on it.

MUNICIPAL SERVICES

Chairman Topliff said historically the Board addressed the need for municipal services as the need arose. He thought that there may be an opportunity to tie municipal services into the zoning ordinance but was not sure.

Member Cruson said the Board could list the municipal services that are available within the community. Other chapters could address things in details.

Ms. Verdile said that it could be combined with Community Facilities.

Mr. Edmonds said if a large industry was looking to put their facility in Pembroke, they usually like to see detail on municipal services.

Ms. Verdile said that whether Pembroke should have its own sewage treatment plant may be a good topic for the survey.

Chairman Topliff said that it could be referenced under the Economic Development chapter.

Ms. Carlucci thought that including it in the Economic Development chapter would be a possibility since municipal services are important when planning business locations.

VILLAGE PLAN

Chairman Topliff said Allentown is presently working on economic development near the Suncook Village. He wondered if it should become more of a focal point.

Ms. Carlucci said it was very important not to forget that Pembroke has a village. Suncook Village should be mentioned in the Master Plan because it is Pembroke's business district and is an important part of the Town and its history.

Member Cruson said the Village School will be coming to the forefront again. People should be thinking of whether or not a school in the Village is important.

Vice Chairman Seaworth said the School Board is currently looking to create a citizen committee to close the Village School and to expand at the Hill School. They have hired a

consultant to estimate the cost of upgrading the Village School or adding on to the Hill School.

Member Cruson said the Hill School was poorly built. Adding an addition could be a problem in terms of construction.

Ms. Carlucci wondered how much business the Village School actually brings to Suncook Village. She could foresee the school becoming a nursing home or elderly housing complex. It has a gymnasium which would be a wonderful community facility to bring visitors to the Village area. It is within walking distance to churches, stores, the bank, the post office and to restaurants. The facility could even house an extension of the library.

Chairman Topliff asked Ms. Verdile to contact Mike Tardiff to see if he had any revisions to the contract before the Board signs it.

Alternate Member Dyjak recommended that energy chapter be included. She said that Henniker had every town building assessed for energy efficiency

Vice Chairman Seaworth said that a lot of that had been done and that Pembroke had an Energy Committee. Their present project is the conversion of the street lights to LED. He said that the committee would probably welcome the chance to submit a chapter to the Master Plan.

Minutes- April 11, 2017.

MOTION: Vice Chairman Seaworth moved to approve the April 11, 2017 minutes as amended. Seconded by Alternate Member Dyjak. Approved with one abstention – Member Young.

Miscellaneous

1. Correspondence-

Ms. Verdile received confirmation for the spring conference attendees.

She also received Business NH magazine.

2. Committee Reports-

Roads: Vice Chairman Seaworth said that the committee discussed Pembroke Meadows development. He asked them to clarify what they meant when they said that all utilities and roads had to be completed before any houses were built. They clarified that when the road work is done, the drainage is usually done at the same time which is important to a building site. If the main road is not completed, than the main drainage is not done which means that the developer would be building the house lots on a site that was not prepared to support them.

Member Young said that the problem in the past has been that the developer is required to post a bond and once the developer starts the development he lacks the funds to complete the project. It is very expensive for the developer to get the financing to do a project of this size without selling some of the lots off first. If the phasing is over five years, he wondered where they would get the financing to be able to install all the utilities up front.

Member Cruson said that some developments have enough lots on the main road that borders the development that can be sold in advance. She did not recall there being many lots along the main road from Pembroke Street to Broadway that could provide enough income for the developer.

Conservation Commission: Member Edmonds said that their cleanup day was last Saturday. Only 1 boy scout showed up.

3. Other Business—

Chairman Topliff said that Member Bourque sent an e-mail which noted his concern regarding the Charter School.

In the past, the Planning Board was advised which, in retrospect, turned out to be ill advised, that charter schools were not subject to zoning regulations. The Riverwood Drive Charter School had been treated that way ever since.

Member Bourque's point was that if the Board made that mistake once, would the Board have to continue to treat future applicants the same way.

Chairman Topliff said that he does not feel that any attorney would give a definitive answer or give the same answer each time the question was asked. He said that he sent Alternate Member Bourque an email stating his opinion which was: If a specific applicant was previously identified as not being subject to the zoning ordinance, the Board would be hard-pressed to start enforcing that in the future for that applicant. At the same time, Chairman Topliff did not think that that obligated the Board to make the same mistake in the future with other charter school applicants.

Member Cruson asked if Chairman Topliff meant that the Board could let it go with regard to Strong Foundation, but if another school came before the Board, then the Board could follow the zoning regulations.

Chairman Topliff said yes. He said that the State RSA provides the authorization to do that.

On another topic, Chairman Topliff said that Ms. Verdile provided a copy of Town Counsel's feedback regarding some of the questions that the Board asked about processing what they could and could not do specific to Pembroke Meadows.

He said that in order to avoid any possibility of discussing the application, he asked that each Board member direct their specific questions to Ms. Verdile by e-mail.

4. Planner Items-

Ms. Verdile said that something was brought to the attention of the Zoning Board of Adjustment at their last meeting. It was found that there was a section of the zoning ordinance that had not been used since Mr. Hodge has been Pembroke's Code Enforcement Officer.

The ZBA approved a special exception in the new ADU law. That was an instance where a special exception was approved but does not require Planning Board approval. The unused section of the ordinance reads:

“Prior to rendering a decision on an application for a special exception, the Zoning Board of Adjustment shall request from the Planning Board, only if subsequent action by the Planning Board is not required, conservation commission and the health officer opinions as to whether the proposed use is considered consistent with the purpose of this section.”

Ms. Verdile said that the ADU was approved last night, and she thinks that they will be coming to the Planning Department or the Planning Board looking for a signoff. She said that she and Mr. Hodge are working on a system in order for Planning Board to sign off. It will be a work session item.

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

The meeting was adjourned at 9:15 p.m.

Respectfully submitted,
Jocelyn Carlucci, Recording Secretary