

**Pembroke Planning Board
Meeting Minutes
(ADOPTED)
October 8, 2019**

MEMBERS PRESENT: Brian Seaworth, Chairman; Robert Bourque, Vice Chairman; Clint Hanson; Brent Edmonds; Dan Crean; Ann Bond, Selectman's Rep.

ALTERNATES PRESENT:

EXCUSED: Kathy Cruson

STAFF PRESENT: Susan Gifford, Recording Secretary; Carolyn Cronin, Planner

Chairman Seaworth called the meeting to order at 6:30 pm.

Appointments:

1. Dead-End Street Design Workshop with Guests

Police Chief Dwayne Gilman, Fire Captain Erik Paulsen, and DPW Director Jim Boisvert were present as well as Town Administrator David Jodoin. Chairman Seaworth explained that the discussion is not about a specific proposal, but whether we need to think about revising the regulations for cul-de-sacs. Street connectivity is a big concern to allow residents access to other subdivisions and sites without coming onto the main road. A loop road is one way out and in. How are Pembroke's regulations helping make sure we are addressing the concerns of public safety and public works?

Planner Cronin stated that under current regulations cul-de-sacs cannot exceed 600 feet in length. Range roads are an example of roads that do not connect to other town roads. There is a desire to connect roads to a development in a safe, accessible way and to ensure developments leave a way to connect roads in the future. But we recognize that some residents prefer to live in a cul-de-sac neighborhood.

Chairman Seaworth stated that regulations should be made to serve the end goal of safety. Member Crean asked Fire how long road access should be to promote safety. Should access be based on hose length or number of houses? Legislature has ruled that towns cannot mandate residential sprinkler systems. Member Crean stated that in places I've lived Public Works, Police and Fire prefer interconnectivity of roads. I grew up in Milwaukee and newer subdivisions are all connected so that residents can go to other places without going out on the main road. There is a lot of wisdom in requiring connectivity.

Jim Boisvert, Public Works, noted that this topic was discussed at the last Roads Committee meeting. His feeling is that the town needs to be fair to everyone. If there were to be no more cul-de-sacs and no more dead ends approved, he would recommend that a house or two be located on the green space of the cul-de-sac. This would make turnarounds easier for his equipment and perhaps be growth control on number of units proposed. At the Littlefield condominiums, there are no dead ends. Our concern is not the length of the road but the adequacy of the turnaround. We did a test run of plow equipment with cars parked near the cul-de-sac/loop roads and it was difficult to maneuver. Snow emergencies will be declared when necessary to restrict parking in inclement weather.

Chairman Seaworth stated that too much is decided on a case-by-case basis. The regulations should be very clear at the outset, so that developers working on their plans would know the limitations.

Erik Paulsen, Fire Department, apologized that Fire Chief Paulsen was not able to attend tonight's meeting. Erik spoke of a 400-foot road with a cul-de-sac versus a 1,000-foot road with a cul-de-sac. If power lines are down there is no access or egress on a dead end road. Getting equipment in from two places is always preferable. Pembroke has experienced floods, ice storms, windstorms, and an event every 5 years. There are many more EMS calls than fire calls. It takes significant time to get in and out of a dead end road.

Police Chief Gilman stated that he lives behind the racetrack in Loudon. When there is a race, he and his neighbors are stuck on their road. There is no route for evacuation if a major incident occurs at the first or second house. Residents would need to shelter in place. Roads are developed for the houses on the road. Then loop roads go in and those residents all need to use the main road. Numbering can be an issue. On a circle, odd and even numbers may be on opposite sides but what about the house at the circle? Not everyone puts the number in the same place. Time is spent finding the number, finding the house, finding the gas leak or fire. Police cars are smaller and can turn around in any driveway so that is not a problem.

Member Bourque stated that the original question was if there were a requirement to eliminate hammerheads and have no dead end roads, how many houses would be allowed on a road with a cul-de-sac? Would it be 6 houses and on the seventh house, the developer would have to connect to another main road?

Chairman Seaworth stated that hammerheads were only allowed as a temporary measure, but how long is temporary. A hammerhead is left to connect to the next development, but that may be decades away. Chairman Seaworth stated he heard safety responders saying number of houses is not an issue, but the length of the road is.

Jim Boisvert, DPW, stated he would like to see property owners bring the road to the end of their property. Other towns require that to improve your property, you need to improve the road to the end of property on Class V and Class VI roads.

Chairman Seaworth said that was a good point because the existence of hammerheads was supposed to be temporary. Pembroke does not require that the roads be built for all phases at the start of the project. The town should be holding a bond to complete the roads if the phases are not all completed.

Member Crean stated that legislature put a time limit on bonds. If a bond is not used for its intended purpose in six years, it must be returned.

Access and egress are most important during an incident. Emergency lanes need to stay open year round. Builders choose the number of units. Not enough thought is put into design of subdivisions. Roads must meet public necessity and convenience. The

Planning Board has a right to consider and impose regulations about safe egress and access, while leaving a reasonable amount of flexibility to the developer.

Selectmen's Rep Bond asked if safety responders are comfortable with a 600 foot length for a road. Erik Paulsen, Fire Department, stated that a large diameter hose can be stretched short distances by hand, about 400 feet then a two inch hose would experience friction loss. Basically, there would be wait time for 4-5 more trucks to get in 800-1,000 feet to a structure fire. Trucks would have either 1,000 or 1,500 gallons of water onboard depending on the location. Dispatch can call in additional resources. Responders would be carrying ladders, saws and air packs while dressed in full gear. This would be taxing.

Chairman Seaworth stated that 600 feet length sounds like a good compromise. Are there any exceptions, like existence of residential sprinklers? Member Crean suggested that the Planning Board set a 600 foot standard, giving the Planning Board authority in the regulations to adjust that number up or down.

Police Chief Gilman stated that evacuation of 30 to 40 home is a major law enforcement nightmare. The longer the road, the more resources would be needed.

Selectmen's Rep Bond asked about use of cisterns. Erik stated that Epsom, Chichester and Bow have cisterns. Pembroke has one cistern at Continental Paving. Cisterns have been used with mixed results. They need maintenance and must be watched for vandalism or leaks.

Member Bourque asked if Erik had seen a draft of a policy Chief Paulsen and the Code Enforcement Officer are working on to require that sufficient firefighting water be available at a minimum of 30,000 gallons. Sprinklers are an option to meet this requirement. Erik has not seen the draft. It will be on the October 21, 2019 Board of Selectmen agenda.

Selectmen's Rep Bond asked if the width of the road, if doubled would help. It would not help incident management.

Chairman Seaworth stated that part of the intent tonight is to throw out ideas, look at the importance of distance, adequacy and limitations. Jim Boisvert, DPW, noted that the radius of a cul-de-sac at 50-60 feet has not changed in years. Planner Cronin stated it looks like it was the original adoption of zoning for that section. Chairman Seaworth stated the intent was to encourage small loops. Some cul-de-sacs have green space, but who owns and maintains the green space is not clear. Some cul-de-sacs are all hot topped. Jim suggests that one or two houses sit on the cul-de-sac. That would resolve the maintenance issue. Chairman Seaworth asked if there was concern the cul-de-sac radius is not adequate.

Chairman Seaworth noted that limiting houses to 6 on a dead end road would be using 200 foot frontage per house. What if each lot was 5-6 acres and each lot subdivided? There would be double the number of houses. Chairman Seaworth stated the consensus was to set a standard with language to give authority in the regulation for the Planning Board to adjust the number up or down.

Chairman Seaworth thanked Jim Boisvert, Erik Paulsen, and Police Chief Gilman for coming in and providing feedback. We appreciate your time and comments.

New Business

2. Revisions to “Procedures for Changing a Class VI Road to a Class V Road as Part of a Subdivision or Site Plan Approval”

Planner Cronin explained that this is a guideline for developers to upgrade Class VI roads. The Planning Board and Board of Selectmen process is separate and we cannot tie one to the other. This is not part of subdivision and site plan checklists, and would need to be to impose any requirements.

Chairman Seaworth stated that recent experience has shown it is not without cost to the town to wait for a condition, like “if the applicant could purchase a piece of land” to consider a plan. The town has spent resources and abutters were invited to a public hearing. The Planning Board cannot require ZBA approval before accepting a plan to review. The applicant can make application in either venue in order or concurrently.

Member Crean stated I have two concerns, 1) developer says town made me spend x amount of money and 2) applicant says I got approval here, now you need to give me approval there. The Town speaks in one voice. It should be clear in the Subdivision and Site Plan review regulations when you can go to Planning Board review if you don’t have all the requirements. Member Crean explained that NH statute 231:8 addresses reclassification and 231:28a addresses an individual petition to layout a Class V over a Class VI road. A reclassification requires town meeting vote. A petition to layout a road has Board of Selectmen involvement.

Either one is available to pursue. 231:28a is a town meeting procedure and needs a warrant article. One person can request conditional layout by the Board of Selectmen.

Member Bourque asked for clarification. Layout is requested of the Board of Selectmen, does not require Town Meeting, and overlays Class V over Class VI road. Reclassification requires town meeting vote. Member Crean said that is correct. The layout procedure has been around since the early 1800’s. The procedure is the applicant’s choice.

David Jodoin, Town Manager, stated that legislature created a conflicting process. The guidance needs to be clear and concise.

Member Bourque stated the requirements should go into the Planning Board checklist. Member Crean asked if the Planning Board requires that the Board of Selectmen approve a layout of the road. Planner Cronin said that would be a question for legal. Can the Planning Board require Board of Selectmen acceptance of the road before considering a subdivision?

Chairman Seaworth asked that Planner Cronin get more information and parameters. The Planning Board has some tasks and the Board of Selectmen has some tasks in the process. The Board of Selectmen would rewrite the document.

Minutes- September 24, 2019

MOTION: MEMBER CREAN MOVED TO ACCEPT THE MEETING MINUTES OF SEPTEMBER 24, 2019 AS AMENDED. SECONDED BY MEMBER BOURQUE. UNANIMOUSLY APPROVED. SELECTMENS REP BOND ABSTAINED.

Miscellaneous

1. Correspondence – Planner Cronin reported that she sent a letter regarding the Concord Development of Regional Impact Liberty Utility facility, and they kindly replied that no equipment, just motor vehicles, will be stored on site. Pembroke Water Works has no concerns.
Two NH DOT driveway permits were received. One for Maple Grove Park and one for a “two lot residential driveway at Map 563, Lot 16-3.
2. Committee Reports
Board of Selectmen – Member Bond reported that Dan Driscoll from the School Board discussed the Grange building on Route 3. On October 17, 2019, there will be a CIP presentation.
Roads Committee – Chairman Seaworth reported that Roads Committee reviewed two conceptual plans. They also looked at the big picture provided by software that analyzes road maintenance and quantifies the effect in year 7. Going back 12 years, the road budget has been \$600,000 per year. Expenses have gone up. Perhaps in the future the road budget figure can be ramped up, or more money put aside for maintenance.
Technical Review Committee (TRC) – Member Bourque reported that on October 2, 2019 TRC reviewed three plans – solar panels, a HUD development on Beacon Hill Road, and John Rokeh’s open space development. The housing is not workforce. It is age-restricted housing for 62+. Tri Town reported 126 runs, with 7-8 to other towns.
Conservation Commission – Member Edmonds reported that Conservation Commission will meet next Monday, October 14, 2019 at 6:30 p.m.
3. Other Business- Selectmen’s Rep Bond learned at a seminar that the Master Plan cannot be used as a reason for a Planning Board decision. The Master Plan gives the Planning Board authority to implement land use, but not force of law. Member Crean stated that is correct. The Planning Board cannot implement the Master Plan directly. The Planning Board and Town Planner expressed concern for the cost of the Master Plan.
4. Planner Items – none
5. Board Member Items – none
6. Audience Items – Town Manager Jodoin noted that the cost of paper, toner and staff time have all gone up. Members can elect to have documentation other than large plans sent electronically.

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

The meeting was adjourned at 8:47 p.m.

Respectfully submitted,
Susan Gifford, Recording Secretary