

**Pembroke Planning Board
Meeting Minutes
February 22, 2022
(Approved March 22, 2022)**

MEMBERS PRESENT: Brian Seaworth, Chairman; Brent Edmonds, Kevin Foss, Peter Gagy, Selectman's Rep.; Clint Hanson

ALTERNATES PRESENT: Bryan Christiansen

MEMBERS EXCUSED: Robert Bourque, Vice Chairman; Kathy Cruson

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

Chairman Seaworth called the meeting to order at 6:30 pm. Five members and one alternate member were present. Bryan Christiansen was designated to vote for Member Cruson.

Old Business

Major Site Plan Application #21-106, Matthew Peterson, Keach-Nordstrom Associates, Inc. acting as Applicant on behalf of Sand Road, LLC, owner of Tax Map 634, Lot 48 located at 627 Sand Road; AVM Pembroke, LLC owner of Tax Map 634, Lot 48-1 located at 619 Sand Road; and Pembroke Commercial Group Inc., owner of Tax Map 634, Lot 48-3 located at 16 Sheep Davis Road in the Commercial/Light Industrial (C1) Zone, the Aquifer Conservation (AC) District, and the Architectural Design (AD) District.

The Applicant proposes to construct a new 72,300 SF self-storage facility with associated office, parking, and stormwater improvements.

➤ **Special Use Permit Application SUP-AC #21-309**

The Applicant requests a Special Use Permit in accordance with Article 143-68.E., Aquifer Conservation District, for self-storage use over the aquifer.

Present: Matthew Peterson, Keach-Nordstrom Associates, Inc.

Planner Cronin stated the applicant was last here on December 14, 2021. Since that meeting the applicant submitted a Fire Truck Overlay Plan, Traffic Impact Assessment, response letters to comments from the Town Engineer and AOT, a revised plan, and a copy of the tenant lease agreement for storage renters stating what can and cannot be stored.

The Town Engineer sent a letter on February 18, 2022 stating that he was satisfied with the response to his plan comments. The last we left off was tying up some loose ends with the Fire Department on the Truck Overlay Plan and to see if DOT had any comments on the driveway and traffic.

At 6:34 p.m. Chairman Seaworth opened the public hearing on Major Site Plan Application #21-106 and SUP-AC #21-309. If this business item is not resolved tonight, the application and the public hearing will be continued without being renoticed. Information will be on the town website for a future agenda item.

Matt Peterson, Keach-Nordstrom Associates Inc., explained that the Planning Board approved a lot line adjustment on December 14, 2021 to convert the site to one lot containing 5.66 acres. The site plan in front of the board is for a self-storage facility with

600 square feet office space, access off Pembroke Street, widening the entrance to 24 feet to allow traffic in both directions, and restriping to define the lanes. There is no pavement marking currently. An amended NH DOT Driveway permit has been submitted. Matt Peterson clarified that the weekday traffic volume was stated incorrectly on December 14, 2021. The figure of 700 trips stated was for all five days, or 110 trips per day on a weekday. This is a low volume of traffic. Matt Peterson stated that he worked with the fire chief and ran standard fire truck specifications on the plan. A fire hydrant was added to the site at fire department request. The plan shows sewer coming up and over to the site, drainage, and snow storage areas. NH AOT has received information on a plant that blooms April to August and is researching any impact. The applicant provided different shapes and sizes of buildings to offer various units sizes. The tenant landlord agreement has been provided to the board describing items prohibited on page six and specifying no living in the units.

One item on the list from the prior meeting was hours of operation. The office will be staffed 2-3 days a week on an eight-hour shift and the storage units are open 24 hours a day. Operating hours are specified in notes to the plan. The note on "revised spill response plan" should say "revised spill response kit" will be kept in the office. Member Foss asked Matt to reconfirm what the notes say as the most recent version was only sent to Planner Cronin. Matt Peterson read the notes and affirmed that no salt or chemical deicers are to be used for winter maintenance. Alternate Member Christiansen asked what happens if a spill occurs when the office is not open. Matt Peterson stated that is a good question, and it helps us when planning for any of our storage sites. One spill response kit will be kept in the office and one spill response kit will be readily available outside. Chairman Seaworth noted that Vice Chair Bourque sent in questions for this evening. How will spill response work with the drainage so that hazardous materials do not get into the aquifer? Matt Peterson explained that the site has closed drainage versus the usual sheet drainage system. The catch basins have a 3-foot sump that will be cleaned out in spring and fall. Any spilled material would be caught in sumps one through four before it goes to a detention pond. Selectmen's Rep Gagy asked how many gallons each sump would contain. Matt Peterson said the size of the sump is four feet diameter by three feet high. It would hold approximately twenty gallons, like a household bathtub. Member Edmonds asked if the fire department agreed on building numbers and designation. Matt Peterson said yes, and the building numbers are on the revised plan.

Chairman Seaworth asked if there were further questions. Chairman Seaworth stated that the town should always have the most updated version of the tenant landlord agreement. Matt Peterson said that all NH storage rental companies use the same template for their lease agreement. Documents are kept online in a central location. Changes are updated immediately, and new tenants always sign the most recent version. Member Foss asked for clarification on location of the dumpster. Dumpster is at the end of building seven.

Chairman Seaworth asked Planner Cronin to review the suggested conditions of approval. Planner Cronin read the list of conditions. Conditions #3 and #12 are no longer applicable and will be taken out. Final sign off on the truck turning exhibit is required from the fire department. Planner Cronin will make Fire Department sign off NEW condition #3. Receipt of amended NH DOT Driveway permit will be added to condition #8. Planner Cronin will add NEW condition #12 stating that "applicant will change Note 21 prior to

signature updating it to include TWO spill response kits will be provided, one kept in the office, and one kept outside.”

There being no further input Chairman Seaworth closed the public hearing at 6:58 p.m. for tonight. Chairman Seaworth noted that if this application is not completed tonight, the application and its public hearing will be continued to a future meeting and not renoticed.

MOTION: Member Foss moved to approve Special Use Permit SUP-AC #21-309 conditionally until Major Site Plan #21-106 has received final approval, at which time the Special Use Permit becomes final for as long as the plan is approved. If at any time the plan is revoked or final approval is not received, the Special Use Permit becomes invalid. Seconded by Member Hanson.

VOTE: B. Seaworth – Y K. Foss – Y P. Gagyi - Y
B. Edmonds - Y C. Hanson – Y B. Christiansen- Abstain

MOTION TO APPROVE SUP-AC-#21-309 WITH CONDITIONS PASSED ON A 5-0-1 ABSTAIN VOTE.

MOTION: Member Foss moved to grant a waiver from the Zoning Ordinance, in accordance with Section 143-45.1.A., to waive Section 143-46, Table of Off-street Parking Requirements, Use Number 21, to allow 6 parking spaces where 74 parking spaces is required.

Seconded by Member Hanson.

VOTE: B. Seaworth – Y K. Foss – Y P. Gagyi - Y
B. Edmonds - Y C. Hanson – Y B. Christiansen- Abstain

MOTION TO GRANT A WAIVER FROM THE ZONING ORDINANCE, AS PRESENTED, PASSED ON A 5-0-1 ABSTAIN VOTE.

MOTION: Member Foss moved to approve Major Site Plan Application #21-106 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. Final sign off is required from the Fire Department on the Truck Turning Plan.
4. The original signatures of all property owners shall be provided on the final plan.
5. The Site Plan Review and Special Use Permit Notices of Decision are to be recorded at the Merrimack County Registry of Deeds and recording fees paid to Town of Pembroke.
6. The lot line adjustment plan among Lots 48, 48-1, and 48-3 shall be recorded at the Merrimack County Registry of Deeds.
7. The access, drainage, utilities, and maintenance easement shall be recorded at the Merrimack County Registry of Deeds.
8. NHDES AOT Permit and NHDOT Driveway Permit are required.
9. NHDES Sewer Connection Permit is required.
10. Town of Pembroke Sewer approval is required.
11. Pembroke Water Works approval is required.
12. Prior to signature, Note 21 shall be updated to include two spill kits, one of which to be stored outside.

13. The site plan will not be considered as receiving final approval until all conditions of approval are met.
14. All building plans to be reviewed by the Building Inspector and Fire Chief.
15. Building permits are required.
16. If a new pad mount transformer is proposed for upgraded electrical service, the new transformer shall have a secondary containment system.
17. If Sand Road is used for construction vehicles, the owner shall coordinate with DPW on temporary signage and a road condition baseline assessment.
18. Prior to occupancy, the owner shall coordinate with Fire to install a knox box on the gate and ensure the proposed fire hydrant is installed and operating.

Seconded by Member Hanson.

VOTE: B. Seaworth – Y K. Foss – Y P. Gagyi - Y
 B. Edmonds - Y C. Hanson – Y B. Christiansen- Abstain

MOTION TO APPROVE MAJOR SITE PLAN APPLICATION #21-106 WITH CONDITIONS PASSED ON A 5-0-1 ABSTAIN VOTE.

Matt Peterson thanked the board for their time. Chairman Seaworth thanked Matt Peterson for having everything lined up and organized for review.

Minutes

February 8, 2022

MOTION: Member Hanson moved to approve the minutes of February 8, 2022, as presented. Member Foss seconded.

VOTE: B. Seaworth – Y K. Foss – Y P. Gagyi - Y
 B. Edmonds - Y C. Hanson – Y B. Christiansen- Abstain

MOTION TO APPROVE MINUTES OF FEBRUARY 8, 2022, AS PRESENTED PASSED ON A 5-0 1 ABSTAIN VOTE.

Miscellaneous

1. Correspondence – Planner Cronin noted that every year Southern NH Regional Planning Commission sends out an inquiry to each of its towns to solicit areas of concern for data collection traffic counts. The Road Committee will discuss the request on March 1, 2022. The DPW Director suggested the intersection of Nadine and Whittemore to measure the effect of the completed housing on Whittemore Road. Chairman Seaworth noted that each town gets five primary and five secondary selections. Because the Planning Board will not have a March workshop, the next opportunity to bring this item up would be March 22, 2022. CNHRPC is requesting a response by April 1. Member Hanson noted that Allenstown Mills will impact Route 3 at some point. Chairman Seaworth noted that the Main Street over the bridge count in 2020 was during COVID when work from home and remote school was in effect. An update would be informative. Planner Cronin noted that Village School has been approved for 30 apartments. Member Foss would suggest Nadine and Bow, or Nadine and Donna Drive. Planner Cronin will put this on the March 22 agenda to revisit after Roads Committee meets.

2. Committee Reports – Planner Cronin reported Member Cruson’s notes on the CNHRPC meeting. It was an interesting presentation on use and interest in electric cars and hybrid buses. Zoning already allows charging stations as an accessory use.

The life of battery equals life of vehicle. Idle time on a full charge is 36 hours.

Conservation Commission – Member Foss reported there was extensive talk about the range roads, and wording of signage for ATVs to make it enforceable for police. Deed cleanup and maps to monitor conservation properties was also discussed.

Board of Selectmen – Selectmen’s Rep Gagy reported that last week the board received an audit report on year end 2021. Suggestions were made regarding signing manifests and payroll cards. A Comcast complaint was a no show. The board accepted the MS37 for posting. The board accepted the Town Meeting warrant for posting. Tax lien letters will be going out for 2019 taxes owed.

3. Other Business – Planner Cronin provided an updated contact list to the board. Mike Vignale, Town Engineer, will prepare updated roadway cross sections. In April, a public hearing might be held to update and adopt revised Subdivision Regulations on roadway specifications.

4. Planner Items – Planner Cronin noted that regional planning is providing a zoning update audit to Town of Pembroke. Regional Planning staff noted that another format to record amended sections is to move all amendments to the end of the zoning ordinance document, and list by citation. The board could also consider putting an amendment history at the end of Subdivision Review Regulations. Chairman Seaworth noted that State of NH RSA has a similar format, where they list the year of every change at the bottom of the RSA. Planner Cronin stated that Town of Pembroke zoning ordinance is well cited. There are not a lot of long paragraphs. The research work that takes time is digging up the minutes from when the change happened. I have no strong preference for listing changes in the citation, or in an amendment history at the end of the document. I will place a discussion item on the April 12, 2022 workshop agenda to revisit how to record amendments.

Reminder, no March 8, 2022 Planning Board workshop will be held due to town meeting voting.

5. Board Member Items - none
6. Audience Items - none

MOTION: Member Foss moved to adjourn the meeting. Seconded by Member Hanson. Without objection the meeting was adjourned at 7:25 p.m.

Respectfully submitted, Susan Gifford, Recording Secretary