

**Pembroke Planning Board
Minutes of Meeting
(ADOPTED)
February 27, 2018**

MEMBERS PRESENT: Alan Topliff, Chairman; Larry Young, Sr.; Brent Edmonds; Richard Bean; Kathy Cruson; Sandy Goulet, Selectmen's Representative

ALTERNATES PRESENT:

EXCUSED: Brian Seaworth, Vice Chairman; Kelly Dyjak, Alternate Member; and Robert Bourque, Alternate Member

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

GUESTS: Christopher Gamache of Tri-Town EMS; Paulette Malo of Roads Committee/Pembroke Sewer Commission; Director Jim Boisvert of Public Works Department; Chief Harold Paulsen, Pembroke Fire Department; Michael Vignale of KV Partners.

Chairman Topliff called the meeting to order at 7:00 p.m.

Old Business–

1. **Special Use Permit Application SUP-AC #17-304, Timothy Peloquin, Promised Land Survey, LLC, acting as the applicant on behalf of Keystone Pembroke, LLC, 17 Bridge Street, Unit 103 Billerica, MA, 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, the Wetlands Protection (WP) District.** The applicant requests a Special Use Permit from Article 143-68.E, Aquifer Conservation District for construction roads, utilities, infrastructure, and building lots for a three (3) lot subdivision and an Open Space Development. 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 Application #17-03.
Continued from January 23, 2018.
2. **Special Use Permit Application, SUP-WP #17-305, Timothy Peloquin, Promised Land Survey, LLC, acting as the applicant on behalf of Keystone Pembroke, LLC, 17 Bridge Street, Unit 103 Billerica, MA, 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, the Wetlands Protection (WP) District.** The applicant 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 #17-03.
Continued from January 23, 2018.

3. **Special Use Permit Application, SUP-OSD #17-306, Timothy Peloquin, Promised Land Survey, LLC, acting as the applicant on behalf of Keystone Pembroke, LLC, 17 Bridge Street, Unit 103 Billerica, MA, 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, the Wetlands Protection (WP) District.** The applicant requests a Special Use Permit per Article XVIII Special Use Permits and Article X Open Space Development for the design and construction of an Open Space Development (OSD) and for OSD Reduction in Specification Standards. This permit is associated with the Major Subdivision Plan Application #17-03.

Continued from January 23, 2018.

Major Subdivision Plan #17-03, Timothy Peloquin, Promised Land Survey, LLC, acting as the applicant on behalf of Keystone Pembroke, LLC, 17 Bridge Street, Unit 103 Billerica, MA, 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, the Wetlands Protection (WP) District. The applicant proposes to subdivide Map 634 Lot 1 into three (3) single family lots and construct an Open Space Development consisting of eighteen(18) 4-plex two-bedroom units for a total of 75 residential dwelling units. The total area of the lot is approximately 88.8 acres with 23.54 acres developed for residential use, approximately 31.99 acres reserved for future activity for the Pembroke Pines Golf Course, and 33.3 acres to be dedicated/deeded to the Town of Pembroke/Conservation Commission.

Continued from January 23, 2018.

Present: Timothy Peloquin of Promised Land Survey LLC; Robert MacCormack; and Attorney Charles Cleary

Chairman Topliff said that the subdivision of land and proposed future uses have changed as the applicant has gone through the process, therefore, the numbers read are no longer representative of the current proposal provided by the applicant.

He also said that this would be the last night that the Board would be graced with Stephanie Verdile's presence at a Planning Board meeting because she has accepted a position with the NH Office of Strategic Initiatives. Matt Monahan of the Central NH Regional Planning Commission will bridge the gap while the Town seeks another Planner.

Ms. Verdile said that, from the last meeting, the applicant revised the plan in order to make it easier to understand what acreage would be set aside for open space and the development. A boundary line adjustment plan will be heard at the March 27, 2018 Planning Board meeting. Because of a technicality, the applicant was unable to attend the Technical Review Committee meeting prior to this evening's meeting which automatically defaulted them to the next Planning Board meeting. The plan has been submitted and will be noticed for the March meeting.

She continued to say that there were two issues to discuss: (1) The gate at Nadine Drive; and (2) traffic. Ms. Verdile noted that the applicant attended the Zoning Board of Adjustment (ZBA) meeting on February 26, 2018 to address the findings of facts of RSA143:68F.

Ms. Verdile said that she invited the Department Heads to discuss the gate at Nadine Drive. Mr. Michael Vignale, Town Engineer, was also invited to discuss his review of the applicant's traffic information.

Chairman Topliff reopened the public hearing at 7:06 PM on Agenda Items 1 through 4 Keystone Pembroke LLC.

Mr. Peloquin said that the Planning Board requested an independent review of the applicant's traffic report. Steve Pernaw wrote a response to that and found that both reports agreed with each other.

With regard to the gate at Nadine Drive, Mr. Peloquin said that the application includes the gate because that was what was pledged. He said that if the Town, through various safety agencies and Town Boards, would prefer that the gate be removed from the plan, the applicant would comply. He said that one thing that was brought up in Mr. Vignale's traffic report was that a "No Thru Traffic" sign at each end of the project may help with some of the traffic concerns. The applicant is willing to do that if requested.

Chairman Topliff asked that the first discussion focus on the gate. He thanked the Department Heads for attending and said that he would appreciate any input. The Board received a letter from the Fire Chief, a letter from the Director of Tri-Town EMS, and a letter from the Police Chief.

Mr. Boisvert said that the Roads Committee sent a letter a few months ago recommending that the gate be removed and that if the gate was not removed, the road would be considered and treated as a private road. He also said that Public Works agreed with the Roads Committee because of safety concerns with the backing up of the Town trucks.

Christopher Gamache of Tri-Town EMS said that Tri-Town relies heavily on per diem staff. He said that even though they could make the staff aware that a gate exists at Nadine Drive, the staff normally types the call address into a GPS. There would be a good chance that if the call is on the side of the subdivision, the ambulance would be routed to the gate. Without a key to unlock the gate, the ambulance would have to reroute back to Route 3 to another entrance off Route 3 which could cost time that they may not have. He said that people will rely on the GPS and the gate may become an obstacle if not removed.

Chairman Topliff asked Dana Carlucci (in the audience), a member of the ZBA, if a condition of approval for the gate was that a key would be turned over to the Town. Mr. Carlucci said that he did not recall and did not have the conditions of approval in front of him to comment.

Mr. Peloquin said that he did not recall that the ZBA required the key as a condition. He only recalled that the gate be installed.

Rick Mulcahey (17 Melissa Drive) said that they already have a very heavy traffic burden when trying to get onto Route 3. He said that he was more concerned about the safety of cars coming through the gate area than safety of trucks backing up. If there was no gate, he suggested that an "Emergency Vehicles Only" sign be posted.

Chairman Topliff said that he has seen facilities where emergency vehicles have a remote opener to open a gate.

Fire Chief Harold Paulsen said that the Fire Department was against installing a gate. With regard to devices to open gates, he said that many times the devices do not work. He said that the National Guard facility has gates which require an opener. Once a truck drives through, the gate closes and locks behind them. The next truck then has to get the opener to open it. If the Fire Department has mutual aid trucks coming in, they would not have access. He also said that if the primary ambulance unit was on a call, an ambulance from another town would not have the gate opener. Chief Paulsen also pointed out that power would be needed all the time for the remote openers. If power is off, they would have to open the gate manually by getting out of the truck, getting the wrenches to release the mechanism to open the gate.

Member Edmonds said that he recalled that at a previous meeting the Board heard from representatives in the neighborhood who were less concerned with the gate in place than the traffic speed in the neighborhood. They suggested promoting traffic calming by the use of signs, speed bumps, etc. He said that that would seem to be a more workable solution where everyone would benefit.

Member Bean said that not having a gate, and allowing another exit road onto Route 3 might even out the traffic flow from both subdivisions.

Rick Mulcahey (17 Melissa Drive) said that using any of the outlets would not change the traffic on Route 3. He reiterated his point which was not to have a remote controlled gate but to merely post the road for "emergency vehicles only" similar to the median strip lane on Route 93.

Paul Puchalski (424 Terrie Drive) said that he was the person who recommended speed reducing devices at the last meeting. He said that Donna Drive already has a series of stop signs to prevent drivers from traveling full speed to the end of the road. He suggested that a similar solution of placing a few stop signs at Nadine Drive would help ensure that the traffic speed is reduced to protect bicyclists, and pedestrians .

Member Young said that both sides of the gate would have a Town road. Town counsel advised the Board not to gate a town road for any reason.

Directing his question to Ms. Malo and Mr. Boisvert, Chairman Topliff asked: If a new road was constructed and a gate installed, would only the road at the gate be considered a private road or would the entire development road remain private.

Ms. Malo and Mr. Boisvert agreed that, according to the Roads Committee, the road from Whittemore Road through to Nadine Drive would remain private because they would be backing up the trucks. Ms. Malo also said that Nadine is currently a dead-end street. Back in the 1980's, when the Donna Drive project was built, Nadine was intended to cut through to Whittemore Road. She said that it was built that way so that vehicles could get out to Whittemore Road for future developments.

Chairman Topliff asked Mr. Peloquin to point out the roads and the gate on the map for the public.

Mr. Peloquin pointed out Donna Drive, Nadine Drive, Bow Lane, and Micol Road on the map. He stated that whether the road is considered a "no thru way" and was posted on each side of the road, he thought that most people would heed the sign. He suggested that there could be a stop sign at the intersection of Micol and Nadine which would be a deterrent for anyone using the road from the applicant's development.

He also said that, with regard to Ms. Malo's statement about the original intent of that road to go through to Whittemore Road, he said that the road would serve both neighborhoods. He said that their traffic report suggested that the amount of people who would use the "cut through" from the Nadine Drive development would be greater than from the Whittemore development.

Jeff Dorr (Woodlawn Ridge Road) asked what times the traffic studies were taken.

Mr. Peloquin said that he did not have the studies in front of him, but his recollection was that the studies were performed at peak hours (approximately 7:30-8:30 AM and 4:15-5:30 PM). The traffic study was done at three different times of the year.

Jeff Dorr (Woodlawn Ridge Road) asked where he could read the report. Chairman Topliff said that he could look at the report at the Planning Department.

Mr. Peloquin also said that there was a review of the applicant's traffic report by the Town as a third party that confirmed the numbers in the applicant's report.

Mr. Vignale said that the traffic study was done in January and was redone in August. Since there were still questions about the accuracy of the count data, Mr. Vignale also performed a study at the end of January 2018. He concluded that the count data was appropriate. The count was performed between 7:30-8:30 AM and 4:30-5:30 PM. His count was taken at Whittemore Road and Route 3. His count data was within 10% of the initial report. In his opinion, the original report was accurate. He said that he followed the trip generation (how many new vehicles would be generated), trip distribution (how many vehicles go North or South), and projected them out to the current year and the future years. He could not find anything of exception to the report. The only thing that he

observed was that there was an increase in traffic at the intersection of Whittemore Road and Route 3 of approximately 2% in the overall traffic. The turning lane volume increases were more pronounced because the existing volumes were relatively low.

Mr. Vignale said that the intersection would benefit from a left turn lane into Whittemore Road. Even though the impact is relatively small, he said that it was his job to point out anything that might impact the Town.

With regard to the gate, Mr. Vignale said that he had never seen a gate such as this on a public road. In his opinion, he said for all the reasons that the Fire Chief mentioned, gating a public road is probably something that the Town would not want to do.

Christine Ryerson (51 Whittemore Road) said that she is concerned about the increased traffic coming out onto Route 3 from Whittemore Road. Whittemore Road has an incline coming up to Route 3. She anticipates a line of cars trying to take a left onto Route 3 in winter weather which could make it dangerous.

With regard to the locked gate restriction, Chairman Topliff said that the Planning Board's options are limited because of a decision made by the ZBA and the Planning Board does not have legal authority to modify the condition. If the Planning Board made it a condition of approval that the gate be removed or unlocked, and the applicant went before the ZBA and the ZBA did not change their condition, the applicant's project would be dead which, in his opinion, would not be fair to the applicant to be placed in that position. The Planning Board could recommend that the applicant return to the ZBA and ask for reconsideration. The Planning Board could send a letter to the ZBA offering some of the testimony that was heard as to why the Planning Board felt one way or another.

Member Cruson said that she hated to put the applicant through more but the best alternative at this point would be to ask the applicant to return to the ZBA and see if the gate could be removed. She said that she could not see how the gate would be workable mostly in terms of emergency services. She also stated that the Town does not have gates on public roads. It would allow the ZBA another opportunity to look at the gate condition.

The consensus of the Board was to ask the applicant to return to the ZBA for review of the gate issue.

To that point, Chairman Topliff said that if the applicant returned to the ZBA if they removed the gate condition, the Planning Board could impose traffic calming measures.

Member Bean was in favor of a "no thru traffic" sign and a small speed bump similar to that at the Concord Hospital complex.

Attorney Cleary said that the applicant is comfortable returning to the ZBA to address the gate issue.

With regard to the traffic study, Chairman Topliff said that the applicant provided a traffic study with the intent of providing data to what increase of traffic flow might be on Whittemore Road and Route 3, particularly at the morning and evening commuter times. The Board felt it was appropriate to get a second opinion, so Mr. Vignale reviewed the applicant's study and did traffic counts at similar times and came up with the same data. He said that this is encouraging to the Planning Board. He asked Mr. Vignale to give percentages in terms of increases that could be expected from the project. He also said that he would like to discuss the possibility of putting in a left turn lane in the middle of the road going North that would allow people to go down Whittemore Road without slowing down the northbound traffic on Route 3.

Mr. Vignale said to keep in mind that the traffic on Route 3 is very high. The amount of vehicle increase would be in the 20-car range. The report showed a 2% increase in traffic associated with the project, which he said was accurate. The increases for the key turning movements at the intersection were explained in the table provided to the Board. Looking at the Whittemore Road approaches, in the morning, the left turn lane goes from 11 to 31. In the afternoon, it goes from 13 to 22 left turns coming out. The number of cars in an hour is 20. He said that it would be noticeable. It also showed a good percentage increase on the left hand lane.

Mr. Vignale continued to say that the left turn from Route 3 into the site goes from 13 to 25 in the afternoon. The right turn is less of a concern. The only way to mitigate the traffic coming up Whittemore Road to Route 3 is to put in another lane. He agreed with the difficulty of a two-lane approach. He said that, in his opinion, it would be better to have a one-lane approach because it is safer to wait rather than to try to see around a large SUV that is trying to make a right-hand turn. He said that NHDOT has removed two-lane approaches for safety reasons even knowing that the capacity would be less but safety would be higher.

Mr. Vignale concluded that, in his opinion, the intersection would benefit from a left turn lane heading northbound coming into Whittemore Road and a single lane approach rather than a two-lane approach leaving Whittemore Road.

Mr. MacCormack asked Mr. Vignale to comment on Steve Pernaw's comment about a left turn treatment. Mr. Vignale said that in his report he said that a left turn lane was required. Mr. Pernaw said that it is a left turn treatment which can be either a shoulder or left turn lane. Mr. Vignale said that Mr. Pernaw also suggested restriping the entire section of road to a three-lane section. This would mean having one center turning lane and two lanes on the side. Mr. Vignale recalled that about 4 years ago, the State put down temporary striping and people became very upset about it.

He said that a third lane with a narrow shoulder creates problems such as not being able to park on the side of the road. He also said that having only a 2-foot shoulder to accommodate bicycles or joggers was not good.

Mr. Vignale said that, in the past, a third lane road was soundly rejected by the Town. He said that it may not be possible to get a third lane road with an 8-foot shoulder but something wider than a 2-foot shoulder may be possible.

Mr. MacCormack added that in their investigation, they looked at NHDOT traffic studies that were done every 2 years for many years. They discovered that on Route 3 there are 1,000 less cars per day than there was in 2006. He said that he felt that that was a pertinent piece of information when everyone understands that the project will add 70 cars onto Route 3. He also mentioned that Route 3 is under the guidelines of the State and it would be quite a process to add a left turn lane as addressed in Mr. Pernaw's letter to the Board.

Considering that Route 3 is a State road and that the State would be responsible for the road, Chairman Topliff asked Mr. Vignale if he could see value in sitting down with NHDOT, reviewing the traffic study, and recommendations made for a turn lane in order to get input from them as to whether the turn lane would be prudent.

Mr. Vignale said he would be willing to speak with NHDOT.

Chairman Topliff asked if the applicant would be comfortable with Mr. Vignale contacting NHDOT to discuss the traffic study and recommendation. Attorney Cleary pointed out that the heavy volume of traffic on Route 3 is pre-existing.

Mr. Vignale said that if the increased traffic becomes a problem NHDOT will not take ownership of the problem. They would ask the applicant or Town to do so. Mr. Vignale said that, as the Town's Engineer, he is compelled to say that the project will impact traffic. The left turns coming into Whittemore Road doubles and the left turns coming out of Whittemore Road triples. He said that there is nothing that can be done about the increase exiting Whittemore Road but coming into Whittemore Road is the only place with an opportunity to do something to help. He said that he doubts that NHDOT will take a strong position on the subject but he will be happy to discuss it with them.

Mr. MacCormack said that NHDOT does a study which projects out 10 years for budget reasons. In that study, they have not targeted Route 3 as a potential future project for any type of traffic issues. He said that he would assume that if they did feel that there was an issue with the traffic, 70 cars would not change their opinion one way or another or they would have addressed it.

In speaking to his engineer who did the original study, Mr. MacCormack said that the main reason Mr. Pernaw was against creating a left hand turn lane was because, in his opinion, it would not be effective because every 150 feet along Route 3 there is a driveway which people are entering and exiting and it would not significantly change the traffic pattern.

Rick Mulcahey (17 Melissa Drive) said that there is a left hand turn coming into Donna Drive and he would prefer that it not be there. He said that if someone wants to go North to Concord, and finds a break in the traffic, someone always pulls into the left turn lane which requires you to wait for that car to come into Donna Drive which, in the meantime,

traffic starts up again. If they had to stop on Route 3 to turn, while they were stopped people would have the same chance to turn North. He said that he is not in agreement with having a left turn lane going Northbound.

Paul Puchalski (424 Terrie Drive) asked if the traffic study looked at the traffic increase going through Nadine or Donna Drives if there was a through road to Whittemore Road.

Mr. Vignale said that the study showed that it would be negligible. In Mr. Vignale's opinion, it would take longer to go through the neighborhood and go South then it would be to go straight onto Route 3.

Mr. MacCormack said that one of the good things that Steve Pernaw mentioned about traveling through the neighborhood would be that Bow Lane has a traffic signal which is a safe option to getting onto Route 3.

Rick Mulcahey (17 Melissa Drive) said that if the traffic through the neighborhood will be negligible, then it would make sense to make it "emergency vehicles only" since it will not impact anyone.

The consensus of the Board about having Mr. Vignale speak to NHDOT was that they felt that it would be good to get their input on whether a left turning lane would be a good idea. Chairman Topliff said that if there is a strong feeling one way or the other, Pembroke will have given NHDOT the opportunity to weigh in on the topic. He asked Mr. Vignale if he could have the discussion with NHDOT within the next 4 weeks before the next meeting. Mr. Vignale said that he would contact the State and try his best. Mr. Peloquin asked Mr. Vignale if he could be included in the meeting. Mr. Vignale said yes.

Jeff Dorr (Woodlawn Ridge Road) asked if Whittemore Road would have sidewalks and lights.

Chairman Topliff said that the applicant has not proposed that.

Mr. Peloquin said that the subdivision will have sidewalks.

Jeff Dorr (Woodlawn Ridge Road) asked if there would be a sidewalk from the end of the subdivision to the bus stop at Fairway.

Selectmen's Rep. Goulet said that it is not the applicant's responsibility to make a sidewalk from the end of their subdivision to Fairway or Route 3. She recommended that he speak to the school board or the CIP Committee.

Chairman Topliff said that the Town ordinance allows the Planning Board to require the developer to pay for offsite improvements but there has to be a strong compelling reason to do so. That is why the Board is carefully looking at the traffic study and the left hand turn lane issue. He said that the Board could ask the School Board to see what they might do in this case or Mr. Dorr could go to a School Board meeting and ask the question.

Jeff Dorr (Woodlawn Ridge Road) said that he approached the School Board but the golf course would not allow the bus to turn around in their parking lot. The result is that the kids walk a mile to the bus stop, past the golf course.

Chairman Topliff said that, assuming that there is no gate to Nadine Drive, it may be an opportunity for the school bus to do that.

Selectmen's Rep. Goulet said that she recalled that the development was more focused on empty nesters or retirees.

Mr. MacCormack said that the development would consist of 2 bedroom units. It is called "a story and a half."

Selectmen's Rep. Goulet said that one bedroom is on the main floor and the second bedroom is in the loft on the second floor.

Mr. MacCormack said that some of the units will have a small office but it is certainly not intended to be a bedroom. It has no closet.

He also said that, depending on the contour of the land, some units will have an unfinished walkout basement but at least two-thirds of the units will be on flat land so there will be no walkouts.

If someone wanted to finish off a basement for a bedroom, they would have to go to the Town's Code Enforcement Officer. Ms. Verdile asked if creating a bedroom would affect sewer. Ms. Malo said yes.

Chairman Topliff asked Ms. Malo if it was correct to say that the Pembroke Sewer Commission has made a commitment to a portion of the homes in this project.

Ms. Malo said yes.

Chairman Topliff asked if the lawsuit between Pembroke and Allenstown Sewer Commissioners would change the commitment.

Ms. Malo said no. The only thing that would happen would be the potential increased cost to the developer. She said that presently the issue in front of the court is the official capacity of the plant and who owns it. If Pembroke owns it, it will be less of a cost to the developer. If Allenstown owns it, it will be more of a cost to the developer. Ms. Malo said that she was told that a decision would be rendered approximately three months from February 7, 2018. She said that the project presently has enough sewer for phase one even before the Court's decision.

Ms. Malo asked if there would be a condominium agreement that the Town could enforce because in a condominium agreement the Town could limit the units to no more than two bedrooms. She said that presently there are condominium agreements that the Town

cannot enforce so she wanted to make sure that the Town would be able to enforce this project's agreement.

Ms. Verdile said that she did not think that the Town could enforce condominium documents.

Attorney Cleary said that the condominium agreement is among the people involved and not as much for the Town's benefit. He has never seen one where the Town limited the number of bedrooms.

Mr. MacCormack said that condominium documents are approved through the Attorney General's office and they have the jurisdiction but he does not know the role that the Town could play.

Selectmen's Rep. Goulet said that no matter what the condominium documents say, the owner could not build an additional bedroom if the Town does not let them.

Ms. Verdile commented on the Roads Committee's letter which stated that if the gate stayed that all the roads would be private. She said that whether the road is public or private, the Fire Department, Police Department and the ambulance still have to have access. She said that, as the Planner, she is 100% in favor of not having a gate.

There being no further questions or comments, Chairman Topliff closed the public hearing on agenda items 1 through 4 at 8:16 PM and said that the applicant would return to the Board on March 27, 2018 and abutters would not be renoticed. He encouraged anyone interested to return at that time.

MOTION: Member Cruson moved to continue agenda items 1 through 4 until March 27, 2018. Seconded by Member Young. Unanimously approved.

New Business-

1. **Minor Site Plan Application #18-101, Matthew J. Roan on behalf of MJR Holdings, LLC acting as the applicant and owner of Tax Map VE Lot 150, located at 167 Main Street, Pembroke NH in the Central Business (B2) Zone and the Aquifer Conservation (AC) District is proposing a 30'x40' addition to an existing business.**
2. **Special Use Permit Application SUP-AC #18-301, Matthew J. Roan on behalf of MJR Holdings, LLC acting as the applicant and owner of Tax Map VE, Lot 150, located at 167 Main Street, Pembroke NH in the Central Business (B2) Zone and the Aquifer Conservation (AC) District requests a Special Use Permit from Article 143-68.E, Aquifer Conservation District for construction of an addition and parking spaces. A Special Use Permit is required for any activity taking place within the Aquifer Conservation (AC) District. This application is associated with Minor Site Plan application #18-101.**

Present: Matthew Roan, Thomas Hebert of Homecraft Contractors, Inc., and Tracy Sweeney of Holden Engineering

Ms. Verdile said that there are no waivers requested and that the plan information was complete. She said that the Planning Board could accept the site plan as complete.

She said that the project is a basic addition to an existing commercial building. The Special Use Permit is required because the zoning ordinance says any activity in the aquifer conservation district must apply for a Special Use Permit. Ms. Verdile said that it was a straight-forward simple application looking for approval tonight.

MOTION: Member Edmonds moved to accept the Minor Site Plan application #18-101 as complete. Seconded by Selectmen's Rep. Goulet.

VOTE: B. Edmonds – Y L. Young – Y S. Goulet – Y
 A. Topliff – Y R. Bean – Y K. Cruson – Y

MOTION TO ACCEPT THE MINOR SITE PLAN APPLICATION #18-101 AS COMPLETE PASSED ON A 6-0 VOTE.

Chairman Topliff opened the public hearing at 8:24 PM.

Mr. Sweeney said that the existing building is 40 ft. wide. The intent is to expand the building another 30 feet into the parking area.

Mr. Hebert said that they are proposing to provide an alternative space to hold bereavement services. The current facility consists of 5 individual parlor-style segmented rooms which does not lend itself to having one room for everyone to gather. He said that present needs and services have changed and it is more desirable to have everyone together at one place and time. The addition which will be called the "Grand Parlor" will allow one gathering space for everyone.

He continued to say that by creating the addition, they will be affecting some of the existing funeral home by improving the foyer area, adding a bathroom, coat room, and ramps. They will be decreasing occupancy, from a public's standpoint, in the existing space. Comparing the existing space to what is being proposed minus any renovations to the existing space, they will have the same capacity in the new space as they presently have in the existing space. It is not the applicant's intent to have multiple services or to have the entire facility being used at one time. It will be an "either/or" type of situation in order to allow the bereavement person to choose whether they want a more intimate parlor setting or a larger group setting. Business will be essentially conducted the same way as it has for the last 40+ years. Mr. Roan has taken the business over from Tom Petit. He has continued to improve the facility. This project is what he would like to do in order to keep the business in town. People coming in are requesting more of that type of space and Mr. Roan would like to keep the business at his home base.

Member Cruson asked if the residential portion will remain upstairs.

Mr. Roan said that they will still live upstairs.

Lucien Brasley (Central Street) asked if the addition would be part of the existing building and if it would extend to the parking lot.

Mr. Roan said yes. He pointed out the existing porch and said that they would only be extending the building into the parking lot. When coming down Broadway, the addition will be to the left.

Dana Carlucci (8 Prospect Street) said that he has attended too many funerals when Mr. Petit owned the facility and he can attest to the fact that it is congested with the small parlors which has forced people to gather outside to be with each other. He said that the Grand Parlor would be a great way to keep relatives and friends together. He also said that the Roans have showed commitment in the community in many ways. It is his understanding that Mr. Roan has merged a few lots as a commitment to having one facility. He said that it was encouraging to have this expansion and will be great for the downtown. Mr. Carlucci also said that he has never encountered any traffic issues. It is a natural traffic calming area downtown because of all the stop signs. He said that he was in favor of this addition.

Member Edmonds asked if the handicap access to the existing building would change significantly.

Mr. Hebert said that the ramp at the main entrance of the existing building would be reconfigured to make it less steep. In the parking lot side of the new addition, there will be a double door which will essentially be at grade level. Inside the Grand Parlor there will be an ADA-compliant ramp to get to the existing building.

Chairman Topliff said that the Town Engineer's letter dated February 21, 2018 mentioned the boundary plan and parking in the lower rear portion of the lot accessed from Central Street which was difficult to discern on the plan.

Mr. Sweeney explained that from Central Street there is an alley way that serves the facility. He said that the contour will continue what they presently have. There presently is an upper story that can be driven under and there is a small access panel. They will be enhancing that. It presently has a flat area and then changes to a 10% grade. There will be a little bit of a shed that will be moved out of the area, but they do not expect to see any drastic change. It is merely a reconfiguration. The 9-10% grade issues that have always been there will continue to be there. No flow patterns will change.

Ms. Verdile pointed out a typographical error in the proposed conditions of approval. No. 2 should read: "No permits from the Building Inspector shall be issued until the final plan has been signed and the Notice of Decision has been recorded."

Ms. Verdile read the other conditions of approval aloud.

Member Cruson asked if there would continue to be parking spaces to the left of the existing building.

Mr. Roan said yes.

Mr. Sweeney said that they would lose 2 parking spaces with the addition and would restripe the parking lot. They did not do quantification of numbers vs. parking spaces. He said that it is better than it was when there was a businesses and a residence to the left of the facility. Mr. Roan will still manage the event for parking. There is parking in and around the area and they work hard to be very respectful of that. They will continue with valet and working with parking spots. They are also looking at putting staff parking. It is only for an event and will be gravel. Events are only 2-4 hours long and the parking is certainly better than it ever was.

Ms. Verdile said that they have a lot attendant during services which will help when the lot is full and direct people to the municipal lot and other parking spaces.

Chairman Topliff said that until recently, there was no parking – only 2 uneven lots. Mr. Roan took the expense of creating a parking lot and it is far better than it was.

There being no further questions from the public or the Board, Chairman Topliff closed the public hearing at 8:40 p.m. He said that if the applications are continued, they will not be renoticed. Anyone wishing to follow the applications should follow the Town's website or call the Planning Department for future Planning Board meetings.

MOTION: Member Edmonds moved to approve the Special Use Permit Case #18-301-SUP-AC with the following conditions to be included as notes on the final site plan:

1. "Special Use Permit, Case #18-301-SUP-AC, for activity within the Aquifer Conservation District is granted conditionally under the related Case #18-101, Minor Site Plan, Matthew J. Roan on behalf of MJR Holdings, LLC, to construct a 30'x 40' addition to an existing commercial building. This Special Use Permit becomes final for as long as Case #18-101, Minor Site Plan, Matthew J. Roan on behalf of MJR Holdings, LLC, is approved. If at any time, the related case was revoked or final approval is not received, this Special Use Permit becomes invalid.
2. "A Special Use Permit for activity within the Aquifer Conservation District was granted on February 27, 2018 by the Planning Board. The approval is contingent upon all provisions of the Town of Pembroke Zoning Chapter 143, Article 143-68.E, Aquifer Conservation District, being followed."

Seconded by Selectmen's Rep. Goulet.

VOTE:	B. Edmonds – Y	L. Young – Y	S. Goulet – Y
	A. Topliff – Y	R. Bean – Y	K. Cruson – Y

MOTION TO APPROVE THE SPECIAL USE PERMIT CASE #18-301-SUP-AC WITH THE FOLLOWING CONDITIONS TO BE INCLUDED AS NOTES ON THE FINAL SITE PLAN:

1. **“SPECIAL USE PERMIT, CASE #18-301-SUP-AC, FOR ACTIVITY WITHIN THE AQUIFER CONSERVATION DISTRICT IS GRANTED CONDITIONALLY UNDER THE RELATED CASE #18-101, MINOR SITE PLAN, MATTHEW J. ROAN ON BEHALF OF MJR HOLDINGS, LLC, TO CONSTRUCT A 30’X 40’ ADDITION TO AN EXISTING COMMERCIAL BUILDING. THIS SPECIAL USE PERMIT BECOMES FINAL FOR AS LONG AS CASE #18-101, MINOR SITE PLAN, MATTHEW J. ROAN ON BEHALF OF MJR HOLDINGS, LLC, IS APPROVED. IF AT ANY TIME, THE RELATED CASE WAS REVOKED OR FINAL APPROVAL IS NOT RECEIVED, THIS SPECIAL USE PERMIT BECOMES INVALID.**
2. **“A SPECIAL USE PERMIT FOR ACTIVITY WITHIN THE AQUIFER CONSERVATION DISTRICT WAS GRANTED ON FEBRUARY 27, 2018 BY THE PLANNING BOARD. THE APPROVAL IS CONTINGENT UPON ALL PROVISIONS OF THE TOWN OF PEMBROKE ZONING CHAPTER 143, ARTICLE 143-68.E, AQUIFER CONSERVATION DISTRICT, BEING FOLLOWED.”**

PASSED ON A 6-0 VOTE.

MOTION: Member Edmonds moved to approve minor site plan application #18-101 with the following conditions to be listed as notes on the final plan:

1. Provide the signatures of all property owners on the final plat.
2. No permits from the building inspector shall be issued until the final plan has been signed and the notice of decision has been recorded
3. Applicant to coordinate with town staff and town engineer to arrange an on-site, pre-construction meeting.

Seconded by Selectmen’s Rep. Goulet.

VOTE:	B. Edmonds – Y	L. Young – Y	S. Goulet – Y
	A. Topliff – Y	R. Bean – Y	K. Cruson – Y

MOTION TO APPROVE MINOR SITE PLAN APPLICATION #18-101 WITH THE FOLLOWING CONDITIONS TO BE LISTED AS NOTES ON THE FINAL PLAN:

1. **PROVIDE THE SIGNATURES OF ALL PROPERTY OWNERS ON THE FINAL PLAT.**
2. **NO PERMITS FROM THE BUILDING INSPECTOR SHALL BE ISSUED UNTIL THE FINAL PLAN HAS BEEN SIGNED AND THE NOTICE OF DECISION HAS BEEN RECORDED**
3. **APPLICANT TO COORDINATE WITH TOWN STAFF AND TOWN ENGINEER TO ARRANGE AN ON-SITE, PRE-CONSTRUCTION MEETING.**

PASSED ON A 6-0 VOTE.

Minutes - February 13, 2018 Meeting

MOTION: Member Young moved to approve the February 13, 2018 minutes as amended. Seconded by Selectmen's Rep. Goulet. Approved with 2 abstentions – Selectmen's Rep. Goulet and Member Bean.

Miscellaneous

1. Committee Reports-

Technical Review Committee: Member Young said that they will meet March 7, 2018.

Board of Selectmen: Selectmen's Rep. Goulet said that they hired a new Code Enforcement Officer.

School Options Committee: Ms. Verdile reported for Member Bourque that the first meeting was February 22, 2018 and the Committee decided that their next meeting would be March 5, 2018.

2. Planner Items-

Ms. Verdile reminded the Board that their elections are in April.

With regard to the upcoming OEP Conference, Ms. Verdile suggested that anyone interested in attending should contact Mr. Jodoin and ask to be registered.

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

The meeting was adjourned at 9:03 p.m.

Respectfully submitted,
Jocelyn Carlucci, Recording Secretary