

**PEMBROKE PLANNING BOARD**  
**Minutes of Meeting**  
**(ADOPTED)**  
**May 8, 2018**

**MEMBERS PRESENT:** Alan Topliff, Chairman; Brian Seaworth, Vice Chairman; Kathy Cruson; Brent Edmonds; Larry Young, Sr.; Selectman's Rep. Ann Bond

**ALTERNATES PRESENT:** Robert Bourque, Kellie Dyjak; Timothy Goldthwaite

**EXCUSED:** Richard Bean

**STAFF PRESENT:** Carolyn Cronin, Town Planner; Matt Monahan of Central NH Regional Planning Commission; Jocelyn Carlucci, Recording Secretary; David Jodoin, Town Administrator

Chairman Topliff called the meeting to order at 6:55 pm. He welcomed Mr. Goldthwaite as a new alternate member.

**New Business**

1. Route 3 Corridor Study with Matt Monahan, CNHRPC

Chairman Topliff asked the Board to discuss the use of the generous offer from Bob MacCormack of Pembroke Pines.

Ms. Cronin said that Mr. MacCormack offered an exaction fee in lieu of physical improvements to the intersection of Pembroke Street and Whittemore Road. After a short discussion last week with Mr. Monahan and Chairman Topliff, Ms. Cronin offered the following: If the Town accepted the exaction fee what type of projects would be appropriate for the money to go towards. Most of the past conversations have centered around the Route 3 traffic and the difficulty of getting in and out of side streets as the Town has grown. One suggestion was for the Board to consider using the money for a feasibility/safety study/design of Route 3 where the Town might get 10 recommendations rather than putting the money toward one micro scale project in Town.

After considering that idea, Ms. Cronin said that they discussed a Route 3 corridor study and how Central NH Regional Planning Commission (CNHRPC) has information on Route 3 because it is something that they have been looking at.

Mr. Monahan said that CNHRPC did a feasibility study in Boscawen on the Route 4 and Route 3 Y which produced a number of options. The study contained a great deal of engineering information and a holistic approach to the corridor.

Mr. Monahan said that he spoke with Mike Tardiff of CNHRPC who agreed that Boscawen was a good model to use. Mr. Tardiff then spoke with Mike Vignale (the engineer for CNHRPC and Pembroke) who roughed out a corridor study which was presented to each Board member.

In summary, Mr. Monahan said that the Route 3 corridor study would look at: (1) safety, traffic flow and the North and South movement of traffic; (2) an analysis of the range roads and to what extent would opening a range road decrease traffic along Route 3; and (3) the rail trail which has been discussed in the Master Plan process.

He said that the study would look at existing traffic count data along with the gap and term counts. CNHRPC has a computer model that is used to project future traffic. It takes the buildout of a section of the corridor and projects future traffic load based on the land use codes. 2035 is the projected horizon year.

The study would look at the existing conditions and issues and develop roadway construction alternatives and costs associated with that. Mr. Monahan said that it does not project final engineering costs but takes the Town one step further in the process.

He also said that information from past studies done by developers on projects in the corridor would be compiled. They would look at traffic counts, traffic operations issues, traffic models, and survey of conditions.

The Corridor Study refers to "Complete Streets". Mr. Monahan explained that Complete Streets is a way to look at the corridor from the standpoint of traffic, bikes, and pedestrians. It would look at intersection improvements, sidewalk layout, bike accommodations, typical roadway/sidewalk sections crosswalks, lighting locations, etc. The corridor is a system for moving people and should be looked at as a whole rather than as separate components.

With regard to the rail trail, the study would look at preliminary engineering, culverts, high-level alternatives, a concept plan, and the cost of the paved and smooth gravel trail.

In the end, the Corridor Study would give the Town a good idea of what may be accomplished to improve access to Route 3. It would also help the decision-making process on exaction fees based on present and future applications. Mr. Monahan also said that the Boscawen plan was accepted into the State's ten-year plan.

Alternate Member Bourque said that there was a separate rail-trail committee working on the Pembroke/Allentown connection. He would not be in favor of spending money to look into the rail trail because it would be a duplication of efforts.

Mr. Jodoin said that it was a volunteer group that failed because a bridge was needed on the trail to get from Allentown to Pembroke. He said that the volunteer group had good ideas which were never developed but since the committee is already formed, it may be easier to have them participate rather than to create a new subcommittee.

Chairman Topliff said that since Pembroke Pines has offered \$30,000 and their project will add traffic to the Route 3 corridor, it would seem like an opportunity to look at options for improving the corridor or alternatives to Route 3.

Member Cruson said that she is interested in the rail trail and another road to connect Route 106 to Route 28 but if the \$30,000 is going to examine the possibility of two or three different things and there is no money to enact any of the suggestions, it would be wasting the money. She would prefer to see it go toward fixing Bow Lane which will have direct impact from the Pembroke Pines development

Chairman Topliff said that the current Master Plan has identified Route 3 alternatives to be looked at. Funding is always a challenge and depends on the economy.

Member Young said that Route 3 is a problem today and will be tomorrow whether the development is done or not. The Bow Lane idea is best because many people using Whittemore Road will use Bow Lane. To use the developer's money to eliminate some of the problems caused by his development, is a good idea, especially since there is no telling if the Town will ever have the money to invest in any of the study's suggestions for Route 3's challenges.

Vice Chairman Seaworth said that the neighborhood will cause issues on Route 3, but said that one of the advantages of getting the \$30,000 as an exaction fee is that the Town has six years to use the money. He cautioned that to spend or earmark the money for a use may not be the best idea since, once the development begins to be built, the Board may discover a larger unanticipated issue. Therefore, he felt it was best to not rush into spending the money and, instead, to hold onto it and see where it could be best applied.

Selectmen's Rep. Bond said that she and Ms. Cronin performed a site study. They discovered that \$30,000 would not make a dent into the cost to improve Bow Lane.

Ms. Cronin said that she, Selectmen's Rep. Bond, Mike Vignale and Jim Boisvert walked Bow Lane and looked at the physical improvements that would be required. She said that there are many cracks in the pavement because a water main leaked under the road and the road should not be repaved unless the pipe was replaced.

Selectmen's Rep. Bond said that the first part where the main was, already had six breaks.

Ms. Cronin said that there were many more improvements required than we anticipated. The road is very narrow. Mr. Vignale, at the May 22<sup>nd</sup> meeting, will go over the engineering issues of the road and provide a cost estimate. She said that the \$30,000 that Mr. MacCormack offered would not cover the whole road improvement. She suggested a few different ideas such as collecting exaction fees to save toward large improvements such as Bow Lane.

Alternate Member Bourque said that if the Pembroke Water Works has damaged the road, they should be told to fix the problem and repair the road.

Vice Chairman Seaworth said that when work is done on a road that has drainage, water, and sewer, all the departments coordinate with each other. The larger projects cannot be done unless all the departments have funding and time in their schedule.

Vice Chairman Seaworth said that the Roads Committee has completed their last ten-year plan. The next ten-year plan is set to begin but there is a coordination problem. CNHRPC has a new software system which performs a more scientific survey of the Town's roads. There seems to be software and training issues. Mr. Vignale spoke with the Roads Committee about the problems and is hoping that it will be resolved sometime this year. It has put the Town into a situation where the Roads Committee has no data to create a new ten-year plan.

Mr. Monahan said that the University of New Hampshire (UNH) developed the software called the Roadway Management System. It is designed to look at roads and, based on road conditions, analyzes when it is best to do maintenance vs. redoing the road.

Vice Chairman Seaworth said that the Town approved bonding for East View, East Meadow, and Beacon Hill projects. It consumed more funds than the Committee thought it would. The Committee has discussed Main Street as a priority for the current road budget once the Town has completed the funding and scheduling issues of the current project. He said that that means that Bow Lane, other than to shim and overlay, would be multiple years out.

Alternate Member Bourque said that, based on what Members Cruson and Young have said, he was inclined to agree with Vice Chairman Seaworth and to hold onto the money in case something else developed.

Chairman Topliff said that the Board does not have to decide tonight or in a few weeks on how to use the money, the Board just has to decide if they want to accept Mr. MacCormack's offer.

Alternate Member Goldthwaite agreed with Vice Chairman Seaworth.

Alternate Member Dyjak was in favor of accepting the funds and placing them in an escrow account.

Alternate Member Bourque said that he would like to see the money dedicated to the Bow Lane area.

Mr. Monahan said that in order to frame the money as an exaction, there are four things that it can be used for -- roads, sewer, water and drainage. He said that the motion should say that the Board is willing to accept the money as an exaction for impacts facilitated by the development to the roads per RSA 674:21 V (j).

Member Edmonds said that a water main replacement qualifies for the State Revolving Fund (SRF) participation. The SRF Fund is administered by the Department of Environmental Services. He said that when he worked in Keene, they performed a lot of water main replacement and it was all funded by SRF. He suggested that the Board encourage the Pembroke Water Works to change the pipe along with any other infrastructure changes that need to be done at the same time.

Mr. Jodoin said that the breaks along Bow Lane have been on the Water Works' radar. Water is a user fee-based system and, therefore, try to keep the fees as low as possible. This year they are doing the large project of Upper Beacon Hill because there is no water and sewer. They know that there will be a high cost associated with the Main Street project. They are presently trying to pay off other project debts.

Chairman Topliff thanked everyone for their thoughts.

## 2. Discussion of Extension Request for Pembroke Meadows

Ms. Cronin said that the next Pembroke Planning Board agenda will include a continuance request from Pembroke Meadows which was approved by the Board at the March business meeting. It is the same continuance request which, due to the staff turnover, got lost in the shuffle. At the time that Pembroke Meadows submitted their continuance request, their intention was to have it voted on at the May business meeting. They contacted the Town in March about getting on the agenda for the continuance because in November they requested that the project be deferred to May. Unfortunately, it was placed on the March agenda rather than the May agenda. Their requested 120-day extension put them out to July 25, 2018. Their intention was to have it voted on at the Board's May meeting, so that their extension would be bumped out to September.

Chairman Topliff said that all the Board will need to do at the May meeting will be to acknowledge that the 120-day extension is to begin when the current extension expired.

Member Young asked if there was a limit to the number of times that the Board can grant a 120-day extension.

Chairman Topliff said that, at the March meeting, the Board felt that this should be the last extension for this project.

Ms. Cronin said that Pembroke Meadows understands that, at the time that they return to the Board, they will also need to return to the Technical Review Committee and renote abutters because they may have plans that substantially changed from what the Board previously reviewed.

Chairman Topliff said that the Board also discussed the possibility of application fees since the new plan will likely involve substantial effort by the Planning Department and the Town Engineer to review.

Ms. Cronin clarified that the 120-day extension will expire September 19, 2018, so the applicant will have to return to the Board in August before their time runs out.

Alternate Member Bourque suggested that the applicant be notified that this will be their last extension.

Chairman Topliff said that the Board would make that determination if and when they come back for another extension.

Alternate Member Bourque said that it would be fair to tell the applicant that it is their last extension so that they can make plans accordingly.

Mr. Monahan said that it is reasonable for the Board to say that the Board has adjusted the extension period to September 19, 2018 but to be aware that this could be the last extension. He said that if the applicant felt that their timeline was compressed, they may adjust their plans. The Board could always reserve the right to change their minds in the future.

Mr. Monahan also pointed out that the response memo would close the loop on their initial request and create clarity.

Mr. Monahan left the meeting at 8:10 pm.

### 3. Open Space Development Ordinance - Section 143-78: Open Space Requirements

Chairman Topliff said that as the Board worked through the open space subdivision language, it became clear that there was some conflicting language within the Town's ordinance which led to different interpretations and assumptions. Ms. Cronin offered to review §143-78 and suggest potential changes.

Ms. Cronin said that she reviewed the minutes from Pembroke Pines' application and the discussion of the use of the open space and what might be permitted. She said that the language in the ordinance is conflicting. The ordinance discusses the intent as to preserve the open space and minimize tree clearing and yet it says that the Planning Board can designate a use to the open space and the Town Planner can change that open space use.

She said that she struggled with what other use could be appropriate for open space apart from it being left in its natural state or low impact passive recreation, trails, and kiosk picnic areas. She found that the golf course's intent for the use of the open space seemed contradictory to the intent of the open space ordinance although the Planning Board could determine the use.

She advised the Board to begin thinking about the language of the open space ordinance, its intent, the type of uses that would be allowed and how the Board would want to codify the activities in the ordinance.

Alternate Member Bourque said that how the open space can be used may depend on whether the space is held by the property owner or given to the Conservation Commission. If a property owner has land that he intends to hold as conservation space yet retains ownership of the property, Alternate Member Bourque said that there should be guidelines, such as not clearing all the trees or making a golf course on it, in order to get credit for open space.

He said that the Conservation Commission gave the Board a laundry list of items that they would allow in a conservation area. There may be more leniency if the property is retained by the property owner in comparison to being owned by the Town.

Member Edmonds said that he understood that one 33-acre parcel was going to be given to the Town for public use. The area immediately around the residences would be privately owned.

Vice Chairman Seaworth said that, as a way to get around the Town's confusion on what the ordinance required, the applicant separated the parcels out entirely. They proposed to give one portion of the property to the Town and not use it going forward. Pembroke Pines made their open space calculation based on only that portion which they were keeping and that portion that they were developing. By donating land and holding onto land, the applicant solved the ordinance problem for their project. Vice Chairman Seaworth asked if the applicant did not own the property, would it count as designated open space and credited to that property.

Chairman Topliff suggested inviting the Conservation Commission to discuss their thoughts. Perhaps the Commission could tell the Board what, from their perspective, makes sense for their use of open space.

Member Edmonds said that the other confusing wrinkle with Pembroke Pines is that it is clear what parcel he wants to give to the Town and what land is designated around the residences, but the applicant is retaining a third part that eventually will become part of the golf course development which is unclear what the intent is for that land in the future. Would it become future developmental space or open space.

Alternate Member Bourque said that the applicant made a lot line adjustment, because the 33 acres was not 50% of the whole property.

Chairman Topliff said that by making the development property smaller, they made the numbers work.

He suggested that each Board member give some thought to what the term "open space" means to them.

Alternate Member Dyjak said that to her, open space means walking and bike trails with very little disturbance to the natural resources.

Alternate Member Bourque said that originally the Board was of the opinion that by allowing an open space development, it would allow the homes to be closer together while leaving 50% of the parcel as open space. At the time the concept was that the property owner could still own it but couldn't develop it. The concept then changed – if the property was given to the Conservation Commission, there would be no tax consequences for the owner and it would belong to the Town. What would happen on the open space property was never specified other than by the Board, at that time, felt that minimal clearing to keep

it in its natural state and non-invasive activities such as hiking and cross country skiing, would be allowed. No motorized vehicles would be allowed.

Chairman Topliff asked the Board to give some thought as to what sort of uses each member felt comfortable with under the open space subdivision ordinance. If a developer decided to turn land over to the Conservation Commission, should there be restrictions on what the Commission could do with it. It would be good to have something in the ordinance to guide the Board on how to proceed under these circumstances.

Vice Chairman Seaworth also said that the Board should think about whether there is a difference in what would be allowed with open space if it was held privately vs. if the Town used the space.

Ms. Cronin said that she would check under Innovative Land Uses to see if there may be language that would help guide the Board. She said that usually the intent of open space or conservation subdivision is that the open space is held in conservation with low-impact uses allowed such as non-motorized vehicles or agriculture and forestry uses, hiking, picnic areas and structures associated with those areas such as kiosks.

Recreational facilities (softball and soccer fields) can be achieved through conventional subdivisions if we have a mechanism to require some type of park elements to it.

Member Edmonds said that he would reach out to Ammy Heiser and invite her to the Planning Board meeting to discuss open space.

Mr. Jodoin suggested hiring someone to review and rewrite the entire Town Ordinance under the guide of the Planning Board. CIP could set money aside to do this.

The Board agreed.

Member Cruson pointed out that current use fees are presently given to the Conservation Commission. She asked if perhaps retaining some of the current use funds in an account for future Town recreational areas such as ball fields would be considered.

Chairman Topliff said that doing so would require going before the Board of Selectmen first and then to Town meeting.

Selectmen Rep. Bond said that the Town presently has a very young population and they are always looking for recreation areas.

Chairman Topliff asked members to keep the Site Plan Threshold and the Pembroke Meadows Extension Request for the next work session.

#### 4. Electronic Packets

Mr. Jodoin said that some communities are going through the electronic side of the equation which means that, rather than printing out meeting packets, the information would



be saved electronically for everyone to review. The Board of Selectmen would have to agree since approximately 30 tablets would have to be purchased – one for each Board member.

Mr. Jodoin said that to put the electronic concept into play at this time, would mean that all Board members would have to print out their own packets which, he did not feel was fair, since they would incur the cost of paper and ink. He also said that there is a huge amount of time and cost associated with Town Hall preparing the paper packets.

Selectmen's Rep. Bond said that one of the Selectmen's concern was whether the tablets would leave Town Hall.

Alternate Member Bourque said that the cost of manpower and material used to put the packets together would pay for the ipads/tablets in a short amount of time.

Mr. Jodoin also said that hanging TV screens in each conference room would help everyone see the plans that are presented at meetings. It would be so helpful during presentations.

Alternate Member Bourque said that the Zoning Board is already trying the digital concept by using their own laptops.

If a volunteer does not want to go digital, he or she could pickup up a paper copy of the packet at Town Hall.

Mr. Jodoin said that for maps, the applicant could be asked to still provide paper copies since a digital copy would be too difficult to work with.

Mr. Jodoin said that the goal is to save the packet on the Town's website so anyone can access it and save the information to their drive.

The consensus of the Board is that they would be willing to receive the reports digitally through email and save to a laptop. Chairman Topliff asked those Board members to contact Ms. Cronin if they wished to have the packet emailed to them and to also let her know if a member would like to pick up their packet.

5. Change of Use Procedure – Tabled

6. Election of Officers:

**MOTION: MEMBER CRUSON NOMINATED ALAN TOPLIFF AS CHAIRMAN.  
SECONDED BY ALTERNATE MEMBER DYJAK. UNANIMOUSLY APPROVED.**

**MOTION: ALTERNATE MEMBER BOURQUE NOMINATED BRIAN SEAWORTH AS  
VICE CHAIRMAN. SECONDED BY ALTERNATE MEMBER DYJAK. UNANIMOUSLY  
APPROVED.**

**MOTION: ALTERNATE MEMBER BOURQUE NOMINATED BRIAN SEAWORTH AS REPRESENTATIVE AND TIM GOLDTHWAITE AS ASSISTANT REPRESENTATIVE TO THE ROADS COMMITTEE. SECONDED BY MEMBER YOUNG. UNANIMOUSLY APPROVED.**

**MOTION: ALTERNATE MEMBER BOURQUE NOMINATED LARRY YOUNG, SR. AS REPRESENTATIVE TO THE TECHNICAL REVIEW COMMITTEE. SECONDED BY MEMBER CRUSON. UNANIMOUSLY APPROVED.**

**MOTION: ALTERNATE MEMBER BOURQUE NOMINATED BRENT EDMONDS AS REPRESENTATIVE TO THE CONSERVATION COMMISSION. SECONDED BY MEMBER CRUSON. UNANIMOUSLY APPROVED.**

**MOTION: VICE CHAIRMAN SEAWORTH NOMINATED LARRY YOUNG, SR. AS REPRESENTATIVE TO THE CIP COMMITTEE. SECONDED BY ALTERNATE MEMBER BOURQUE. UNANIMOUSLY APPROVED.**

**MOTION: VICE CHAIRMAN SEAWORTH NOMINATED KATHY CRUSON AS REPRESENTATIVE TO THE CENTRAL NH REGIONAL PLANNING COMMISSION. SECONDED BY ALTERNATE MEMBER BOURQUE. UNANIMOUSLY APPROVED.**

**Minutes-** March 27, 2018

**MOTION: ALTERNATE MEMBER BOURQUE MOVED TO APPROVE THE MARCH 27, 2018 MEETING MINUTES AS AMENDED. SECONDED BY VICE CHAIRMAN SEAWORTH. UNANIMOUSLY APPROVED.**

**Miscellaneous**

**1. Correspondence**

Ms. Cronin said that the Board of Selectmen received a petition in regards to Pembroke Pines. The petition asked that an unlocked gate be installed between Par Drive and Nadine Road that would open both ways. They are hoping that that would be a good compromise between letting emergency vehicles through while preventing thru traffic.

Mr. Jodoin said that on May 21, 2018 Police, Fire, and Public Works will be invited to discuss their concerns with Board of Selectmen.

**2. Committee Reports**

Roads Committee: Vice Chairman Seaworth said that the Committee discussed the Pembroke loop road and the damage to the road from frost heaves.

They also discussed the North Pembroke Road bridge. They would like to do the bids in November and start construction April 2019. There would be closure of North Pembroke Road over the bridge for approximately 8 months.

Mr. Jodoin said that his understanding is that they would like to put it out to bid and begin construction in the winter because construction and flower season's busiest time begins in April.

Vice Chairman Seaworth said that the Committee also talked about road paving. The cost associated with the Dudley Hill and Upper Beacon Hill projects are higher than expected which may mean that money will be shifted into those projects.

Technical Review Committee: Member Young said that the Committee met with Frank Merrill with an application for a one-lot subdivision. Member Young said that Mr. Merrill is beginning to sell portions of the land for commercial lots. He is also aware of the shutdown of the North Pembroke Road bridge.

Conservation Commission: Member Edmonds said that the Commission continues to pursue the Poirier property purchase. They are also trying to set up a monitoring day for conservation lands. Brian Mrazik is no longer on the Commission. They are looking for other members interested in joining.

Master Plan: Ms. Dyjak said that most of the committee members are working on various chapters.

### 3. Planner Items

Ms. Cronin said that Pembroke Sand and Gravel submitted a minor subdivision and a site plan to move their scale house.

She also said that John's Wrecker will be returning with their continued application.

Pembroke Meadows will appear for their extension request.

Mr. Jodoin said that the Board of Selectmen are having a public meeting at Richard Berube's site. He was not sure when Mr. Berube would be coming to the Planning Board.

**MOTION:** Alternate Member Bourque moved to adjourn the meeting. Seconded by Member Cruson. Unanimously approved.

The meeting was adjourned at 9:46 p.m.

Respectfully submitted,  
Jocelyn Carlucci, Recording Secretary