

**Pembroke Planning Board
Meeting Minutes
(ADOPTED)
May 12, 2020**

MEMBERS PRESENT: Brian Seaworth, Chairman; Robert Bourque, Vice Chairman; Kathy Cruson; Clint Hanson; Dan Crean

ALTERNATES PRESENT: Holli Germain (arrived 6:53 p.m.)

EXCUSED: Ann Bond, Selectman's Rep.; Ian Blakeney

STAFF PRESENT: Carolyn Cronin, Town Planner

Declaration of Emergency

Chairman Seaworth read the Governor's NH State of Emergency authorization for electronic based meetings in its entirety. Chairman Seaworth called the meeting to order at 6:30 pm. Holli Germain was designated to vote for the vacant position.

Appointments

1. Master Plan Discussion with Mike Tardiff, Central NH Regional Planning Commission

Mike Tardiff prepared a draft Vision chapter. Mike Tardiff, Central NH Planning Commission, stated we are close to the end of Master Plan. Chapters 1 and 2 that we sent out last week are really summaries. The vision is found in each chapter and recommendations are categorized into ongoing, short, medium and long term for your review and comment. Please send me any thoughts and changes.

The Implementation chapter can be overwhelming as there are many things in a Master Plan. Breaking out the recommendations into ongoing, short, medium and long term time periods is one way to organize them.

When the Planning Board is reviewing the Master Plan over the next couple of years, it can use this as a tool to choose those things that the town feels is a priority to implement and move forward on those. Throughout the process, Matt Monahan and I tried to highlight the basis of the Master Plan, the Vision chapter and the Land Use chapter.

The Vision chapter is very important even though it is short. We try to summarize the important themes throughout the Master Plan. By providing a variety of housing types and making fiscally responsible decisions, the Town is encouraging the use of tools and incentives for developers. The tools provide a strong mix of land uses, and preserve and enhance the vibrant community of Pembroke, New Hampshire.

Once the Master Plan is done, I suggest having a conversation about the idea of "complete streets" and what that would look like. When you have that conversation with NH DOT about the look and feel of the future Route 3 corridor in Pembroke, it needs to include bike lanes, pedestrians, trees and all those things that bring a "complete streets approach". Central NH Regional Planning Commission has annual planning funding that may be used for special projects like this.

As you know, things like traffic counts can be helpful. Your town engineer could help with complete street planning as mentioned in the Master Plan.

You may recall this is something we talked about last year. Since then, we have looked into different ways to fund the project as the logical next step after the Master Plan. For example, Roads Committee comes in with a repaving idea. You can say, okay, here's the ideas that we have from the complete streets planning project. If it is an overall large project, try to get your project into the NH DOT 10-year plan. If it is short term and you are in for the long haul, there is an ongoing process. Our engineering consultant could review the plan.

I would like to bring all chapters into one place, have them either on a subpage of the town website or something that we could host for everybody to go through each of those online. There is still plenty of time to make modifications and even add something in the Implementation chapter.

We must have felt differently when we reviewed the recommendations for transportation and land use because we have a different priority for looking at Class IV roads in each of those. We need to make the recommendations consistent. There is plenty of time for modifications to all the chapters. The Board can go through the implementation chapter and the approach that staff and Carolyn took. I can come back next month for discussion after you have absorbed it.

Mike Tardiff walked through the draft Implementation chapter. The Implementation chapter is organized by chapter - Housing, Economic Development, etc. and each of the sub recommendations is key for someone who may not be as familiar with the process to understand who is responsible for implementing something. Implementation is a process that is not just the Planning Board responsibility. Working with Carolyn, we took that first cut at laying out relative priorities for time frames. When we talk about it again next month, if you would like, we can make some changes to those proposed periods.

We have discussed options for upgrading Class VI roads sections of the Third or Fourth Range Road a lot. In the Transportation chapter, we have that as a medium priority and under Land Use; we have that as a short-term priority.

Please ponder these chapters as to priorities so we can come back and make our edits next month. This is an important chapter and I would follow your lead. I want to know how you, as a Board, are feeling.

One of the things we talked about last month and one of the key recommendations is coordination with the Town of Allenstown to study the needs and options for improvements to the wastewater treatment plant. This is clearly both a short-term issue and a long-term issue, but it can be looked at in the short term.

It is all in the chapters, but I would like us to lay out those things that are short-term recommendations. The objective is to conduct the Pembroke Street Corridor study as soon as reasonably feasible. The next step is to tie it in with the findings of the Economic Development initiative.

The process gives the Planning Board flexibility. Over the next couple of years, you choose those things that you want to work on but it is not saying "X" is the first and highest priority. Things change over the years, but the Master Plan gives you a laundry list of things to jump off, whether it is economic revitalization zones or the 79-E incentives or facade improvements in the Suncook village. There is a lot of opportunity to spend a fair amount of time on implementation.

I propose that Carolyn and I work together to put all the chapters in one place online. They will have the same formatting. If you want to make any modifications, please mark up the Implementation chapter and scan them or drop them off with Carolyn. We can do some comparisons and see if a consensus feels a different priority is needed. We have used that approach with Planning Boards. Mark it up and we will do a little survey and see what the consensus is, or if there were themes that we wanted to circle back and talk about.

Member Hanson said, I think the difficulty I am going to have is perhaps simply my own way of doing things is looking at all the short-term together, looking at all the medium-term together, et cetera.

Mike Tardiff suggested he could drop it into a spreadsheet and could actually put a note field next to it. If that would work, we can send that out to everybody, you can use it as you see fit and send them back to Carolyn. We can then make sense of it all. That is something that we've done with a number of Planning Boards to have the prioritization process separate from our staff review of it.

Member Hason said that approach would work better for him, and generally speaking, is a good approach.

Mike Tardiff said he can get that spreadsheet to Carolyn probably by early next week so she could send it out to everybody. All the chapters will be located in one place. Next month we can talk about any concerns or modifications you want to make for any of the chapters.

Member Cruson asked a question under Implementation, the purchase of land for future facilities, how would we approach something like that?

Mike Tardiff said that is dependent upon the type of facility that would be looking at the land for, or whether you have known for a while.

Member Cruson said, we were trying to get developers to grant rejected portions of their subdivisions so that we would have parcels of land that we could use for the

town's benefit. I don't think we have achieved that since I have been on the board, but how would we go through this?

Mike Tardiff said there are all kinds of ways to procure land for the future, and all kinds of different ways that you would implement it. I would use it this to make the case for having a Capital Reserve, set aside at town meeting, based on what is in the Master Plan and whether you know what the facility is, or for funding to be set aside in a future CIP.

Member Cruson asked, would we be going to the Selectmen early in the process? I would imagine we would be competing with somebody like Conservation.

Mike Tardiff said that the Conservation Commission can also use the Master Plan to make their case.

Chairman Seaworth said, if I could read a little bit into your comment, Member Cruson, since we have been on the board, we have talked about maybe certain developers who have properties that would lend itself to that sort of use. Maybe we can convince them to donate it. What Mike may be suggesting is that rather than appeal to developer generosity, that if we set up a fund within the town, we will have money to use for the piece of land right in the middle of it that we can use to incentivize the developer financially.

Mike Tardiff said, maybe there is a match fund that would cover 30% and maybe you are able to seek some other future funding source. With a fund, there is an LCHIP fund out there with some funding that you are able to match.

Mike Tardiff said, in closing, we will reorganize and put the different recommendations on a spreadsheet. We will post all of the proposed Master Plan chapters on the Town of Pembroke, NH website. I hope that this will solicit comments from a wider audience.

Chairman Seaworth thanked Mike Tardiff for his presentation.

Chairman Seaworth noted for the record that Alternate Member Germain has joined us at 6:53.

New Business

2. Subdivision Regulations Updates re: Dead End Streets, Class VI Roads, and other Planner Cronin discussed Subdivision Regulations working copy dated 5/12/2020. Bob sent in comments that are incorporated in this document. Planner Cronin had a recent conference call with Central NH Regional Planning Commission. Regional Planning is working on our MS4 and the federal mandates on stormwater management. The EPA has certain goals, and the proposed changes are mostly housekeeping issues, which are not substantive. For instance, cleanup of construction sites and providing portapotties at the site. The updates need to be adopted by the end of the calendar year. These changes may or may not coincide with the proposed subdivision regulation changes we are working on for a future public hearing.

Chairman Seaworth agreed the Planning Board should improvise. Unlike zoning changes that go to Town Meeting, the EPA stormwater changes only require Planning Board action.

Planner Cronin stated that Board members were interested in temporary dead end roads. Specifically they wanted to place a time limit on how long a road can remain a dead end.

Chairman Seaworth said he appreciated Member Bourque's comments on two different time limits. A one-year time limit to complete a dead end road would be initially allowed. With extenuating circumstances, an applicant could request a one-year extension to complete the road. Chairman Seaworth was concerned about an arbitrary limit. He recalled an earlier discussion on how long the State of NH allows towns to keep a performance bond on a project. As long as the bond is still there (possibly six years), the town could allow extensions for cause. After six years, the funds must be returned to the developer.

Vice Chairman Bourque said he was concerned some applicants would keep coming back for more extensions. Member Hanson suggested the Board ask the developer to project when the road will be completed, and the duration of phases of development. Member Cruson suggested allowing the estimated time and a possible one-year extension up to a maximum. Member Hanson suggested a 5-year limit, as we run into State law at 6 years. Vice Chairman Bourque agreed with Member Hanson, as that would give the town one year to complete the road using the developer's bond. Planner Cronin will research legal opinion and what other towns do in this situation. She said that we normally permit a dead end road for one year. If the developer makes the case for an extended phase to complete the road, we could allow up to a total of five years. Alternate Member Germain said this process would save everyone time.

Planner Cronin said the next topic is whether a center island should be landscaped in a cul-de-sac. Our subdivision regulations currently say a center island "shall be landscaped adequately." Chairman Seaworth stated at a minimum, that statement should be struck. If a developer had a plan to landscape an island and the Homeowners Association is tasked with taking care of it that could be considered. Vice Chairman Bourque agreed that unless the application includes maintenance by the Homeowners Association, it is better to pave the island for easier access of town vehicles. Member Hanson stated that in the town he grew up in (not NH), the developer made it incumbent on the last property owner in the development to have the island and its maintenance put in the title/deed. If the property owner failed to maintain the island, the town held the original developer responsible for upkeep of the center island landscape. Chairman Seaworth said this makes sense as a solution or recommendation, but not as a statement in the subdivision regulations. Member Bourque suggested that Planner Cronin research if this is legal in New Hampshire. Planner Cronin said a new Department of Public Works Director would be hired soon. The Planning Board should seek input from the new DPW Director. Alternate Member Germain asked if the Roads Committee might have input.

Planner Cronin stated that Vice Chairman Bourque came up with some language that the well radius shall not overlay property lines, any roadway, fire pond, driveway, or detention

pond. Member Hanson agreed with the language. Alternate Member Germain said this gets the town less involved if a private well needs maintenance. Chairman Seaworth said he is surprised that is not already in state law.

Planner Cronin googled some of the old sections on road layout in the subdivision regulations. Not surprisingly, they came from other old subdivision regulations in the 1960's. Chairman Seaworth said that sections seem to indicate the town wants it both ways and are intentionally vague. Member Bourque stated that the Planning Board needs to define "What are we trying to say in this section?" What is the intent? Planner Cronin agreed that the regulations are contradictory. Chairman Seaworth stated that courts would overrule vague language. If we can define our requirements, it would be better. Member Cruson supports the concept of through streets for safety, and schools prefer through streets for safety reasons. Member Hanson said I do not support cul-de-sacs. Alternate Member Germain said that cul-de-sacs could define a neighborhood. Chairman Seaworth said we all probably played in the streets growing up but it is not safe today. Planner Cronin will work on a more cohesive section on road layout.

Planner Cronin asked the board to look at the wording of our subdivision regulations in section 205-112 Development of Regional Impact (DRI). NH RSA 36:55 on DRI is less specific than town regulations. Chairman Seaworth stated that the main reason a development might be declared a development of regional impact is so the Regional Planning Committee can review it. Member Cruson recalls it was common to coordinate with surrounding towns. Chairman Seaworth stated I was one who supported the stricter town regulations for a DRI to make sure Regional Planning gets informed when they need to. It also makes it consistent for developers. Member Hanson suggested leaving the section as it is unless one criteria is consistently tripping us up on the determination.

Member Bourque asked about the process for laying a Class V road over a Class VI road Section 205-14.B. Planner Cronin confirmed that legal counsel helped her write it, and it would be a checklist requirement.

3. Assignment of Committee Representatives

Planner Cronin provided a list of boards, committees and commissions that Planning Board members currently serve on, along with day and time of meeting. Chairman Seaworth noted that a Planning Board Rep is required on Conservation Commission, the second Monday of the month. Holli Germain volunteered to serve on the Conservation Committee.

MOTION: Member Hanson moved to appoint Holli Germain as Planning Board Representative to the Conservation Committee. Vice Chairman Bourque seconded.

VOTE: B. Seaworth – YES C. Hanson – YES H. Germain - YES
D. Crean – YES R. Bourque – YES K. Cruson – YES

HOLLI GERMAIN APPOINTED PLANNING BOARD REP TO CONSERVATION COMMISSION ON A 6-0 ROLL CALL VOTE

Planner Cronin will copy Ammy and Holli on an email and notice the Board of Selectmen. Chairman Seaworth asked if anyone wanted to switch a board or committee position they

are currently serving on. Seeing none, the next item on the agenda is the minutes of April 14, 2020.

Minutes

April 14, 2020

MOTION: Vice Chairman Bourque moved to approve the minutes of April 14, 2020 as presented. Member Cruson seconded.

VOTE: B. Seaworth – YES C. Hanson – YES H. Germain - YES
D. Crean – YES R. Bourque – YES K. Cruson – YES

MOTION TO APPROVE THE MINUTES OF APRIL 14, 2020 AS PRESENTED PASSED ON A 6-0 ROLL CALL VOTE.

Miscellaneous

1. Correspondence – none
2. Committee Reports

Zoning Board and Tri Town Ambulance/CIP -Vice Chairman Bourque reported that the Zoning Board met on May 11, 2020. Three applications for Accessory Dwelling Units were presented and all three were approved. Tri Town did not meet, and CIP has not started yet this year.

Central NH Regional Planning Commission – Member Cruson noted that Regional Planning has not met this month.

PACE – Member Hanson noted that PACE held its annual meeting two weeks ago. The budget for 2020-2021 passed. Enrollment is up by 8 at 59 students, many from outside SAU 53. Some SAU's are providing transportation to its students who attend PACE. PACE has adequate staffing and adequate space to enroll as many as 80 students.

3. Other Business

A. CHNRPC Traffic Count Requests

Planner Cronin noted that the Roads Commission provided a list of suggested locations for taking traffic counts in Pembroke. Central NH Regional Planning Commission allows each town 5 primary and 5 secondary requests. The Planning Board is welcome to take the Roads Commission recommendations, and add or move any of the suggested locations. Chairman Seaworth stated he sat in on the Roads Commission meeting where the list was drawn up. The locations focus on some projects the Roads Commission have in mind. Planner Cronin reached out to the CNHRPC because the requested date for submission was April 24, 2020. Regional Planning needs the list before summer. Planner Cronin will hold the list open for two weeks and then submit it. Please send any comments to Carolyn.

4. Planner Items- Planner Cronin has not received any new applications for the May 26th meeting. The agenda will be San Ken Homes and a conceptual presentation on the China Mill redevelopment in Allentown. Town Hall is still closed to the public. Glass screening windows will be added in the lobby, and number of people allowed will be

limited. It is expected the second floor will be closed through the end of June. The Board of Selectmen are doing a good job of following Governor Sununu's orders.

5. Board Member Items-none

6. Audience Items-none

MOTION: Member Cruson moved to adjourn the meeting. Seconded by Vice Chairman Bourque. Unanimously approved on a roll call vote.

The meeting was adjourned at 8:02 p.m.

Respectfully submitted,
Susan Gifford, Recording Secretary