

**Pembroke Planning Board
Meeting Minutes
(ADOPTED)
June 9, 2020**

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

ALTERNATES PRESENT:

EXCUSED: Holli Germain, 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.

Appointments

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

Mike Tardiff stated he was here to take a final look at the implementation chapter and the ongoing recommendations by chapter. Mike suggested posting the entire document for review and comment by the Planning Board members before posting for public comment. Mike stated we want to go out of our way to obtain as much public comment as we can get. He told the Planning Board it is your document, and you can use it as you want and work on its recommendations over the next few years.

Member Cruson said that the recommendations about Pembroke Street traffic flow and look of Pembroke Street will be especially important in the future. Member Crean would like to open the Draft Master Plan document up to public comment in person for some time. Chairman Seaworth said that after any edits he agrees with Member Crean's suggestion to post it locally and for the Board for a week. The goal is to put the Master Plan on the August Planning Board agenda for public hearing. Vice Chairman Bourque would like to post the draft Master Plan on the town website for public comment process. Mike Tardiff suggested that the board put it on the Planning Board website for a week. Member Hanson said I agree that Planning Board review of the entire document for a week is not unreasonable.

Mike Tardiff suggested that if someone want to see a printed hard copy of the document, several copies could be made and put in the Town Hall lobby. Planner Cronin clarified that Town Hall lobby is open to the public. Hard copies could be attached to the bulletin board. Member Hanson noted a person could download the pdf and print out a hard copy if that would be easier for them to read. Selectmen's Rep Bond said she has had residents asking her what our progress on the Master Plan has been. Chairman Seaworth asked if the website host can provide statistics on number of views and downloads of the Master Plan. Vice Chairman Bourque asked if the town newsletter had gone out yet. Chairman Seaworth said the new schedule is one issue per year sent out just before town meeting. Member Bourque would like the draft document available in the Town Hall lobby and a

sign on the wall noticing that document. Planner Cronin agreed we can place copies and notices in the lobby.

Mike Tardiff summarized that the Pembroke Street study will be a point of emphasis. If Board members have others, please email Carolyn Cronin any suggestions or changes you would like to see within a week. CNHRPC will check the font, headers and format and put the draft Pembroke Master Plan on our website so the Planning Board can view the entire document. After the one-week review by members, we will upload the document to the Master Plan section of the town website for public comment.

Old Business

2. Subdivision Regulations Updates

Planner Cronin explained that Town Counsel provided legal advice for Construction Bonds, Extensions on Approvals, and Cul-de-sac Centers. Planner Cronin found that language on street design is outdated. One option is to strike the language. Another option is to borrow ideas from the Master Plan Land Use section and create Street Design Intent and Purpose language in the subdivision regulations. Vice Chairman Bourque noted he is taking a stab at rewriting the street layout section and will send it to Carolyn when it is ready. Planner Cronin said she will incorporate that language once received. Member Crean said that contradictions on limits of road construction bonds exist in state law, contrary to legal counsel opinion. Planner Cronin said there is no urgency and we can keep working on this document. Chairman Seaworth noted that the legal opinion advises against having one of the abutters own the cul de sac island. This is not the direction we were going. We were getting away from having island centers at all unless the applicant proposes one with a long-term plan for its maintenance.

Planner Cronin researched the town GIS and looked for cul de sacs in town. To assist in writing language, does the town own and maintain all cul de sacs in town? Is there a maintenance issue or do we not want to use town resources?

Chairman Seaworth noted that as new proposals come in, Department of Public Works comments often state we do not want to use town resources to maintain islands. Selectmen's Rep Bond asked if we prefer just a solid paved island, can we put that in the regulations. Chairman Seaworth stated we do not want to forbid a developer with a Homeowners Association from proposing an island with a maintenance plan. The regulations can steer a developer toward a paved circle. Selectmen's Rep Bond noted that when the town accepts a road, they get the island, with landscaping or not. Vice Chairman Bourque stated nothing should be allowed on the island. This gives town equipment room to turn around. The developer should maintain an island as private property to enhance the project and provide a maintenance plan. If an island is paved, it will be taken care of by the town. Member Cruson asked if paved islands are maintained by the Town. Chairman Seaworth noted in recent years if the island is paved, the town has maintained it as a road. Member Hanson said there will always be a maintenance issue of some sort. The cul de sac property owners will change over time. Maintenance of the island could become a code enforcement issue. Member Hanson is not in favor of cul de sacs at all. Chairman Seaworth noted that at some time, someone will propose a dead-

end road. What do we allow and encourage? It is not our first choice that a developer put in a cul de sac. Member Cruson added or second choice.

Minutes

May 12, 2020

MOTION: Vice Chairman Bourque moved to approve the minutes of May 12, 2020 as presented. Selectmen's Rep Bond seconded.

VOTE: B. Seaworth – YES C. Hanson – YES A. Bond - ABSTAIN D. Crean – YES R. Bourque – YES K. Cruson – YES

MOTION TO APPROVE THE MINUTES OF MAY 12, 2020 AS PRESENTED PASSED ON A 5-0-1 ROLL CALL VOTE.

May 24, 2020

MOTION: Member Crean moved to approve the minutes of May 24, 2020 as presented. Vice Chairman Bourque seconded.

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

MOTION TO APPROVE THE MINUTES OF MAY 24, 2020 AS PRESENTED PASSED ON A 6-0 ROLL CALL VOTE.

Miscellaneous

1. Correspondence - none

2. Committee Reports

Chairman Seaworth was unable to attend Roads Committee meeting.

Vice Chairman Bourque had no meetings to report.

Board of Selectmen – Selectmen's Rep Bond reported that the Board of Selectmen have been working on hiring a new Department of Public Works Director. A public hearing will be held on June 15, 2020 on stop signs, fines, and parking at White Sands beach. Conservation Commission will be accepting 10 acres behind Whittemore to be used as part of the rail trail. Selectmen's Rep Bond noted that the BOS had a discussion on hiring outside support for a Planning project too taxing for Carolyn Cronin and Dana Pendergast. For a long time there has been discussion of formatting the zoning regulations into a searchable, consistent document. Planner Cronin noted it was to organize, format and bring the zoning regulations up to modern standards. Using a format like Municode it becomes a searchable electronic format. Member Cruson asked if the project is basically for format not content. Planner Cronin said yes, with the project being more technical user interface. Member Cruson suggested getting a quote for the work from CNHRPC. Member Hanson stated it was a worthwhile project.

Selectmen's Rep Bond noted the person selected would consult with Carolyn and Dana on inconsistencies and contradictions in zoning regulations. Planner Cronin said we would appreciate the help on this project. Selectmen's Rep Bond stated the consultant would also come to the Planning Board meeting for discussion. Selectmen's Rep Bond noted we do not have the money in the budget, but the town would realize financial savings if this project were made a priority. We have some federal funds to reimburse Covid-19 expenses such as implementing videoconferencing platforms. Vice Chairman Bourque asked if an overhaul of zoning is not in the budget and not a Covid expense, how the town will pay for this. Selectmen's Rep Bond said we are currently

looking at the cost and who would have the capability to do this project. Member Hanson said it is like a request for proposals. Chairman Seaworth noted that if a vendor is selected, the project would go through the budget process. Member Hanson would like more information on the process. Vice Chairman Bourque asked if Carolyn and Dana would be involved with the decision. Selectmen's Rep Bond said absolutely, and that she would bring the project to Board of Selectmen next week. Chairman Seaworth stated he concurs and is supportive of the proposed project. Member Cruson noted that we have been talking about doing this for 15-20 years.

PACE – Member Hanson noted that PACE is performing rolling graduation ceremonies by taking a platform stage, gown, and diploma to each of the nine 2020 graduates' homes. Each person receives a unique graduation ceremony and pictures of the event. Member Cruson said that sounds very nice.

CNHRPC – Member Cruson noted that Central NH Regional Planning meets in two days.

3. Other Business

A. Lodges at Pembroke Pines Site Bond

Planner Cronin explained that Pembroke Pines was looking for a Certificate of Occupancy for June 1, 2020 for several of its units. The usual procedure is that the Town Engineer sets a price for the bond. The Planning Board accepts the number. Then the Board of Selectmen accept the bond. The work left is binder coarse, top coat, and final as built plans with 15% contingency. The bond number was \$44,965 so the developer proposed to double the amount required for the bond and posted a \$90,000 bond in order to accommodate his June 1st move-in. Selectmen's Rep Bond asked why they waited until the end of May to start this process. Planner Cronin noted the action needed now is the Planning Board agrees to the amount and the Board of Selectmen accept the surety. The bond covers completion of Nadine Road to Whittemore and does not include the private road. Residents are currently using the road, but it is not complete and inspected by the town. The bond ensures they will finish the site work associated with the road. The town holds the bond to ensure the funds are there if needed to complete the work. Selectmen's Rep Bond asked if the area roped off was depending on the STOP sign being discussed at the June 15, 2020 Board of Selectmen meeting. They are not.

Member Cruson stated our understanding was that the project was all 2-bedroom units. Planner Cronin explained that the developer changed the building plans to include both 3-bedroom and 2-bedroom units equaling the same number of bedrooms the sewer approval covers. A room without a closet is not a bedroom. There is no net increase or decrease to the sewer capacity. The changes were made due to market changes. Member Cruson noted that there are potential 4-bedrooms in some units. Selectmen's Rep Bond stated the units are rentals at this point.

MOTION: Vice Chairman Bourque moved to set the bond amount for Lodges at Pembroke Pines at \$90,000. Member Cruson seconded.

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

Discussion: Member Crean asked that the Planning Board never repeat this backward bond process again.

MOTION TO SET THE BOND AMOUNT FOR LODGES AT PEMBROKE PINES AT \$90,000 PASSED ON A 6-0 ROLL CALL VOTE.

Selectmen's Rep Bond stated that an additional \$30,000 was paid by the developer prior to first occupancy. Planner Cronin noted the \$30,000 goes into an escrow account as funds to offset site improvement and mitigate traffic impact at Whittemore Road and Pembroke Street, which could not be determined at time of plan approval. This money can be used more effectively once the impacts are known.

Chairman Seaworth stated the key is that this payment was a proposal from the developer, with the Town to figure out how to best spend it. The Planning Board does not require something like this. An applicant can suggest anything to make their application more acceptable. Member Cruson recalled discussion of a possible future turning lane. Planner Cronin agreed. There were three scenarios discussed including widening Route 3 to put in a turn lane. This exaction fee came out of that discussion. We were not quite sure how traffic would impact Pembroke Street at the time. Member Cruson asked if the State would be involved. Planner Cronin said yes, we would have to apply to the State to change the configuration of Route 3. To widen, restripe, or perform any work on Route 3 we need to work with NH Department of Transportation. Selectmen's Rep Bond stated that a traffic study showed we did not have enough town property to create a turning lane on Pembroke Street. Member Cruson added that the turning lane would have to be on Whittemore. Chairman Seaworth stated we need to consider the entire Route 3 corridor study, and these funds could contribute to such a study. Member Cruson said we have a conundrum with traffic from Broadway to Pembroke Street and are facing significant traffic issues.

B. MS4 Stormwater Regulations

Planner Cronin noted that Matt Monahan of CNHRPC did the bulk of the work on this project. There are four documents to change to meet federal Stormwater Management mandates. I would like to put this item on the July 14, 2020 Planning Board workshop to talk about it in depth with Matt Monahan. I wanted members to have the documents to review.

C. Vacant Member Position

Planner Cronin noted that she confirmed that Ian Blakely moved to upstate New York due to a promotion in his work. I will draft a letter thanking him for his Pembroke Planning Board service. We still have a vacant member position as well. Member Cruson suggested reaching out to former Planning Board members to come back as Alternates.

Planner Items- Planner Cronin stated that a lot line adjustment was received for the June 23, 2020 Planning Board meeting. The agenda will include SAN KEN, and the lot line adjustment for the animal hospital on Sheep Davis Road where it touches 4th Range Road and Beacon Hill Road. Planner Cronin will be out of the office the week of the next meeting. David Jodoin and Laura Spector-Morgan, Town Legal Counsel, Mitchell Municipal Group, will attend the June 23, 2020 Planning Board meeting.

4. Board Member Items – None.

5. Audience Items – None.

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

The meeting was adjourned at 7:46 p.m.

Respectfully submitted,
Susan Gifford, Recording Secretary