

**Pembroke Planning Board  
Meeting Minutes  
(Approved February 23, 2021)  
January 26, 2021**

**MEMBERS PRESENT:** Brian Seaworth, Chairman; Robert Bourque, Vice Chairman; Ann Bond, Selectman's Rep.; Kathy Cruson; Brent Edmonds; Kevin Foss

**ALTERNATES PRESENT:**

**MEMBERS EXCUSED:** Holli Germain

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

Chairman Seaworth called the meeting to order at 6:30 pm. He read the legal notice required for remote meetings under the Governor's Emergency order. The Planning Board is utilizing Go to Meeting platform. The public has access to listen or participate as stated on the public notice of meeting. Six members were present.

**Old Business**

1. **Major Site Plan Application #20-104, Pembroke Golf, LLC and Keystone Pembroke, LLC, owners of Tax Map 634, Lots 1 and 2 located at 65-89 Whittemore Road in the Medium Density-Residential (R1) Zone, the Limited Office (LO) Zone, and the Aquifer Conservation (AC), Floodplain Development (FD), and Wetlands Protection (WP) Districts.**

The Applicant proposes to construct a new clubhouse, parking lot, and associated site improvements.

➤ **Special Use Permit Application SUP-AC #20-304**

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

Present: Jeff Merritt, Granite Engineering; Brent Cole, Granite Engineering; Bob MacCormack, owner; Tim Peloquin, Promised Land Survey.

Planner Cronin provided an update. The Pembroke Pines Golf Course is proposing to construct a new clubhouse with associated parking and improvements. The proposal is to build across Whittemore Road from the existing clubhouse. Non-residential site plan dated October 27, 2020 was updated to address comments since November 24, 2020. Revised plans and a traffic addendum were submitted. All town engineer comments are addressed.

At 6:39 p.m. Chairman Seaworth opened the public hearing on Major Site Plan Application #20-104. Chairman Seaworth noted that if this application is not completed tonight, the application and its public hearing will be continued to a future meeting and not renoticed.

Jeff Merritt, civil engineer, stated that the new Pembroke Pines clubhouse will replace the old clubhouse. A new driveway leads to the parking lot and adjacent development the Greens. The first floor will have a lounge, kitchen, restaurant and deck seating on the left side. The lower level will have a golf shop, golf cart storage and locker rooms. The project received two Special Exceptions from the Zoning Board of Adjustment that are required for the project. All of the Town Engineer comments were addressed on the revised plans.

Mr. Pernaw, traffic engineer, spoke about special event parking. He clarified worst case scenario parking due to a function held during the summer golf season. If an event was booked, the restaurant would be closed. Arrival peak hour of 27 vehicles will not change traffic operations at the intersection or driveway. Because the restaurant is larger, there are five vehicles in and five vehicles out over a one hour period due to the larger restaurant. Selectmen's Rep Bond asked where she could find this data. Page two of the January 11, 2021 memo addresses traffic impact and page three addresses increase due to rare special case (function held during golf season). Member Cruson noted that owners at the quadplex were offered an incentive to become members of the golf club. How will that affect the interior traffic? Mr. Pernaw said that the original traffic study focused on Route 3 and Whittemore Road external trips. There would be walking trips between the quadplex and the clubhouse, but it has no traffic implications. Mr. Pernaw noted that there are stop signs and other signage before the main traffic aisle at both ends.

Planner Cronin advised that telephone callers can hit \*6 to mute and unmute themselves. Planner Cronin provide the draft conditions of approval to the applicant. There is a change to proposed condition #13 with conditions #1-6 and #10-12 being precedent, and items #7, 8, and 9 considered subsequent.

Selectmen's Rep Bond asked where the town engineer's note about the crosswalk and signage was addressed. Jeff Merritt stated that Mike Vignale's comments on the crosswalk and signage are on sheet 5. Selectmen's Rep Bond noted that the crosswalk at Whittemore Road goes from the south side to the north side of a town road. Chairman Seaworth said that the town has to approve improvements to town facilities. The applicant will do the offsite improvement and pay for the work on town owned land. Selectmen's Rep Bond asked if the project engineer will work with the town DPW to be sure the crosswalk is installed properly. Chairman Seaworth said the detail is in the drawing package. Jeff Merritt said the request for a crosswalk came from the Town Engineer's review. Placement is part of the design, based on MUTCD uniform traffic controls. Signage leading up to and at the crosswalk are highly regulated standards. On page 22 of 31, in the top left corner, it says the crosswalk will be 18 inches wide and other specifications. Selectmen's Rep Bond thanked Jeff Merritt for the information. Chairman Seaworth stated that the Town Engineer has inspection responsibility. What does the town DPW do on other direct projects? Communication will occur between Mike Vignale and DPW. Jeff Merritt said the visual distance needed at a crosswalk is a function of several variables, including speed, and would be 335 feet of stop sight. There is no deviation from standards, whether done by town or private developer.

Member Cruson envisions the level of traffic within the quadplexes and the golf course will increase. If people treat it as a congested area, walkers should be safe.

Chairman Seaworth reviewed the thirteen draft conditions.

There being no further input Chairman Seaworth closed the public hearing at 7:15 p.m. for tonight. If this business item is not resolved, the application and the public hearing will be continued without being renoticed. Information will be on the town website for a future agenda item.

**MOTION:** Vice Chairman Bourque moved to approve Special Use Permit SUP-AC #20-304 conditionally until Major Site Plan #20-104 has received final approval, at which time the Special Use Permit becomes final for as long as the plan is approved. If at any time the plan is revoked or final approval is not received, the Special Use Permit becomes invalid. Seconded by Member Cruson.

**VOTE:** B. Seaworth – Y K. Foss – Y A. Bond - Y  
B. Edmonds - Y R. Bourque – Y K. Cruson - Y

**MOTION TO APPROVE SUP-AC-#20-304 WITH CONDITIONS PASSED ON A 6-0 VOTE.**

**MOTION:** Vice Chairman Bourque moved to approve Major Subdivision Application #20-04 with the following conditions:

1. Prior to signature, the plans shall be revised to address all review comments from the Town Engineer and any applicable concerns and issues discussed in KV Partners' review letter dated January 19, 2021.
2. All waivers and the date granted shall be listed on the plan.
3. All conditions of approval shall be listed on the plan.
4. The original signatures of all property owners shall be provided on the final plan.
5. The Site Plan Review and Special Use Permit Notices of Decision are to be recorded at the Merrimack County Registry of Deeds and recording fees paid to Town of Pembroke.
6. Joint Use Agreement with Eversource shall be recorded.
7. No deicing materials such as chemicals, sand, or salt shall be stored on-site.
8. The property owner is responsible for the operation and maintenance of all storm water infrastructure shown on the plan.
9. Building permits are required.
10. Pembroke Sewer approval is required.
11. NHDES AOT Permit is required.
12. NHDES Sewer Connection Permit is required.
13. The site plan will not be considered as receiving final approval until conditions precedent #1-6 and #10-12 are met. Items numbered #7, 8, and 9 are considered conditions subsequent.

Seconded by Member Edmonds.

**VOTE:** B. Seaworth – Y K. Foss – Y A. Bond - Y  
B. Edmonds - Y R. Bourque – Y K. Cruson - Y

**MOTION TO APPROVE MAJOR SUBDIVISION APPLICATION #20-04 WITH CONDITIONS PASSED ON A 6-0 VOTE.**

1. **PRIOR TO SIGNATURE, THE PLANS SHALL BE REVISED TO ADDRESS ALL REVIEW COMMENTS FROM THE TOWN ENGINEER AND ANY APPLICABLE CONCERNS AND ISSUES DISCUSSED IN KV PARTNERS' REVIEW LETTER DATED JANUARY 19, 2021.**
2. **ALL WAIVERS AND THE DATE GRANTED SHALL BE LISTED ON THE PLAN.**
3. **ALL CONDITIONS OF APPROVAL SHALL BE LISTED ON THE PLAN.**
4. **THE ORIGINAL SIGNATURES OF ALL PROPERTY OWNERS SHALL BE PROVIDED ON THE FINAL PLAN.**

5. **THE SITE PLAN REVIEW AND SPECIAL USE PERMIT NOTICES OF DECISION ARE TO BE RECORDED AT THE MERRIMACK COUNTY REGISTRY OF DEEDS AND RECORDING FEES PAID TO TOWN OF PEMBROKE.**
6. **JOINT USE AGREEMENT WITH EVERSOURCE SHALL BE RECORDED.**
7. **NO DEICING MATERIALS SUCH AS CHEMICALS, SAND, OR SALT SHALL BE STORED ON-SITE.**
8. **THE PROPERTY OWNER IS RESPONSIBLE FOR THE OPERATION AND MAINTENANCE OF ALL STORM WATER INFRASTRUCTURE SHOWN ON THE PLAN.**
9. **BUILDING PERMITS ARE REQUIRED.**
10. **PEMBROKE SEWER APPROVAL IS REQUIRED.**
11. **NHDES AOT PERMIT IS REQUIRED.**
12. **NHDES SEWER CONNECTION PERMIT IS REQUIRED.**
13. **THE SITE PLAN WILL NOT BE CONSIDERED AS RECEIVING FINAL APPROVAL UNTIL CONDITIONS PRECEDENT #1-6 AND #10-12 ARE MET. ITEMS NUMBERED #7, 8, AND 9 ARE CONSIDERED CONDITIONS SUBSEQUENT.**

2. **Major Subdivision Conditions of Approval Compliance Hearing, Subdivision Plan #19-03, Special Use Permit SUP-WP #19-310, and Special Use Permit SUP-OSD #19-311. Jon Rokeh, Rokeh Consulting, LLC, acting as Applicant on behalf of San-Ken Homes, Inc., owner of Tax Map 262, Lots 43 & 45 located at 373 Fourth Range Road in the Rural/Agricultural-Residential (R3) Zone and the Wetlands Protection (WP) District.**

The Applicant requests a compliance hearing on the conditions of approval for a 56-lot Open Space Development, which was conditionally approved on September 22, 2020. Discussion is limited to the conditions of approval on the Subdivision and Special Use Permits, including sidewalks, easements and deeds, and any other conditions that require discussion.

Present: Jon Rokeh, Rokeh Consulting, LLC

Chairman Seaworth noted that Member Cruson is recusing herself for this hearing.

Chairman Seaworth noted that in a compliance hearing, discussion is limited to conditions that need to be met before the approval is signed. In this instance there are more complex conditions. The state requires the Planning Board to hold an additional public hearing if it includes discretionary judgement of the board.

Planner Cronin noted that since early December, the applicant submitted revised plans. Town Engineer Mike Vignale approved the revised plans. Revisions have been made to the condominium documents, with language this is suitable to all parties. Town Counsel is in agreement with the condominium document provisions to allow the town to enforce specific items.

At 7:25 p.m. Chairman Seaworth opened the public hearing on the compliance hearing requested by the applicant on the conditions of approval for a 56-lot Open Space Development, which was conditionally approved on September 22, 2020. The scope of

the hearing is as Planner Cronin described. If the hearing is not completed tonight, it will be continued to another meeting and will not be renoticed.

Jon Rokeh, Rokeh Consulting LLC, presented on behalf of the applicant San Ken Homes. Revised plans that addressed Town Engineer comments were submitted to the State of NH DES for updated AOT and State permits. Jon Rokeh stated that he believes all conditions of approval have been met. Applicant has submitted a voluntary lot merger form that needs Chairman of Planning Board signature. Chairman of the Planning Board signature is needed on the mylars when available.

Planner Cronin stated we just received the lot merger application tonight. That is why it is not on the agenda. Planner Cronin said the lot merger is the first step needed for recording the plan. A motion authorizing the Chair to sign the voluntary lot merger is needed.

Chairman Seaworth asked where in the sidewalk detail is the ADA tip down location shown. Jon Rokeh said on sheet 17. Selectmen's Rep Bond asked if there was a bus shelter on the plan. Jon Rokeh stated that the bus shelter was an option included with the wide shoulder proposal. We are installing 2,000 feet of sidewalk all the way up to the town road. Jon Rokeh said there will not be a bus shelter. Jon Rokeh spoke of a similar development by the applicant in another town that has few children. We are not anticipating that many children will be living in the development. Selectmen's Rep Bond asked for and received clarification that Unit 56 is the existing home.

Chairman Seaworth stated he would be looking for two motions if the Planning Board is satisfied that the changes to the plan meet our approval. One motion is to authorize the Chair to sign the request for voluntary lot merger. The other is to find whether the plan satisfies the conditions of approval, in which case the Mylars would be signed.

Chairman Seaworth closed the public hearing on Conditions of Approval Compliance Hearing at 7:37 p.m. If this matter is not completed tonight, it will be continued to a future meeting and will not be renoticed. Please check with the Planning Department or the town website for future agendas.

**MOTION:** Vice Chairman Bourque moved to authorize the Planning Board Chair to sign the voluntary Lot Merger on the Board's behalf. Seconded by Selectmen's Rep Bond.

**VOTE:** B. Seaworth – Y K. Foss – Y A. Bond - Y  
B. Edmonds - Y R. Bourque – Y

**MOTION TO AUTHORIZE PLANNING BOARD CHAIR TO SIGN THE VOLUNTARY LOT MERGER PASSED ON A 5-0 VOTE.**

**MOTION:** Vice Chairman Bourque moved that based on the changes to the plan before the Board at this compliance hearing, the applicant has satisfied the conditions of approval. Seconded by Selectmen's Rep Bond.

**VOTE:** B. Seaworth – Y K. Foss – Y A. Bond - Y  
B. Edmonds - Y R. Bourque – Y

**MOTION THAT BASED ON THE CHANGES TO THE PLAN BEFORE THE BOARD AT THIS COMPLIANCE HEARING, THE APPLICANT HAS SATISFIED THE CONDITIONS OF APPROVAL PASSED ON A 5-0 VOTE.**

**MOTION:** Vice Chairman Bourque moved to authorize the Planning Board Chair to sign Major Subdivision Plan #19-03 mylars on the Board's behalf. Seconded by Selectmen's Rep Bond.

**VOTE:** B. Seaworth – Y K. Foss – Y A. Bond - Y  
B. Edmonds - Y R. Bourque – Y

**MOTION TO AUTHORIZE PLANNING BOARD CHAIR TO SIGN THE MAJOR SUBDIVISION PLAN MYLARS PASSED ON A 5-0 VOTE.**

Chairman Seaworth thanked the applicant for participating in this process.

Member Cruson rejoined the Planning Board.

### **Minutes**

- January 12, 2021

**MOTION:** Member Cruson moved to approve the minutes of January 12, 2021 as amended (clarification on page three). Selectmen's Rep Bond seconded.

**VOTE:** B. Seaworth – Y K. Foss – Abstain A. Bond - Y  
B. Edmonds - Y R. Bourque – Y K. Cruson-Y

**MOTION TO APPROVE MINUTES OF JANUARY 12, 2021 AS AMENDED PASSED ON A 5-0-1 ABSTAIN VOTE.**

### **Miscellaneous**

1. Correspondence - none
2. Committee Reports – Selectmen's Rep Bond reported that the Board of Selectmen met last week. The Board did not vote to open 350 feet of Upper Beacon Road on a 2-2 vote. The Board is finalizing the town budget for a budget hearing on February 4, 2021. At the February 1, 2021 meeting the Board of Selectmen will discuss when to hold annual meeting. Member Cruson reported that a guest speaker from NH Business and Economic Development was at the Central NH Regional Planning Commission meeting. He noted that unless municipalities have a shovel ready plan, there is not enough time to access funding that is coming available. He spoke about business and schools partnering to expand broadband. Vice Chairman Bourque asked for a breakdown of the Board of Selectmen vote on Upper Beacon Road. Selectmen's Rep Bond said that Mike was absent, Karen and Ann voted yes, and Sandy and Dick voted no. Vice Chairman Bourque reported that the ZBA met and approved a replacement garage on Buck Street. Tri Town EMS meeting was cancelled.

Selectmen's Rep Bond clarified that the applicant was asking for 350 feet at the bottom of Upper Beacon be opened to access his land. There would be no egress to Pembroke Street. The School Board announced that their annual meeting will be held May 1, 2021. Chairman Seaworth noted that there is no change to voting day on Tuesday. The governor took the language of a bill in process and made it an Emergency Order that takes effect immediately. The intent is to put the language into law along with absentee ballot language. Selectmen's Rep Bond confirmed that town

elections will be held March 9, 2021 at Pembroke Academy from 11:00 am to 7:00 pm. The volume of decisions is less. Polling hours are less, and this election will get people into positions quickly.

**3. Other Business**

**Five Alternate Member seats** – Chairman Seaworth noted that NONE of the Alternate Planning Board member seats are filled. He asked the public on the meeting to consider joining the Planning Board.

**4. Planner Items** – Planner Cronin reported that the February 9, 2021 meeting will be a hybrid online/in person meeting at Pembroke Academy to hold a public hearing on the updated Master Plan. Ms. Cronin said a flyer went out with tax bills and notice will be posted in the newspaper and on the town website on Friday.

**5. Board Member Items –**

Selectmen's Rep Bond asked members to think about applicants to replace the person who takes the minutes because she would like to retire from this position early this year.

**6. Audience Items - none**

**MOTION:** Selectmen's Rep Bond moved to adjourn the meeting. Seconded by Member Cruson.

Without objection the meeting was adjourned at 8:01 p.m.

Respectfully submitted,  
Susan Gifford, Recording Secretary