

**Pembroke Planning Board
Meeting Minutes
(Approved April 13, 2021)
March 23, 2021**

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

ALTERNATES PRESENT:

MEMBERS EXCUSED:

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. Seven members were present.

New Business

1. **Major Subdivision Application #21-02, Keystone Pembroke, LLC, owner of Tax Map 634, Lots 1 located at Whittemore Road in the Medium Density-Residential (R1) Zone and the Aquifer Conservation (AC) and Wetlands Protection (WP) Districts.**

The Applicant proposes an amendment to the previously approved "Greens at Pembroke Pines" Subdivision Plan #17-03 to include two additional residential units.

➤ **Special Use Permit Application SUP-AC #21-301**

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

➤ **Special Use Permit Application SUP-OSD #21-302**

The Applicant requests to amend Special Use Permit #17-306 in accordance with Article X, Open Space Development to include two additional residential units.

Present: Tim Peloquin, Promised Land Survey; Brent Cole and Jeff Merritt, Site Engineers

Planner Cronin provided an overview of the amended Major Subdivision Application #21-02. In May 2018, the applicant received approval for an Open Space Development consisting of 18 4-plex buildings (totaling 72 units) and 3 single-family homes, with 33 acres set aside for conservation. The buildings have all been constructed. The applicant requests an amendment to the approved plan and special use permit to include two additional units within an existing 4-plex building, to result in a 6-plex building with a maintenance garage attached. The units are proposed to be served by town water and sewer. The use requires a Special Exception in the R1 Zone. The Applicant received approval of Special Exception by the Zoning Board on March 22nd. The use also requires a Special Use Permit in the AC District.

A TRC meeting was held on March 9, 2021. Many concerns were raised about street numbering and access for emergency services. A site walk is scheduled later this week to resolve these concerns.

Documents reviewed include:

- Subdivision plan titled, "The Greens at Pembroke, Amended Site Plan," dated February 17, 2021
- Subdivision Application
- Major Subdivision Review Checklist & Waiver Requests
- Special Use Permit Applications & Special Use Permit Review Checklists
- Project Narrative
- Traffic Memo prepared by Stephen G. Pernaw & Company, Inc. dated March 8, 2021

Tim Peloquin, Promised Land Survey,

MOTION: Vice Chairman Bourque moved to grant the waiver requests for checklist items Part A - B, H, K, N, O, R, U and V and Part B Roadway profiles and C Roadway cross-sections as requested by the applicant.

Seconded by Member Hanson.

VOTE: B. Seaworth – Yes K. Foss – Yes A. Bond - Yes
B. Edmonds - Yes R. Bourque – Yes K. Cruson – Yes
C. Hanson - Yes

MOTION TO GRANT THE WAIVER REQUESTS AS LISTED ABOVE PASSED ON A 7-0 VOTE.

MOTION: Vice Chairman Bourque moved to accept the application as complete.

Seconded by Member Hanson.

VOTE: B. Seaworth – Yes K. Foss – Yes A. Bond - Yes
B. Edmonds - Yes R. Bourque – Yes K. Cruson – Yes
C. Hanson - Yes

MOTION TO ACCEPT THE APPLICATION AS COMPLETE PASSED ON A 7-0 VOTE.

At 6:42 p.m. Chairman Seaworth opened the public hearing on Minor Subdivision Application #21-02. If this business item is not resolved tonight, the application and the public hearing will be continued without being renoticed. Information will be on the town website for a future agenda item.

Tim Peloquin, Promised Land Surveying, introduced site engineers Brent Cole and Jeff Merritt. Mr. Peloquin explained that he and the engineers worked on the Greens at Pembroke Pines and new clubhouse project together. It is an exceptionally clean site, well maintained, built quickly and is quality construction.

Bob MacCormack, owner, stated there are single family homes along Whittemore. Most of the quadplex buildings are built on slab, but the building where the additional two units are proposed has a full walkout basement due to 12-foot slope. The building has view of the 18th hole. The additional two units would be in the rear of the building instead of having wasted space. All the units are completely full, so there is demand for this type of housing. The Greens was built in 13 months. The proposal is to take a 4 plex building to a 5 plex building. Mr. MacCormack reported that applicant has secured a Special Exception from the ZBA on March 22, 2021 with no objections from abutters.

Vice Chairman Bourque asked about the resident parking area of six spots in the rear of the building. Will there be signs that indicate the parking is reserved for residents and not use of club members. Tim Peloquin said that is a good question. We should put signage to that effect in the 6-space lot. Mr. Peloquin provided an overview of the integration of the parking lot. There will be a small, landscaped island between the two parking spaces. There is a site walk scheduled later this week to address 911 and safety responder concerns.

Vice Chairman Bourque asked about the floor plan, specifically the small maintenance area marked for storage. Will there be any chemicals or hazardous materials stored in that area? Bob MacCormack stated that there will be no storage of chemicals or gasoline. Storage of wheel barrels, shovels and rakes is planned in that maintenance area. Vice Chairman Bourque asked if any motorized equipment will be stored. Bob MacCormack said there may be storage of tractors or lawn mowers, but no storage of gasoline. The maintenance unit is fire rated, with sprinklers installed and alarms. Vice Chairman Bourque stated his concern was fumes and that the two additional residences in the basement will have an ejector pump. Tim Peloquin noted there is no difference between the structure of the maintenance storage area and the other 72 garages. Each of the units already built has a garage, but the two additional units will not have a garage. Member Cruson clarified that parking for the two additional units would be in the rear of the building.

Vice Chairman Bourque asked if the applicant would provide contact information for a 24-hour emergency service number for any water or sewer issues. This would be to help the residents. Also, will the pump have backup power. Bob MacCormack said we plan to provide a backup generator for that duplex pump. If the power goes out, the pump will continue to run. Chairman Seaworth asked about timing of the six new parking spaces and the larger parking lot for the new clubhouse. Bob MacCormack stated the parking lot may come a bit later. Brent Cole stated that the red area on the plan sheet he shared will get built right away. It will have two-way traffic and access from Eagles Way. The 22-foot wide roadway to the building below with six parking spaces will be built as part of the red area.

Member Edmonds asked for clarification of the March 9, 2021 Technical Review Committee minutes which says the two units are fourth in line for sewer connection approval. Vice Chairman Bourque noted that Paulette Malo, Sewer Commission, stated there is agreement between Allenstown and Pembroke to create a list of applications waiting for sewer connections. Brent Cole said he is in contact with the Sewer Commission and the timeframe to get connections for the list is intended to be done quickly. The basement is waiting for construction. Brent Cole confirmed that the ejector pump is 14 inches below grade.

Chairman Seaworth asked about the safety concerns discussed at TRC. How do you number these units that are not accessed by Nadine Drive? Planner Cronin noted if the address is on Nadine Drive, police, fire, and ambulance may come to the front of the building and lose response time. Access to the two additional units is through Eagles Way. There also needs to be adequate turnaround for the ambulance and other emergency response vehicles. The site walk will get everyone on the same page. Tim

Peloquin said there is ample room for turnaround. Vice Chairman Bourque asked if the half circle radius is adequate for fire equipment. Brent Cole stated he would show the turn on a fire exhibit. Vice Chairman Bourque noted fire and ambulance concerns need to be addressed before any certificate of occupancy is issued. Tim Peloquin stated we will make amicable accommodations for addresses and turnaround at the site walk.

Chairman Seaworth noted that there are outstanding town engineer comments. Planner Cronin stated that the town engineer made three comments relative to stormwater in an email, less formal than his usual letter. Brent Cole and Jeff Merritt noted that the information Steve Keach is seeking is on the design set for the Pembroke Pines clubhouse. Response to the town engineer comments will be put on the two-unit construction set as well.

Selectmen's Rep Bond observed that there is a small fence dog park on the property. Tim Peloquin clarified that it is an amenity put in for the residents and their cats/dogs. It is not a public park. Chairman Seaworth summarized that the outstanding items are police, fire, ambulance concerns and engineering comments. The board could wait for the results of the site walk or vote on conditional approval tonight. Chairman Seaworth reviewed the thirteen proposed conditions. The requirement for a Special Exception can be taken off the list. Two other conditions need to be added to the list. One would be requiring signage designating parking reserved for residents and a fire exhibit.

Planner Cronin noted that trash pickup would be provided if a road is accepted as a town road. Department of Public Works policy is that if there are six or more units in a building, they will not pick up trash. The remaining four plexes would get trash pickup. Chairman Seaworth asked for clarification which roads are private. Eagles Way is private, and Birdie Circle will be public road. There is one 4 plex facing Eagles Way. Will that building receive trash pickup? Bob MacCormack explained that it was agreed with DPW that 44 Eagles Way would not be provide trash service. Chairman Seaworth asked with two new units going in, would the entire building no longer get trash pickup. Planner Cronin stated DPW policy is by building. Vice Chairman Bourque noted that condition item #8 should also include DPW. Chairman Seaworth asked if two additional and one amended condition would be acceptable to the applicant. Bob MacCormack said that is satisfactory to the applicant.

Planner Cronin read language for the two additional conditions #13 and #14. Signage is required that parking is for residents not guests, and applicant will provide a fire exhibit showing the plan for the U-turn. Chairman Seaworth said the items for the site walk were addressing for 911 and turnaround for emergency vehicles. Brent Cole said both areas subject to review and approval by Town departments and town engineer. Selectmen's Rep Bon asked what the date and time for the site walk is. Planner Cronin said it is Thursday March 25, 2021 at 10:00 a.m. Planner Cronin will post an agenda in case there is a quorum of Planning Board members. Selectmen's Rep Bond suggested inviting DPW to the site walk as well.

Chairman Seaworth stated that four letters were received in support of the Aquifer Conservation Special Use Permit. Pembroke Water Works, Health Officer, Planner and Conservation Commission have no concerns.

There being no further input Chairman Seaworth closed the public hearing at 7:30 p.m. for tonight. 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.

MOTION: Vice Chairman Bourque moved to approve Special Use Permit SUP-AC #21-301 conditionally until Major Subdivision #21-02 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 – Yes K. Foss – Yes A. Bond - Yes
B. Edmonds - Yes R. Bourque – Yes K. Cruson – Yes
C. Hanson - Yes

MOTION TO CONDITIONALLY APPROVE SPECIAL USE PERMIT PASSED ON A 7-0 VOTE.

MOTION: Vice Chairman Bourque moved to approve amended Special Use Permit SUP-OSD #21-302 conditionally until Major Subdivision #21-02 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 – Yes K. Foss – Yes A. Bond - Yes
B. Edmonds - Yes R. Bourque – Yes K. Cruson – Yes
C. Hanson - Yes

MOTION TO CONDITIONALLY APPROVE SPECIAL USE PERMIT PASSED ON A 7-0 VOTE.

MOTION: Vice Chairman Bourque moved to approve Minor Subdivision Application #21-01 with the following conditions:

1. All waivers and the date granted shall be listed on the plan.
2. All conditions of approval shall be listed on the plan.
3. The original signatures of all property owners shall be provided on the final plan.
4. Prior to signature, the signature block shall be amended to the language in the Subdivision Review Checklist.
5. Prior to signature, the plans shall be revised to address all review comments from the Town Engineer discussed on March 9, 2021.
6. The final plan and the Special Use Permit Notices of Decision shall be recorded at the Merrimack County Registry of Deeds. LCHIP check to accompany the final plan.
7. Access and addressing shall be satisfactory to Pembroke emergency services departments (Police, Fire, Ambulance and Town Engineer).
8. Condominium documents and plans shall be amended by the applicant, reviewed and approved by the Town Attorney, and recorded prior to establishing a condominium ownership.

9. All recording fees shall be paid to Town of Pembroke.
10. Town sewer and water approval is required.
11. All applicable federal, state, and local approvals are required.
12. The plan will not be considered as receiving final approval until all conditions of approval are met.

Seconded by Member Hanson.

VOTE: B. Seaworth – Yes K. Foss – Yes A. Bond - Yes
 B. Edmonds - Yes R. Bourque – Yes K. Cruson – Yes
 C. Hanson - Yes

MOTION TO APPROVE MINOR SUBDIVISION APPLICATION #21-01 WITH CONDITIONS PASSED ON A 7-0 VOTE.

Minutes

- February 23, 2021

MOTION: Member Foss moved to approve the minutes of February 23, 2021 as amended (page 6, change of speaker from Cruson to Edmonds). Vice Chairman Bourque seconded.

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

MOTION TO APPROVE MINUTES OF FEBRUARY 23, 2021 AS AMENDED PASSED ON A 6-0-1 ABSTAIN VOTE.

Miscellaneous

1. Correspondence – none
2. Committee Reports –

Member Cruson reported that Central NH Regional Planning Commission has scheduled a meeting on March 31, 2021 at 7 pm. Member Cruson has a conflict and is looking for coverage. Vice Chairman Bourque reported that ZBA met 3/22/2021 and approved a Special Exception for Keystone Pembroke LLC, a variance for a home addition, and a conditional Special Exception for Donnelly day care center. The day care center also must complete State of NH licensing requirements.

Chairman Seaworth reported that Roads Commission met at the beginning of March. They approved contracts for paving and crack sealing in 2021. Both were low bidders, and the crack sealing company is the same as last year. GMI provided an informative presentation on road preservation based on timely maintenance that extends the life of the road.

Clint Hanson reported that PACE has a new Interim Executive Director. The tenant PACE had last year moved back to Arkansas due to business downturn. The space is open and may be used for program purposes.

Selectmen's Rep Bond reported that town voting on March 13 went very well. Residents wore masks and maintained social distancing. Selectmen's Rep Bond noted that Pembroke prohibits use of OHRV on range roads from 12/31 to 3/31 each year. All other

towns prohibit OHRV use from 12/31 to 5/31. A public hearing will be held at the Board of Selectmen meeting on Wednesday (new meeting night) April 7, 2021 at 7:00 pm to expand the time frame to 5/31. A public hearing on parking on Buck Street related to range roads will also be held April 7. This meeting will be held at Pembroke Academy auditorium. Other topics the BOS is considering are parking agreement with church on Main Street, clock tower, solid waste contract 2022 and purchase of dump truck.

3. Other Business

Five Alternate Member seats – Planner Cronin noted that NONE of the Alternate Planning Board member seats are filled.

4. Planner Items – Planner Cronin reported that all the zoning amendments passed at Town Meeting. Once the Master Plan received the Town Clerk seal, Mike Tardiff, CNHRPC, will make copies and distribute. Planner Cronin reported that the town is receiving many outdoor dining requests. A temporary Outdoor Dining policy is being written.
5. Board Member Items – Member Edmonds asked about the status of vacant Code Enforcement Officer position. A conditional offer has been made. Selectmen's Rep Bond noted that the shared driveway amendment vote was very close but did pass. Chairman Seaworth noted that a large bill at NH Legislature trying to streamline zoning and planning for new development has been tabled, effectively ending it for this year.
6. Audience Items - none

MOTION: Vice Chairman Bourque moved to adjourn the meeting. Seconded by Member Hanson.

Without objection the meeting was adjourned at 7:56 p.m.

Respectfully submitted,
Susan Gifford, Recording Secretary