

**Pembroke Planning Board**  
**Meeting Minutes**  
**May 24, 2022**  
(Approved May June 14, 2022)

**MEMBERS PRESENT:** Brian Seaworth, Chairman; Robert Bourque, Vice Chairman; Kathy Cruson, Brent Edmonds, Kevin Foss, Rick Frederickson, Selectmen's Rep.; Clint Hanson

**ALTERNATES PRESENT:** Bryan Christiansen

**MEMBERS EXCUSED:**

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

Chairman Seaworth called the meeting to order at 6:30 pm. Seven members and one alternate member were present. Welcome to the board's new Selectman's Rep Rick Frederickson. Vice Chairman Robert Bourque recused himself from both cases of new business, having participated in the Zoning Board of Adjustment hearing for these applications. Chairman Seaworth designated Bryan Christiansen to vote for Robert Bourque on these applications.

**New Business**

1. **Major Subdivision Application #22-01, Keystone Pembroke, LLC, owner of Tax Map 634, Lot 23 located at 42 Whittemore Road in the Limited Office (LO) Zone, the Aquifer Conservation (AC) District, and the Wetlands Protection (WP) District.**

The Applicant proposes to subdivide the lot into five lots: three single-family residential lots to be served by town water and sewer, one lot for proposed multifamily development, and the remainder as part of the golf course.

Planner Cronin provided an overview of the application. The Applicant proposes to subdivide the parcel into a total of five lots in preparation for the accompanying site plan application. The proposal is to subdivide the property to create three new single-family lots fronting on Whittemore Road, one lot to be used for a proposed townhouse development, and the remainder of the lot to remain as part of the golf course. A TRC meeting was held on May 10, 2022. DPW had concerns about the drainage running across the new single-family lots and the maintenance associated with them. A copy of the plan was sent to the Superintendent of Schools. The Town Engineer is currently reviewing the plans. The applicant requested checklist waiver requests from Part A: M. drainage plan, O. test pits, T. phasing plan, W. open space development and from Part B: A through F. Construction details and roadway plans. The waivers are reasonable as they do not apply to the subdivision plan. There is some pending information and changes to be made to the final plan.

**MOTION:** Member Edmonds moved to grant the waiver requests for checklist items Part A – M., O., T., and W. and Part B – Construction Plans A, B, C, D, E, and F as requested by the applicant. Seconded by Member Foss.

**VOTE:**

B. Seaworth – Y	R. Frederickson – Y
B. Edmonds - Y	K. Foss - Y
C. Hanson - Y	B. Christiansen – Y
	K. Cruson – Y

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

**MOTION:** Member Edmonds moved to accept the application as complete. Seconded by Member Foss.

**VOTE:** B. Seaworth – Y R. Frederickson – Y K. Foss - Y  
B. Edmonds - Y B. Christiansen – Y K. Cruson – Y  
C. Hanson - Y

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

Planner Cronin noted that although Major Subdivision Application #22-01 is tied to the following application on tonight's agenda, the subdivision application is a five-lot subdivision only and discussion should be limited to the subdivision plan.

At 6:37 p.m. Chairman Seaworth opened the public hearing on Major Subdivision application #22-01. 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 Survey, on behalf of owner Bob MacCormack, also present, stated that Pembroke Golf, LLC is the owner of all the lots. The lots are all part of the golf course. A year ago, an application to construct a new clubhouse was approved and it is under construction now. The old clubhouse and the driving range will be razed. The intent is to subdivide the land into three single-family home lots along Whittemore Road in the LO District known as lots 23-1, 23-2, and 23-3. The homes will have town water and sewer, and are like the three single-family homes built in the Greens at Pembroke Pines I. Proposed lot 23-4 is 1,373 acres, meets subdivision regulations, and will be the subject of a multifamily site plan later. Lot 23-5 is the golf course, the remaining 59.5 acres. The front nine will remain as 59.5 acres. This is a proposed five lot subdivision.

Rick Frederickson, Selectman's Rep, asked about the line cutting across the plan. Tim Peloquin explained that line represents a 100-foot Eversource easement with restrictions. Small poles run along it. Future single-family homeowners will be allowed to plant grass in the easement. Chairman Seaworth noted that any one of these lots are affected by the easement. Can driveways and buildings go through the easement? Tim Peloquin responded that half the land within the lot can be included in buildable area because the homes will have town water and sewer. Chairman Seaworth asked about wetlands or steep slopes on any of the lots. Tim Peloquin referred to page 2 of the plans showing a small corner of lot two that has wetlands going down to a culvert. At TRC, drainage of the seasonal brook to Woodlawn Ridge culvert was discussed. The lots meet all zoning setback requirements. The 50-foot wetland buffer is shown on sheet six. The building envelope represents where a home can be built.

Alternate Member Christiansen asked if the owner anticipates any further subdivision of the front nine holes. Bob MacCormack stated his intention is to keep the front nine intact. A multimillion-dollar clubhouse is being built to keep and maintain the golf course. Bob MacCormack stated he is funding the clubhouse by selling land to a development

company. We have no intention of any further subdivision. We plan to keep an 18-hole golf course. A nine-hole golf course is not a sustainable venture.

Kevin Murray with Associated Grocers at 11 Cooperative Way asked about sewer capacity for the project.

Planner Cronin confirmed that the plan approval will be conditional on getting final signoff from Pembroke Water Works and Pembroke Sewer Commission. The sewer gallonage allotted to Pembroke has increased and there is capacity at this time.

Chairman Seaworth noted that the Town Engineer is still reviewing the plans. When we close the public hearing tonight, the subdivision project will likely be continued to a future date.

Rick Frederickson asked for clarification that the new clubhouse is across the street from the old clubhouse. Tim Peloquin said yes that is correct, and it is not shown on these plans. Tim Peloquin will provide an overview of the entire golf course and amenities for the next meeting.

There being no further input Chairman Seaworth closed the public hearing on Major Subdivision Application #22-01 at 6:56 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:** Member Hanson moved to continue consideration of New Business Agenda Item #1 to the June 28, 2022 meeting.

Seconded by Member Foss.

**VOTE:**            B. Seaworth – Y                            R. Frederickson – Y K. Foss - Y  
                         B. Edmonds - Y                           B. Christiansen – Y K. Cruson – Y  
                         C. Hanson - Y

**MOTION TO CONTINUE NEW BUSINESS AGENDA ITEM #1 TO THE JUNE 28, 2022 MEETING PASSED ON A 7-0 VOTE.**

**2. Major Site Plan Application #22-101, Keystone Pembroke, LLC, owner of Tax Map 634, Lot 23 located at 42 Whittemore Road in the Limited Office (LO) Zone, the Aquifer Conservation (AC) District, and the Wetlands Protection (WP) District.**

The Applicant proposes a 62-unit multifamily townhouse development to be served by town water, town sewer, and private roadway network.

➤ **Special Use Permit Application SUP-AC #22-305**

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-WP #22-306**

The Applicant requests a Special Use Permit in accordance with Article 143-72.D.(2) and (3), Wetlands Protection District, for impacts to the wetlands and wetlands buffer to construct a roadway and alter the surface configuration of the land. The project includes 73,000 SF of buffer impacts and 365 SF of permanent wetland impact

Planner Cronin provided an overview of the Major Site Plan. The applicant proposes to construct a 62-unit multifamily development consisting of nine 6-unit buildings and two 4-unit buildings. The site includes two new private roadways, stormwater infrastructure, and resident and visitor parking. The development is proposed to connect to town water and sewer.

A TRC meeting was held on May 10, 2022. Traffic, intersection design, firefighting water, stormwater drainage, and off-site improvements were discussed. A copy of the plan was sent to the Superintendent of Schools. The Town Engineer is currently reviewing the plans.

The Board should consider the Development of Regional Impact criteria. According to the Site Plan Regulations, a development shall be considered to have regional impact in the case of a total of 60 or more dwelling units. The Board should discuss and vote on the regional impact of the project and consider which towns to notify.

The Applicant has submitted the following checklist waiver requests: Part A. I. storage of hazardous materials and Q. MSDS. The checklist waiver requests are appropriate as they are not typically applicable to residential use. A waiver of these items does not preclude the Board from further discussion or requirements for these or similar items. Waiver requests were also submitted for length of roadway and landscaping but those items will be discussed during the public hearing process.

**MOTION:** Member Edmonds moved to grant the waiver requests for checklist items Part A – General Information I., and Q. as requested by the applicant. Seconded by Member Cruson.

**VOTE:** B. Seaworth – Y R. Frederickson – Y K. Foss - Y  
B. Edmonds - Y B. Christiansen – Y K. Cruson – Y  
C. Hanson - Y

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

**MOTION:** Member Edmonds moved to accept the application as complete. Seconded by Member Foss.

**VOTE:** B. Seaworth – Y R. Frederickson – Y K. Foss - Y  
B. Edmonds - Y B. Christiansen – Y K. Cruson – Y  
C. Hanson - Y

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

The Board discussed the Development of Regional Impact criteria. According to the Site Plan Regulations, Section 203-14.A.(1), a development shall be considered to have regional impact in the case of “proposed site plans where, within 5 years or less, a total of 60 or more dwelling units would be constructed.” Board discussed that Central NH Regional Planning Commission, Allenstown, Hooksett, and Concord should be notified of DRI.

**MOTION:** Member Hanson moved to declare the application as a Development of Regional Impact pursuant to Site Plan Regulations 203-14.A.(1) and continue the public

hearing for Major Site Plan #22-101, Special Use Permit SUP-AC #22-305, and SUP-WP #22-306 to June 28, 2022.

Seconded by Member Foss.

**VOTE:** B. Seaworth – Y R. Frederickson – Y K. Foss - Y  
B. Edmonds - Y B. Christiansen – Y K. Cruson – Y  
C. Hanson - Y

**MOTION THAT MAJOR SITE APPLICATION #22-101 IS A DEVELOPMENT OF REGIONAL IMPACT, AND TO CONTINUE THE PUBLIC HEARING TO JUNE 28, 2022, PASSED ON A 7-0 VOTE.**

Chairman Seaworth stated that Vice Chairman Bourque rejoined the Planning Board at 7:05 p.m. and Alternate Member Christiansen went back to alternate status.

### **Minutes**

- April 26, 2022
- May 10, 2022

**MOTION:** Vice Chairman Bourque moved to approve the minutes of April 26, 2022, as presented. Member Hanson seconded.

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

**MOTION TO APPROVE MINUTES OF APRIL 26, 2022, AS PRESENTED PASSED ON A 4-0-3 ABSTAIN VOTE.**

**MOTION:** Member Hanson moved to approve the minutes of May 10, 2022, as presented. Vice Chairman Bourque seconded.

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

**MOTION TO APPROVE MINUTES OF MAY 10, 2022, AS PRESENTED PASSED ON A 6-0-1 ABSTAIN VOTE.**

Members Cruson and Foss both pointed out changes they would like to make to the May 10, 2022 minutes.

**MOTION:** Member Hanson moved to reconsider the previous motion to approve the minutes of May 10, 2022. Selectmen's Rep Frederickson seconded.

**VOTE:** B. Seaworth– Y R. Frederickson - Y C. Hanson - Y  
K. Cruson - Y K. Foss - Y R. Bourque – Y  
B. Edmonds- Y

**MOTION TO RECONSIDER APPROVAL OF THE MINUTES OF MAY 10, 2022 PASSED ON A 7-0 VOTE.**

**MOTION:** Member Hanson moved to approve the minutes of May 10, 2022, as amended (change "Northfield" to "Northwood" in paragraph 1, page 2 and strike last sentence of paragraph 2, page 2). Vice Chairman Bourque seconded.

**VOTE:** B. Seaworth– Y R. Frederickson - Abstain C. Hanson - Y

K. Cruson - Y      K. Foss - Y  
B. Edmonds- Y

R. Bourque – Y

**MOTION TO APPROVE MINUTES OF MAY 10, 2022, AS AMENDED PASSED ON A 6-0-1 ABSTAIN VOTE.**

Chairman Seaworth stated that Town of Pembroke currently imposes seasonal weight limits on dirt and gravel roads due to spring melt and traffic on the road. Weight limits have not been imposed on paved roads. Member Cruson asked if the question had been sent to Roads Commission. Chairman Seaworth stated that the issue was sent to the DPW Director and was also forwarded to the Town Engineer for his thoughts. The issue brought up at the work session was accelerated damage observed on Pembroke Hill Road. Member Edmonds noted that he had same discussion with Mike Vignale, and Mike Vignale's comment was that paved roads should be adequate to support legal loads. Vice Chairman Bourque noted that although paved roads do not have weight limits, towns can get NH DOT involved to determine if weight of 10-wheeler truck plus its load is at or below recommended weight. Vice Chairman Bourque explained that when a truck comes out of a pit with a load, they receive a ticket for gross weight of vehicle plus load. Gross weight of vehicle is on the vehicle registration. Town police can stop a truck anywhere and request to look at its weight ticket for the load. Selectman's Rep Frederickson asked if it would be helpful to ask for a report of loaded truck weight over the past year from the local sand and gravel pit. Member Cruson noted that the trucks she has observed are not local trucks from this area.

Member Hanson noted that projects subcontract a truck, who then fills up truck with required material. The Town Engineer is still reviewing the situation. Selectmen's Rep Frederickson asked if it would be helpful for him to advise the Board of Selectmen on the concern of weight limit and traffic on Pembroke Hill Road. Member Cruson stated that she can see down three courses of pavement when she walks on Pembroke Hill Road. Member Cruson noted she has observed dump trucks pulling excavation equipment on trailers.

Vice Chairman Bourque stated that during a truck stop, police can see gross weight of load and truck. The pit weighs the truck empty, then again upon leaving with a load of material. Member Hanson asked if the truck contractor is paying for 50,000 pounds or 60,000 pounds of material if a truck determined to be overweight. Vice Chairman Bourque noted that earth work is usually subcontracted to drivers and trucks. The driver is personally responsible for correct weight of any load they haul. Member Edmonds stated that the most common offender of overweight truck loads is asphalt and crushed stone, which are heavy materials. Member Edmonds agreed it is good practice to stop trucks and check weight slips occasionally. Board consensus was to wait for Town Engineer comments before implementing any enforcement actions.

Chairman Seaworth noted that Pembroke Hill Road was on the 2023 DPW plan but has been pushed out to 2024 after the existing construction project is complete.

**Miscellaneous**

1. Correspondence – Planner Cronin received a NH DOT copy of an expedited minimum impact wetlands permit application from Town of Pembroke for a culvert on Borough

Road by French's Brook. Member Foss noted that Conservation Commission has reviewed that application. The steel is rusting at the bottom. The solution proposed by DPW is to increase the 48-inch CLP to a 60-inch plastic pipe culvert which involves some wetland impact.

**2. Committee Reports - –**

Board of Selectmen – Chairman Seaworth advised Rick Frederickson, Selectmen's Rep, that Planning Board members are provided with an overview of Board of Selectmen meetings from the Town Administrator. Time is allowed during Committee Reports at each Planning Board meeting for the Selectmen's Rep to discuss any items from BOS meeting that are particularly relevant to Planning Board members.

Technical Review Committee – Vice Chairman Bourque noted that TRC was held on May 10, 2022 for the cases on tonight's agenda.

Alternate Member Christiansen thanked Planner Cronin and Vice Chairman Bourque for the informative, detailed minutes shared from that TRC.

New Selectmen's Rep Frederickson complimented Planner Cronin for the organized and complete data packet provided for this evening's Planning Board meeting. Planner Cronin noted that she is willing to discuss questions from Board members at any time, about packet items or any subject matter.

**3. Other Business - none**

**4. Planner Items - none**

**5. Board Member Items - none**

**6. Audience Items - none**

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

Without objection the meeting was adjourned at 7:36 p.m.

Respectfully submitted, Susan Gifford, Recording Secretary