

**Pembroke Planning Board**  
**Meeting Minutes**  
**October 11, 2022**  
Approved October 25, 2022

**MEMBERS PRESENT:** Brian Seaworth, Chairman; Robert Bourque, Vice Chairman; Brent Edmonds, Kathy Cruson, Kevin Foss, Rick Frederickson, Selectman'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 were present. One alternate member was present.

**New Business**

**1. Comments to Board of Selectmen on RSA 674:41 Application**

Chairman Seaworth stated that this matter is not going to receive a vote or decision by the Planning Board. This is not a public hearing. The discussion and comments are part of a State of NH process for an applicant to request to build on other than a Class V Road. A person applies to the Select Board for an exception. The Planning Board takes into consideration their expertise with planning and zoning issues, and forwards comments to the Board of Selectmen.

Planner Cronin stated that the applicant appealed an administrative decision, and it went to the Zoning Board as an appeal. There is subdivision approval for a lot of record. The applicant is present tonight.

Stephen Reeve, owner, stated I want to build a barn for storage of products. In the past, my son lived across the road and built a barn on his property. He sold that parcel with the barn about ten years ago. Currently, we propose to build an identical barn on my property. The land is used as a wood lot, and gear is now stored in trailers. Shawn Pieterse, contractor for the barn, stated a short section of Class VI Road is needed for access to the proposed barn. It would not benefit the town nor the owner to upgrade that section to Class V Road.

Chairman Seaworth stated that the proposal is for a building that will not be occupied by the current owner. Would the purchase by a future new owner trigger this process again? Planner Cronin stated the Town Attorney stated because the ZBA affirmed this is a lot of record it would not need to go to zoning again. The Building Inspector cannot issue a building permit due to lack of Class V Road, so the matter would likely go back to the Board of Selectmen if a dwelling was proposed on the lot. Vice Chairman Bourque asked if the Selectmen would issue the Certificate of Occupancy. Planner Cronin said probably not because the statute says that the building permit is where the Selectmen have jurisdiction. An occupancy permit just confirms that the building is built to code. Member Cruson asked is there a well on the property. Owner responded no there is not a well. Vice Chairman Bourque asked if having water available for firefighting is a requirement on

this lot. Normally, that would be a fire hydrant, cistern, or pond. Applicant stated that there is a fire hydrant at 657 which is two hundred feet from our property. Chairman Seaworth asked what the distance is from the end of the Class V Road to the barn. Applicant stated the proposed barn is about two hundred feet from the paved road. Chairman Seaworth thanked the applicant for his comments. Planner Cronin confirmed that ambulance, fire, and police would issue their comments to the Board of Selectmen separately.

Member Cruson stated I have no objection to building a barn on this property. Vice Chairman Bourque asked about the condition of Hardy Road. Applicant stated that he goes to the property once a week in a pickup truck and the first two hundred feet is fine. The next 300-400 feet of road is rough. Chairman Seaworth stated that repair of storm damage to the unmaintained section of the road falls to the person who depends on the road. Member Edmonds asked if a stove was used in the barn in winter. Applicant stated no stove is used in the barn. No plowing is done, and he keeps items in cold storage in winter. He uses the barn during spring, summer, and fall. Member Edmonds asked if it is muddy in spring. Applicant stated no, as the land slopes downhill. Chairman Seaworth stated I have no objection to building an unoccupied building on that lot. I agree that a road upgrade does not serve either the owner or the town. Planner Cronin summarized that Planning Board consensus is that the board has no objection to a barn being built on the lot because it will be an unoccupied building, and there is a fire hydrant located nearby. Planner Cronin will forward Planning Board comments to the Board of Selectmen.

## **2. Proposed Zoning Changes for 2023 Town Meeting**

### **a. Refresher of Zoning Audit**

Planner Cronin noted that the deadlines are close to post any proposed zoning ordinance changes for Town meeting 2023. The November workshop date is Election Day. In December, the Planning Board has one combined meeting for workshop and business items. The legal ad for public hearing must be posted the last week of December. Staff has not been able to meet with Matt and Steve from Central NH Regional Planning Commission. Matt and Carolyn are meeting tomorrow. Would members consider holding a workshop meeting in November on another day?

Planner Cronin provided a copy of the zoning audit from Regional Planning in the packet. Members will review and prioritize proposed changes in that document. Chairman Seaworth suggested focus on 2023 recommendations in the report. Recommendations were color coded at three levels, 1) housekeeping changes to format and clarity, 2) items that take some thought but could quickly be reviewed and moved forward and 3) items that require long term planning. Any items that board members feel are critical for 2023? Vice Chairman Bourque noted he agrees that green coded maintenance items could be managed this year. Not everyone received the color-coded version. Planner Cronin will do a mockup to reformat green items so the Planning Board can go through and verify changes that can be made for 2023. About twelve items fall in this category. Color coded copies will be provided to members.

Vice Chairman Bourque would not be opposed to meeting Election Day, if possible, or another agreed upon day. Selectmen's Rep Frederickson would be willing to meet on a

Monday or Wednesday. Planner Cronin checked the meeting room calendar, and it is open on Tuesday, November 15, 2022. Board consensus is to hold a work session on November 15 to discuss proposed zoning changes for 2023 and November 22 is the regular business meeting.

### **b. Prioritization and Next Steps**

Chairman Seaworth noted that the table grew large because of Soucook River District. There seems to be two same list of uses, with different numbers. There is still some undeveloped land in the Soucook River Development District. The road and traffic light are complete. The priority was assigned by Regional Planning and Planning Board priority may be different. Vice Chairman Bourque noted that some definitions are actually regulations, such as building height. Planner Cronin will address this in her draft. Planner Cronin will accept tracked changes, incorporate board comments from the last discussion, and provide a copy to members to review prior to November 15 work session.

### **Minutes & Finding of Facts**

- September 27, 2022

Chairman Seaworth read the finding of facts document from the previous month's business meeting. Member Foss stated that the finding of facts was very thorough. Vice Chairman Bourque asked about the time it took staff to put together the document. Planner Cronin stated she was able to cut and paste most details. She added a summary of meeting discussion, abutters present and repackaged in the template. Vice Chairman Bourque stated the document is excellent and suggested that approved or disapproved be added at the top of the document, as well as at the end. The document follows legal format with decision at the end. Chairman Seaworth stated the Planner still generates a Notice of Decision to applicant and instructions for after approval. Planner Cronin has found a way to do the Findings of Fact efficiently. Vice Chairman Bourque commended her on a fantastic job.

**MOTION:** Member Hanson moved to approve the September 27, 2022 minutes as presented. Vice Chairman Bourque seconded.

**Discussion:** Member Cruson noted that there was an incorrect resident name on pages 10, 11 and 12 (Terri not Karen). Non-public session ended at 9:20 p.m. Chair noted that no action was taken during non-public session.

**MOTION:** Member Hanson moved to amend the motion to approve the September 27, 2022 minutes as amended. Vice Chairman Bourque seconded.

<b>VOTE:</b>	B. Seaworth – Y	C. Hanson – Y	K. Foss - Abstain
	B. Edmonds - Y	R. Bourque – Y	K. Cruson-Y
	R. Frederickson - Y		

**MOTION TO APPROVE SEPTEMBER 27, 2022 MINUTES AS AMENDED PASSED ON A 6-0-1 ABSTAIN VOTE.**

### **Miscellaneous**

1. Correspondence - none

2. Committee Reports – Roads Commission – Chairman Seaworth stated Roads Commission met and discussed wrapping up 2022 work. Issues on Main Street included utility gas lines located too close to the surface of the road. The town contacted Liberty, which had the final plans almost a year, and their response is the only thing they can do is move their gas lines in spring. It is too late to move them this year. The contractor will patch up for winter and resume work in the spring. The town requested that Liberty cover the cost overrun. The Board of Selectmen may choose to propose to prohibit non-emergency road work by utilities after the town has paved a road. Vice Chairman Bourque asked if Roads Commission sends information out to utilities about upcoming road work. Chairman Seaworth stated the town does try to coordinate directly with DPW or associated departments. The Town Engineer coordinates with out of town or state entities through the bidding process. Member Edmonds stated he worked as Inspector on the Main Street project. The gas lines were compliant with the regulations of the 1950-1960's when the lines went in. However, the contractor could not use heavy equipment near the gas lines this year. They could use small equipment. As a gas company engineer in the past, Member Edmonds responded to excavations where it was impossible for the owner to meet design regulations. The gas lines would be a lot safer if lowered to 28-30 inches depending on ledge. The town has regulations on blasting, but ledge can be hammered. Board of Selectmen Selectmen's Rep Frederickson reported that the board recognized a Purple Heart road, which is a state process. The Board of Selectmen will confirm with a vote that Veteran's signs can be placed anywhere in town. Discussion with the director regarding Tri Town EMS will proceed as if a dissolution will occur. A letter from a resident regarding property on Hardy will be a future agenda item. TRC – Vice Chairman Bourque stated that TRC was held at the beginning of the month. Application from Optimum Building Systems, 52 Sheep Davis Road, next to Dirt Doctor, was reviewed to do building and site work. This application will be heard at the October business meeting.
3. Other Business - none
4. Planner Items – Planner Cronin stated that Year 4 MS4 has been completed and sent to EPA on time. This was a large project. Planner Cronin went on a Glass Street site walk with DPW and Regional Planning. Town Engineer Mike Vignale also attended. The town requested that Glass Street be added to the 10-year plan, as some federal funding may be available. Planner Cronin stated there will be two old applications, and one new application at the October 25, 2022 meeting.
5. Board Member Items – Vice Chairman Bourque asked if Laura Spector Morgan and Steven Whitley are from the same law firm. Planner Cronin stated Laura is with Mitchell Municipal Group and advises the Planning Board. Steven is with Drummond Woodsum and advises the Zoning Board of Adjustment. The reason is to have separation in case of conflict. Member Cruson asked how many wells have been drilled to date at San Ken Homes. Planner Cronin stated there has been one well drilled and one occupancy to date. Member Cruson stated residents have noticed a change in the nature of the water.
6. Audience Items - none

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

Without objection the meeting was adjourned at 7:38 p.m.

Respectfully submitted, Susan Gifford, Recording Secretary