

**Pembroke Planning Board
Meeting Minutes
February 8, 2022
(Approved February 22, 2022)**

MEMBERS PRESENT: Brian Seaworth, Chairman; Robert Bourque, Vice Chairman; Brent Edmonds, Kevin Foss, Peter Gagyi, Selectman's Rep.; Clint Hanson

ALTERNATES PRESENT:

MEMBERS EXCUSED: Kathy Cruson

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

Chairman Seaworth called the meeting to order at 6:30 pm. Six members were present.

Old Business

1. Concord DRI – Grappone Mazda Site Plan – Planner Cronin reported that City of Concord Planning Board provided a lengthy, detailed report with their concerns, including design, traffic, and impervious surface. Pembroke Planning Board members reviewed that report. She will pool the Pembroke Planning Board comments and recommendations into a letter to give the Concord Planning Board. Vice Chairman Bourque stated he shares the concern about the amount of impervious surface. The car wash will be in the back of the property. Where will the soaps, Teflon and chemicals go from that operation? Will there be a waste removal service? No details are provided in the document about the car wash operation. Member Hanson has the same concern about the amount of impervious surface. He has heard that another car wash on Manchester Street is using a recycling system for the wastewater. No details are available.

Chairman Seaworth noted there is triple the recommended amount of impervious surface that would recharge the ground water. How is the control of car wash waste being managed? Has the number of vehicles sitting in one place with oil and gas been considered or limited? The location is in the aquifer, and he would expect that the Concord Planning Board give the same diligence to the proposal that Concord expects of the Pembroke Planning Board when the well and water is a concern. Vice Chairman Bourque noted that the 100-gallon containers of material require containment plans. A transformer request also requires a containment plan. Selectmen's Rep Gagyi asked if the City of Concord has rules for the specific use of "car wash" within any of its departments. Planner

Cronin stated that in Pembroke, car washes are subject to regular inspections from Pembroke Water Works and expects the department involved would be the Concord Water Department. Planner Cronin passed along Member Cruson's written concerns. Member Cruson noted that in the staff report it stated the landscaping plan did not meet Concord's requirements. She echoes that concern. The engineering report mentions encroachment of the west lane while turning into the driveway. Concord Planning Board should ensure that all turning movements meet the revised alignment of the driveway. Vice Chairman Bourque asked about the ongoing plans to redo all of Manchester Street. Selectmen's Rep Gagyi noted that City of Concord has millions to spend on Main Street and Loudon Road, but little for Manchester Street improvement. Chairman Seaworth noted that he heard Concord is collecting impact payments for Manchester Street improvements. Concord will have to return the funds if the improvements are not completed within the prescribed time.

Vice Chairman Bourque noted that when the Pembroke Planning Board was considering the AG Grocer proposal, the City of Concord wanted \$800,000 from the Town of Pembroke to upgrade Manchester Street. Member Foss stated that a lot of redevelopments occurred at the Banks property. The proposed driveway alignment is in Note #23 on page 4. Concord City Engineer is concerned that the driveway is offset now. Member Edmonds noted that Banks owns the old Harley Davidson property across the street as well. Vice Chairman Bourque stated that there is no breakdown lane on either side of Manchester Street. Selectmen's Rep Gagyi agreed that Manchester Street is a tight corridor. Planner Cronin will put the comments in a letter for the Chair to review and send to Concord Planning Board

Minutes

January 25, 2022

MOTION: Vice Chairman Bourque moved to approve the minutes of January 25, 2022 as amended (strike a sentence on page nine under Committee Reports discussion.) Member Hanson seconded.

VOTE: B. Seaworth- Y P. Gagyi - Y C. Hanson- Y
 B. Edmonds - Y R. Bourque – Y K. Foss - Y

MOTION TO APPROVE MINUTES OF JANUARY 25, 2022, AS AMENDED, PASSED ON A 6-0 VOTE.

Miscellaneous

1. Correspondence - Planner Cronin reported that a memo was received from the Roads Committee in response to the Department of Public Works comment on paving thickness dated February 3, 2022. Roads Committee requests that town paving specifications be changed from 2-inch base and 1 inch topcoat (3-inch total) to 2 ½ inch base and 1 ½ inch topcoat (4-inch total) as the town has instituted this practice. Developers should use this standard as it will extend the duration of the road. Vice Chairman Bourque suggested that this change be made sooner than later, as it applies to new development. The Planning Board should adopt this change before the spring construction season. Chairman Seaworth suggested that Planner Cronin will put this on a spring workshop agenda. He agreed that a surge of development proposals come in when the weather clears for construction. Planner Cronin noted that provisions for road standards are in the diagram with Cross Sections and in Planning Board Subdivision Regulations. This is the document she is working with that was transferred from pdf to Word. Many fonts and diagrams need to be updated, along with correct page numbers. Chairman Seaworth suggested it may be a good time to have the Town Engineer update the diagrams. Member Edmonds said several other sketches need to be updated as well.
2. Committee Reports – Chairman Seaworth reported that the Roads Committee met and approved bids for road work next year. The Main Street numbers were better than expected. The bids were forwarded to the Board of Selectmen and approved by them.

Board of Selectmen – Selectmen's Rep Gagyi reported that the board met on February 2, 2022, A second public hearing was held for the proposed 1.3 million dollar roadway improvement and reconstruction bond. It will be either a three or five year bond, and the first payments will be due in 2023. A vote was taken on a Hazard Mitigation report that is required to request funding. The Board of Selectmen signed an inter-municipality agreement with Town of Allenstown for reciprocal Town Code Enforcement Officer coverage when coverage is not available.

3. Other Business – none
4. Planner Items – Planner Cronin reported that legal advised that a second public hearing is not needed for land use regulations adoption. Procedure is quite different for adopting zoning changes. The February 22, 2022 meeting has one application on the agenda. The self-storage company is

resubmitting their plan from December 2021. Planner Cronin addressed big picture planning for the Town of Pembroke. The Master Plan prioritizes where and what type of development the town favors. The rationale for making decisions on housing and land use should be consistent with the Town of Pembroke Master Plan. Land on the range roads is for sale at a premium right now. Planning and Assessing departments are getting phone calls daily from prospective buyers looking to build on Class VI roads. Staff explain to callers that to build on a Class VI Road the owner must upgrade the road to paved town standards. Staff explain the road opening request procedure. Planner Cronin noted that the requirement to construct a road to town specifications along the lot frontage of a 10-acre lot for one or two homes is cost prohibitive for someone who wants a home and farm to keep animals. The vision for the range roads is low density residential with agricultural uses, but the costs to improve the range roads prohibits this use. Ultimately, only a developer planning to do a large scale housing development will be able to afford upgrading the road. How can we reconcile the vision of the town with the realities of cost of construction and the Road Opening process? Vice Chairman Bourque asked if a Class V Road must be paved? Could a gravel road be accepted as a Class V Road?

Chairman Seaworth noted that the Roads Committee decided in the past that paved roads are more expensive to put in, but last longer with proper maintenance. Pembroke decided to eliminate all gravel roads that were inconsistent with the maintenance goal. This could be one of the answers to the question under discussion. Use of a gravel road over a range road could be allowed for focused development. The regulations currently require that any new road be paved. Vice Chairman Bourque asked if members had heard of double by two oils sprayed on gravel road as an alternative. Member Edmonds has heard of this under a different name, farmer's mix. Member Hanson noted that people want to build in the range road area, but complications of traffic are a consideration. A new development of 155 residential units in Allentown will contribute to more congestion on Route 3.

Vice Chairman Bourque noted that my understanding is that a property owner must update the entire frontage to develop the lot. Requests to upgrade and open a section of road typically go the Board of Selectmen. Planner Cronin agreed that the request does go to the Board of Selectmen to upgrade the road and the request is usually to open a specified number of feet of frontage. The Subdivision regulations state that the property

owner must pave the whole frontage. Is the Board of Selectmen aware of this requirement when considering a road opening request? All parties need to be on the same page. Chairman Seaworth stated there have been recent resignations on the Roads Committee around this issue. The property owner is responsible to pave to the end of the property line. The intention is to make sure infrastructure is in place if the town expands water and sewer lines in the future.

Vice Chairman Bourque noted that one issue is that the property owner on the opposite side of the road benefits but pays nothing for their share of road improvements. Chairman Seaworth noted that the town should not be involved in property owner negotiations. Member Foss said the town should be involved if the town is paying for said road. Vice Chairman Bourque said that user assessments are how utility extensions are financed. Member Hanson said that current regulations create haphazard development. The town may need to set aside a reserve, where people contribute to the plan by which range roads get developed. Chairman Seaworth noted that a road to locate a house or three on a large lot must still focus on impact on a north south corridor. Member Hanson suggested recouping money as development occurs. Member Foss noted that Conservation Commission is a driving force. It may be beneficial to set up a joint committee made up of Roads Committee, Conservation Commission and Board of Selectmen representatives rather than leave overall planning to Regional Development and the Planning Board.

Without changes, the Planning Board is only going to get large scale development proposals on the range roads as those developers can afford to create paved roads. Member Foss noted that changing minimum lot size from two to five acres may work against the people who want to have horse farms, or several family homes on a single lot. Vice Chairman Bourque stated that Maine, New Hampshire, and Vermont have gravel roads everywhere. Chairman Seaworth stated that the Town of Pembroke made a long-term economic decision supported by Department of Public Works that paved roads contain plowing and maintenance costs. It is a sensible decision based on how we got there. We now have all town roads paved. If the town were to allow town roads to be gravel roads, the town could incur future costs paving those roads. Member Hanson stated the town wants to maintain roads effectively in a way that creates growth and development without large development. Chairman Seaworth noted that the town wants range roads built to town standard, but the town will not be responsible to provide services where equipment cannot reach.

Chairman Seaworth stated that there are networks of dirt and gravel roads owned and maintained privately that work well.

Vice Chairman Bourque asked if the board is considering increasing to a 5-acre lot minimum. Chairman Seaworth said people want a 2-acre house lot, but the town does not want density in rural areas. It is harder for developers, but we may be making it impossible for an average homeowner. Yes, the board will discuss lot size later in the year.

Member Foss stated that lot size is just one piece of the puzzle. Vice Chairman Bourque referenced state law that allows classification of a road as a “scenic road.” Has the town considered use of this classification? Chairman Seaworth stated that state law does allow designating a road as a scenic road subject to strict development rules. This may be a tool that is suited to the range roads. In today’s market homes are selling for double their worth because new development cannot get materials. If materials are available, the price is higher to build new development. A continuation of this discussion will be taken up on a future agenda.

5. Board Member Items – Vice Chairman Bourque asked if the Town of Pembroke was required to take the low bidder’s quote on a project. Chairman Seaworth said no, other factors such as work with the bidder in the past can be taken into consideration.

Member Hanson noted that the PACE building has been sold. A resident of Bow purchased the property, which will be leased and put back on the tax rolls. Approximately \$50,000 will be available to give back to the Pembroke School District when the books close in June 2022.

6. Audience Items - none

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

Without objection the meeting was adjourned at 7:40 p.m.

Respectfully submitted, Susan Gifford, Recording Secretary