

PEMBROKE CONSERVATION COMMISSION
DRAFT MEETING MINUTES
August 15, 2022

In attendance: Ammy Heiser (Chair), Carol Bertsimas (Vice), Brian Mrazik (Secretary) Kevin Foss (PB rep), Tom Gallo, Ayn Whytemare

Absent: Wendy Weisiger, Karen Yeaton (BOS Rep)

Public: Robert Maccormack, Pembroke Golf, LLC, Tim Peloquin, Promised Land Survey LLC, Jordan Young, Atlantic Civil Engineering, PLLC

Call to Order: Meeting called to order at 7:01pm

Planning Board Applications:

1. Minor Site Plan Application #22-104, Pembroke Golf, LLC, Tax Map 634, Lot 2 located at 45 Whittemore Rd in the Aquifer Conservation (AC) District, and the Wetlands Protection (WP) District. The Applicant is requesting a Special Use Permit (Application SUP-WP #22-313) for impacts to the wetland buffer on their proposed new 15-acre driving range, including a new cart path and site grading. Representatives from Pembroke Golf presented their plan for construction of the new driving range. The lot was merged with the golf course in 2017. The planned cart path will be 8 feet wide and paved. It has sections planned within 10 feet of a forested wetland, which conflicts with the Town's ordinance requiring a 50-foot buffer. The applicants stated that this was necessary to provide a safety zone for stray balls from a nearby tee area. The applicants believed that because the lot was merged prior to the enactment of the new wetland buffer zone, a permit should be granted based on the former 20-foot buffer requirement. Members of the CC expressed concern that the proposed path will not even meet the previous buffer criteria and that alternatives such as relocating the path or providing stray-ball netting in the tee area should be considered. The CC will not support the plan as currently proposed. Of note, construction of the driving range will require extensive alteration of terrain on the 15 acres and a permit will be required from the State. The Town of Pembroke also has a excavation ordinance and the CC recommends that the Planning Board review its applicability to this project

2. Major Site Plan Application #22-103, Blue Box, LLC, Tax Map 561, Lot 9 located at 65 Sheep David Road in the Aquifer Conservation (AC) District. The Applicant proposes to develop the site for use as a Blue Box storage unit facility, including new pavement and stormwater improvements. The Applicant requests a Special Use Permit (Application SUP-AC #22-311), for storage use over the aquifer. The CC reviewed this application and had determined that the stormwater improvements are not in compliance with the 75-foot setback requirement for the wetland which lies just east of the property. The CC requests that the applicant be required to comply with the setback and employ the use of permeable pavement on the property.

Review and Approve Minutes July 11, 2022: Carol motioned to accept the draft minutes as submitted. Ayn seconded. All voted in favor except Tom and Kevin who abstained due to absence at the June meeting.

Conservation Lands:

1. Deed Reviews: Ammy spoke with Atty. Stephen Whitley about his review of the first two deeds (Ames Brook and Beck). For Ames Brook, Stephen stated that the CC and the Town will need to execute an amendment to the conservation easement to add the remainder of the land purchase area. Alternatively, the Town could convey the easement to a land trust and expand the area covered by the easement at that time. Stephen also advised that adding additional land to be protected by a conservation easement requires review by the Charitable Trust division of the Attorney General's office. With regard to Beck, the date of Planning Board approval of the conservation area acquisition needs to be researched. The CC concluded that the process of correcting the deed deficiencies for the seven identified parcels is likely to be more costly and time consuming than originally anticipated. Ammy will meet with Stephen again to discuss other alternatives such as taking the issue to Town Meeting for a vote to designate the properties, en masse, for conservation use only.

2. Monitoring Update: No additional monitoring visits were conducted in the past month. Ayn worked with PSNH representatives to resolve the lock issue at the gate to White Sands. The CC agreed that we should hold a fall 'Monitoring Day' in addition to the one traditionally held in the spring.

Other Business:

- 1. Budget:** The CC decided to request an increase in funding for Professional Services from \$4,500 to \$5,500 for 2023. This increase would be for continuation of the legal work to add appropriate conservation restrictions to deeds for parcels which do not have adequate conservation protection, and also for surveying work to replace missing property boundary markers. Other budget items will remain the same as in 2022. Brian agreed to develop a list of missing markers and Ammy will discuss with Hank Amsden the costs and timeframe for getting this work done.
- 2. Whittemore Homestead:** Ammy attended the Whittemore family reunion at the Whittemore Homestead (374 Pembroke Rd) on July 30th. The new beneficiaries seemed open to consideration of some conservation options for the property. Ammy and Ayn will pursue further discussions with the owners on this opportunity.

Adjournment:

By consensus, the meeting was adjourned at 9:07 PM

NEXT MEETING ON SEPTEMBER 12