

**Pembroke Planning Board  
Meeting Minutes  
March 28, 2023**

Approved April 11, 2023

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

**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.

**New Business**

**1. Conceptual Subdivision Plan, William Byrne, Tax Map 264, Lot 80 located at 336 Pembroke Hill Road in the Rural Residential/Agricultural (R3) Zone.**

The Applicant requests general feedback, comments, and questions before making a formal application submittal to the Board.

William Byrne stated that he would like fifteen minutes of the Planning Board's time. He was thinking about putting in an access road to create a 4-lot subdivision at 336 Pembroke Hill Road. The lower left end of the property is full of water and drainage from snowmelt. Mr. Byrne stated that he understands that 200 feet of frontage is required for each lot and that the driveway must have 200 feet sight line. Mr. Byrne will plan the work so that the runoff does not undercut the road. The cost of site planning is very expensive, so he wants to hear feedback and comments from the board before finalizing the subdivision plan.

Chairman Seaworth asked Planner Cronin what the biggest concern was from the subdivision regulations. Planner Cronin stated that the sight distance due to the curve in Pembroke Hill Road is the biggest planning concern. The plan has not been sent to other town departments for comments because this is a conceptual discussion. Chairman Seaworth asked if Mr. Byrne proposed his road as a public road. Mr. Byrne stated that the access road is proposed as a private road. Vice Chairman Bourque asked if the access road was planned to be built in sections, 200 feet for the first lot, 200 feet for the second lot. Mr. Byrne stated that the proposed lots would be on opposite sides of the proposed access road, and that he plans to put the road in all at once. The estimated cost to put in the road is \$300,000 so William Byrne is doing some clearing to save money. Selectmen's Rep Frederickson stated that the drainage to the left of the road is a natural depression. Mr. Byrne stated that the width of the clearing for the road would be 80-90 feet and it would drain toward Nancy Clark's property. Mr. Byrne and the board discussed catch basins, pond, and formal swale to guide the water. Mr. Byrne stated that he is willing to consider all rational ways to slow the water down.

Chairman Seaworth reminded Mr. Byrne that the large piece of land had to meet the contiguous buildable area requirement. For an 80,000 square foot lot, that would be 56,000

square feet. Member Cruson stated my only concern is the curve in the road. The access is located to the left of my house, with a wraparound driveway. You need at least 200 feet sight line. Two large telephone poles have recently been put in, and they are located 225 feet apart. Vice Chairman Bourque asked if William Byrne had laid out the entrance to Pembroke Hill Road. Mr. Bourque suggested that Mr. Byrne ask the Director of the Public Works Department to look before finalizing the plan. Chairman Seaworth noted that if it is to be a private road, everything beyond the cul de sac are driveways, and the road is to be privately maintained. Member Edmonds stated that as a private road, it would constitute a driveway. Member Edmonds asked what the impact would be if one child who built on a subdivided lot were to sell that lot in the future.

William Byrne stated he was told to put in a Class C road 50 feet wide, with a specific base fill depth and asphalt specifications. Planner Cronin stated that it needs to be a local road or Class C road in accordance with the Subdivision Regulations. Chairman Seaworth stated that the Planning Board requires a road to be built to town road specs. Planner Cronin noted that in the case of a private road, the applicant could request waivers of certain road standards. She noted that if the road were a private road, the town would not plow, maintain the road, or pick up trash. The agreement to maintain the private road would be filed at the registry of deeds to require future owners to continue to follow the agreement. Member Foss asked if length limits would apply. The town requires a waiver request if the private road length is greater than 600 feet. Vice Chairman Bourque stated that the applicant could propose a fire pond, sprinkler system or town water for fire fighting purposes. Vice Chairman Bourque asked if a town road is built to town specifications, does it have to be paved? Planner Cronin stated that it is up to the Planning Board. The Board of Selectmen vote whether to accept a town road. William Byrne stated that he was not planning a paved road because it does not fit in with the surroundings. Chairman Seaworth noted that this is a discussion only, and all comments are non-binding to either party.

Vice Chairman Bourque noted that if the first lot was designated for use by one daughter, two lots could be planned for future use and part of the road could be built now and paved, and part later in phases. If the second daughter decides to build, then continue the road. Chairman Seaworth stated that an exception to the subdivision regulations would be needed if an applicant wants to layout the entire road and pave only what is needed. The lot has sufficient frontage for several options. William Byrne said the cost would drive his decision. Member Cruson stated that at one point a developer was going to build a straight road from 3<sup>rd</sup> Range Road to 4<sup>th</sup> Range Road. The developer went bust, the bank took the property and that never got done.

William Byrne stated he took more than fifteen minutes but appreciated the Planning Board's time and comments.

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

February 28, 2023 - Vice Chairman Bourque noted that Planner Cronin, as always, did a great job on compiling the Findings of Fact.

**MOTION:** Vice Chairman Bourque moved to approve the February 28, 2023 minutes as presented. Member Hanson seconded.

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

**MOTION TO APPROVE FEBRUARY 28, 2023 MINUTES AS PRESENTED PASSED ON A 6-0-1 ABSTAIN VOTE.**

### Miscellaneous

1. Correspondence

A. CNHRPC Transportation Data Collection Program 2023

Planner Cronin noted that Roads Committee members made six suggestions for traffic count locations in line with Planning Board discussion at the last meeting. As a reminder, Central NH Regional Planning Commission tries to get to the top five requests of each town and may get to the bottom requests to the Data Collection Program. Selectmen's Rep Frederickson noted that Bow Lane is listed for paving treatment next year. Counts are requested at Whittemore Road, Donna Drive and he would like to add Bow Lane to determine the impact to traffic since the golf course area was developed. All these locations were last done in 2018-2019.

Chairman Seaworth noted that different treatments for roads short of full reconstruction are being considered to extend road life at lower cost. Selectmen's Rep Frederickson noted that injection stabilization is planned for Bow Lane next year. Member Edmonds noted that in the past, a sand and cement slurry was used to bring roads to grade. He is sure better material are involved now. Chairman Seaworth noted that a range of materials and techniques are being tried locally. Crack sealing was being done often and quickly. Study has found that crack sealing is more effective as a viable maintenance option 3-4 years after other treatment. Selectmen's Rep Frederickson confirmed that Bow Lane is scheduled for a water improvement project. Chairman Seaworth asked Planner Cronin to add traffic counts at Bow Lane to the bottom of the list, and to submit the 2023 request to CNHRPC.

B. DRI – Aircraft hangar conditional use permit, Concord

Planner Cronin noted that a 35,683 square foot corporate hangar to hold four small aircraft and a pilot lounge is proposed at Concord Airport. An extension of utilities and services is required. Concord Planning Board determined this project a DRI at its February 15, 2023 meeting and approved it at its March 15, 2023 meeting. Planner Cronin watched the March 15<sup>th</sup> meeting as Pembroke did not receive the DRI until after the time to comment expired.

2. Committee Reports – Board of Selectmen – Selectmen's Rep Frederickson stated that the board met last Wednesday. They approved a building permit on 119 7<sup>th</sup> Range Road. Chief Gaskell asked for increases to daily rates charged for officer and cruiser details. Chief Gagnon found a deal on scuba gear for the fire department. Tax deeds will be sent out May 4, 2023. Tri-Town Ambulance has moved the termination date from 12/31/2024 to 6/30/2024. This is the last date change that can be accommodated. New committee assignments among the Board of Selectmen were determined. Roads Committee – Chairman Seaworth stated that Roads asked for a Main Street project update at the beginning of April. With warmer weather, there was optimism that work could begin but nothing got going before the return of winter

weather. Member Edmonds asked if the gas company alterations were resolved. Chairman Seaworth did not recall that a suitable depth for gas pipes had been resolved. Bids were twice awarded to a low bidder when problems with the work cost additional money. For that reason, a vendor was excluded from consideration. Bids awarded will not cover the proposed plan so projects will be moved around.

3. Other Business – None.

4. Planner Items – Planner Cronin reported that all Zoning items passed at Town Meeting. At the April 25, 2023 meeting the Planning Board will vote for Chair and Vice Chair and determine committee assignments.

5. Board Member Items – Vice Chairman Bourque provided an update on the Concord casino proposal. Concord Fire and Police oppose the project as there have been over nine hundred accidents at the intersection over a period of time. As a second item, Vice Chairman Bourque asked that a future work session agenda item be mixed use in commercial area, as this could happen by variance. Third item, Vice Chairman Bourque asked for a discussion on regulations on tiny houses (mobile) or cottages (stationary) on a lot. What is minimum size lot? Where are they allowed? This type of housing was used as temporary housing during the Depression. Chairman Seaworth noted that Pembroke has mobile home regulations, and at the time did not see a need to call out tiny houses. A mobile home is allowed on a single-family lot, and two units/duplex by right. Six units are allowed with ZBA approval. Is increased lot size and road frontage needed? What does town need to do before a request is made? Alternate Member Christiansen asked if a six bedroom sewer design would be needed to locate six detached tiny houses on one lot? Would town water and sewer be required? Member Cruson asked about cottages that get winterized, so residents live there year round. Chairman Seaworth noted that winterization would be a code enforcement issue. Selectmen's Rep Frederickson asked if each cottage/tiny house would have a unique address, or would it have a PO Box number? Member Hanson noted that multiple units would likely be rentals. Planner Cronin noted that each proposal would be treated as a single-family lot at this time. A multiple cluster of tiny homes or cottages on an existing lot would have to meet the standard of the current building code. Vice Chairman Bourque stated that the town will benefit from a work session on this topic.

6. Audience Items - A new resident who moved from Chichester, NH attended this meeting as an observer. He stated he is interested in being a member at large but is not ready to dive in yet. Resident stated he has served as Town of Chichester representative to the Central NH Regional Planning Commission. Planner Cronin noted that Member Cruson is the current Pembroke Planning Board representative to CNHRPC. Planner Cronin will provide a summary of the committees to all members. Please also note that the Planning Board can have five Alternate Planning Board members, but only one seat is filled.

**MOTION:** Vice Chairman Bourque moved to adjourn the meeting. Seconded by Member Hanson. Without objection the meeting was adjourned at 7:44 p.m.

Respectfully submitted, Susan Gifford, Recording Secretary