

**MINUTES  
BOARD OF SELECTMEN  
TOWN OF PEMBROKE, NH  
Wednesday October 4, 2006**

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**Present:** Selectman Larry Preston; Selectman Larry Young, Sr.; Selectman Brian Tufts;  
Selectman Dan Crean and Selectman Fred Kline.

**Staff:** Troy R. Brown, Town Administrator; Linda A. Williams, Administrative  
Secretary; Laura Scott, Town Planner.

**1. CALL TO ORDER**

Chairman Preston called the meeting to order at 6:30 P.M.

**2. MEETINGS**

A & B Lumber  
Jeff Coombs, President, and Dan Yeaton

Mr. Coombs explained his frustration with the situation he has confronted in trying to obtain a building permit to expand his business on Route 106. Mr. Coombs had come to the Building Inspector, Everett Stone, in early September regarding steps necessary to obtain a building permit. Due to time constraints Mr. Stone suggested Mr. Coombs engage the services of an outside consultant to review the plans in order to speed up the process. Mr. Coombs used the outside consultant suggested and the consultant submitted to Mr. Coombs a list of items to be addressed. Mr. Coombs presented a copy of the letter from the consultant to the Board of Selectmen. Mr. Coombs stated that he did not understand the problem with obtaining his building permit and again stated his frustrations with the process. Mr. Coombs explained that they have been addressing the items listed by the consultant and still find that they are running into a brick wall with obtaining the building permit. Laura Scott explained that due to the lack of a staff building inspector at this time the Town is using the services of the Hooksett building inspector a couple of afternoons each week and Ms. Bonsteel had questions on some items and felt unable to issue the permit at this time. Ms. Scott explained that one of the items was that the plans submitted did not have an original signature or stamp by the reviewer. Ms. Scott understood Mr. Coombs frustrations with the process but explained the importance of ensuring everyone follows the same codes. Due to the size of the building it also falls under other State codes. Pembroke Fire Chief, Harold Paulsen, explained that he has not received the fire sprinkler plan. Mr. Coombs did not feel he had to do that at this point. Chief Paulsen explained that it is very clear what is required of Mr. Coombs and that there is a process in this Town that needs to be followed regarding life safety fire codes. Chief Paulsen offered to include the State Fire Marshall in the process. Mr. Coombs felt that he has not received any assistance from the Town in this process and just want to know what needs to be done. Mr. Brown explained that the Town has been very accommodating to Mr. Coombs in this process. He explained that the Planning Board had done a lot to assist with the project from the start through the permitting process, deadlines have been extended and changes have been allowed to be submitted during their work sessions. Mr. Brown offered to schedule a meeting for Mr. Coombs with himself, Chief Paulsen, Laura Scott and the interim building inspector to discuss what needs to be done to obtain the building permit. It was asked if the situation with the plans that Mr. Coombs stated were submitted could be resolved tonight. Mr. Coombs said that he had them in his truck and will leave them tonight. (Note: Mr. Coombs left shortly thereafter and forgot to leave the plans.) Mr. Brown will schedule the meeting as discussed as soon as possible. It was discussed that it is very important to have memos in the town file detailing the requests for items and the response received from the applicant.

### **John Graciano – Inspirational Investments, LLC**

Mr. Graciano has toured the Perry Eaton Building and is interested in leasing all of the second and third floor rental space for use by his business. He explained that his business came about as a dream of his to develop an investment firm that focuses on the development of real estate and small business. He now wants to make connections with the community in order to serve businesses and the community in a unique and different way by offering all types of services to the community while helping people help themselves financially. Selectman Crean asked if a site plan review would be needed. Ms. Scott explained that it is on the agenda for the next Planning Board meeting. Some items discussed were scheduling of the use of the Community Room space, renovation of the upstairs restroom, lease amount during the renovation by Mr. Graciano, parking availability, and the lease terms. Mr. Graciano did not foresee of any problems that could not be worked out. Selectman Young and Mr. Brown will work on the revisions to the lease document and will have it for review at the 10/18/06 meeting. Selectman Crean asked that information for review on October 18<sup>th</sup> should also include a breakdown as to what the \$1,100.00 lease fee breaks down to on a square foot basis.

### **3. CITIZENS COMMENT**

Dana Carlucci, Economic Development Committee Chair, thanked the Board for adding this to the agenda tonight as it is important to the community to rent the building and this is a very good opportunity for complete rental of the building to one tenant.

### **4. NEW BUSINESS**

#### **Clock Tower Report**

Mr. Brown explained that the assessment from the clock maintenance company this past summer shows that the clock tower is in reasonably good shape. There were problems noted with half round moulding that have been taken care of to make sure it stays water tight. There are several areas of concern and it was felt that these items could wait and be addressed in the 2008 budget.

#### **Appointments**

**Action:** Selectman Tufts moved to appoint Stephanie K. Burnham as an alternate member of the Zoning Board of Adjustment with a term to expire April 30, 2009. Selectman Young seconded. Motion passed 5-0.

Selectman Kline moved to appoint Stephanie K. Burnham as an alternate member of the Economic Development Committee. There was no second.

## 5. OLD BUSINESS

### **Fairway Drive and Whittemore Road Status**

Mr. Brown explained that Town counsel has reviewed the information regarding Fairway Drive and Whittemore Road. Counsel does not feel the Town has the authority to not release the performance bond. Mr. Brown has spoken with Alan Clark about release of the performance bonds. Mr. Clark stated he would pay the outstanding escrow amounts for the engineering and asked that the Town waive the winter maintenance fees and that he not be required to do the culvert cleaning. The fees for the legal costs for easements would be approximately \$2,000 per Town counsel. Mr. Clark indicated he would be willing to pay up to \$2,000 but no higher. Mr. Brown felt that this is a good compromise to move this project forward. It was explained that this is only for the release of the performance bonds and is not an acceptance of the roads.

**Action:** Selectman Tufts moved to release the performance bonds, waive the winter maintenance fees until the roads are accepted, transfer approximately \$5,000 from another escrow fund to pay off the outstanding fees, and that Mr. Clark pays up to \$2,000 for legal work for easements. Selectman Young seconded. Motion passed 5-0.

### **Pembroke Concord Boundary Line**

Mr. Brown and Ms. Scott met with Concord officials today regarding this issue. The situation has to do with a piece of property in the Pembroke 600 area that was not originally part of the Chickering property but due to a change to the river course is now on the Pembroke side. The property owner contends that the property is in Concord. Of the various options for resolution it was decided to declare the property is part of Concord even though on the other side of the river. Pembroke taxes and interest on the property will be abated. Mr. Brown will draft a resolution regarding this issue for action at the next meeting.

### **Resignation**

**Action:** Selectman Crean moved to accept the resignation of Paul Andrews from the Planning Board. Selectman Tufts seconded. Motion passed 5-0.

### **Minutes**

**Action:** Selectman Tufts moved to approve the minutes of September 20, 2006 as amended. Selectman Young seconded. Motion passed 4-0. Selectman Crean abstained.

### **TA Report**

The MS-1 was submitted for signature. Mr. Brown noted that the dam assessment came in lower than expected.

Mr. Brown explained that he had recently completed an annual review with Laura Scott. When she was hired as the planner in 2005 her priorities were the planning department and the Planning Board. If time allowed she could also assist the Conservation Commission. Ms. Scott feels she has organized those areas and would also like to provide assistance to the Economic Development Committee as time allows. Selectman Preston felt that it was always expected that Ms. Scott could eventually provide assistance to the EDC. It was explained that no administrative time should accrue because of this change. On the item of additional annual leave for Ms. Scott, Mr. Brown asked if this should be addressed in non-public session. Ms. Scott said that she would

prefer it be discussed in public session. Mr. Brown explained that Ms. Scott is asking for five additional days of annual vacation. Ms. Scott is requesting this due to the policy she was hired under relative to accrual of administrative time being changed shortly after she accepted the position. She felt this change would make up for the time she would lose under the current policy as she is required to attend various meetings after her normal work hours. Selectman Young suggested that it may warrant consideration of changing the planner position to a supervisory position. Ms. Scott said she would gladly accept changing her position to a department head but pointed out that the two items are separate issues. Mr. Brown will bring information to the Board for review at an upcoming meeting.

CEO Applications - Eight have been received to date. Expect to cut off at the end of this week and will discuss at next Wednesday's meeting after the budget discussion.

The Student Senate will be hosting a candidate's night at Pembroke Academy on October 23<sup>rd</sup>.

The Regatta is set for Saturday October 14<sup>th</sup>.

Ambulance Bids are due as of Friday October 13<sup>th</sup>.

#### **Letter of credit for the Thompson cul-de-sac drainage**

**Action:** Selectman Tufts moved to accept the letter of credit and authorize the Chair to sign. Selectman Young seconded. Motion passed 5-0.

#### **Pembroke Hill Road Easement for Highway and Maintenance.**

**Action:** Selectman Tufts moved to accept the easement and have the Chair sign. Selectman Kline seconded. Motion passed 5-0.

#### **CTAP Committee**

**Action:** Selectman Tufts moved to nominate Laura Scott, town resident, as the alternate representative to the CTAP Committee. Selectman Crean Seconded. Motion passed 5-0.

#### **Manifest**

**Action:** Selectman Crean moved to approve the manifest as presented. Selectman Young seconded. Motion passed 5-0.

#### **Tax Abatements, Exemptions and Credits**

**Action:** Selectman Tufts moved to approve the tax abatements, exemptions and credits per the recommendation of the Assessor. Selectman Young seconded. Motion passed 5-0.

#### **Committee Reports**

Planning Board – Per Selectman Young a member will be moving up to fill the vacancy created by the resignation of Mr. Andrews.

Conservation Commission – Per Selectman Tufts they will be meeting on the current use tax split.

## 6. NON-PUBLIC SESSION

### **RSA 91-A:3, II (b)– Hiring**

**Action:** Selectman Tufts moved to go into non-public session under the provisions of RSA 91-A:3 II (b). Selectman Young seconded. Sel. Preston -yes; Sel. Young-yes; Sel. Tufts-yes; Sel. Crean-yes; Sel. Kline-yes. Motion passed 5-0 and the Board went into non-public session at 8:55 p.m.

**Action:** Selectman Tufts moved to come out of non-public session and hold the minutes confidential. Selectman Young seconded. Motion passed 5-0 and the Board came out of non-public session at 9:16 p.m.

## 7. ADJOURNMENT

**Action:** Selectman Crean moved to adjourn. Selectman Kline seconded. Motion passed 5-0 and the meeting adjourned at 9:16 p.m.

Accepted by the Board of Selectmen

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Larry J. Preston, Chair