

**Pembroke Planning Board
Minutes of Meeting
(Adopted)
Tuesday, July 22, 2008**

MEMBERS PRESENT: Robert Bourque, Chairman; Alan Topliff, Vice Chairman; Mark Zydel; Kevin Krebs; Kathy Cruson; Todd Terrien

ALTERNATE PRESENT: Brian Seaworth

EXCUSED: Cindy Lewis, Selectmen's Representative

STAFF PRESENT: Stephanie Alexander, Interim Planner and Jocelyn Carlucci, Recording Secretary

Chairman Bourque opened the meeting at 7:00 p.m. He noted that Selectmen's Rep. Lewis was on vacation and she did not appoint anyone to vote in her place.

Old Business

I. Major Subdivision Approval Status. Pembroke 600. Case #04-13. Map 634, Lot 47 located in the Soucook River Development District, Aquifer Conservation District, Shoreland Protection District, Floodplain Development District, Architectural Design/Home Business District, and Wetlands Protection District at 600 Pembroke Street on US Route 3 and NH 106. The Planning Board extension of the subdivision approval for Pembroke 600 expires on June 24, 2008 and the Sewer Commission extension of the permit approval for capacity expires on June 20, 2008. *Public hearing closed. Continued from previous meeting for timeline, submission records, and other materials to be submitted.*

Donald Gartrell, Esquire representing Pembroke 600 Corp. said that the status of the project was discussed in his letter of July 7, 2008. Attorney Gartrell stated that on July 21, 2008, the Pembroke Sewer Commission granted Pembroke 600 a 90-day extension with the condition that they would not be returning to the Sewer Commission to request the return of the relinquished 18,000 gallons of sewer capacity.

Attorney Gartrell said that the estimated timeline presented in his July 7, 2008 letter was optimistic since they are encountering delays in getting the plans ready to present on July 29, 2008.

James Bouchard, Engineer with H L. Turner Group Inc. explained that Dan Scott had put the project on hold while waiting for NH Division of Transportation's (NH DOT) approval of the limited access right-of-way. On May 24, 2008, after receiving NH DOT's response, Mr. Scott authorized H L. Turner to continue with the project. He explained that this is H. L. Turner's busiest time of the year and that there are many issues, pertaining to this project, that must be addressed with a variety of departments; therefore it would be impossible to submit all the answers by next week. Mr. Bouchard said that they presently have a few hundred man-hours into this sizable project. He said that they would need another month to bring the plan to the Board.

Mr. Bouchard said that Mr. Scott is responsible for the Tennessee Gas line work and that Tennessee Gas presently has new project managers and the project will require a new easement. Mr. Bouchard said that H. L. Turner is responsible for showing what they want for the entrance road but it is incumbent on Tennessee Gas to give the final approval.

Attorney Gartrell said that it took two months, from March 25, 2008, for the new NH DOT commissioner to sign off on the deed. He also explained that the applicant must get a vertical alignment from Tennessee Gas to bring the gas line below the road. Then NH DOT must approve it. Once the applicant received approval, it will come to the Board. The easements cannot be drafted until the information is obtained.

In terms of financing, Mr. Gartrell said that Mr. Scott succeeded today in reducing the line of credit in order to get the project back on track. He said that he feels that some of the problem may be associated with problems the Town is having regarding sewer capacity and the development of other commercial properties. He also said that the TIF District did not provide any economic incentive for the developer.

Mr. Gartrell said that the timetable of July 29, 2008 is not possible. They will need additional time based on their engineer's workload and other issues. He explained that there is no lack of effort on his client's part to try to get the plans done and there is no benefit for his client to delay the project. He is asking for an extension to October 28, 2008.

Chairman Bourque opened the public hearing at 7:20 p.m.

Member Cruson asked for a list of the outstanding items:

Mr. Gartrell referred to his letter of July 7, 2008. (1) Final sign-off on the Tennessee Gas easements; (2) Final sign-off of approved plans by NH DOT; (3) Final sign-off on approved plans by KV Partners; (4) Sign-off on approved plans from Pembroke Water Commission-Tata & Howard, Pembroke Sewer Commission – KNA Associates, NH Department of Environmental Services (NHDES), Wastewater Engineering Bureau, NHDES Water Supply Engineering, NHDES Alteration of Terrain permit; (5) Approval of road deed and right-of-way descriptions by NH DOT; (6) Deed for a temporary sanitary pumping station.

Mr. Gartrell said that they will also need additional time for various onsite and offsite plans. Mr. Gartrell pointed out that the applicant does not control the timeline of the reviewing agencies.

Mr. Bouchard said that he will require until August 29, 2008 to submit the information to all reviewing agencies and it would take an additional 30 days to prepare a final set of documents.

Member Topliff suggested that the applicant may want to encourage the other agencies to complete their review in a timely manner and that the applicant may have to push the agencies along.

Mr. Bouchard said that they have signoffs from Public Service of NH, Comcast, and Keyspan. They have constantly kept Tennessee Gas aware of the project's progress but Tennessee Gas has experience some change in management. He explained that Tennessee Gas has canceled their site meetings with the applicant nearly every month.

Member Kruson said that it is important to create a timeframe and recommended that, based on the past difficulties in keeping with the projected timeframes, the extension be extended to November.

Attorney Gartrell said that if the timeline is October, it yields more pressure to Tennessee Gas. He does not want the entire project to fail because of a timeline problem. His client would like to get it done as quickly as possible.

There being no further comments, Chairman Bourque closed the public hearing at 7:31 p.m.

Member Zydel suggested granting an extension for 30 days to complete the plans and possibly extend the deadline two more months, if necessary, with the stipulation that the plans be ready to submit.

Vice Chairman Topliff said he would expect monthly reports which the planning office could use as a progress measuring tool. He would like the plans to be submitted by August 26, 2008.

Attorney Gartrell said that with regard to the July 29, 2008 date, he felt that the Applicant was making a good faith effort to reach the deadline but there were unforeseen funding and engineering problems.

Chairman Bourque asked Mr. Bouchard if he could commit to having the plans by August 26, 2008. Mr. Bouchard replied that "that is the intent."

Member Zydel asked if that deadline could also include CLD Consulting Engineers, Inc. Mr. Bouchard said that he will commit CLD to the deadline.

MOTION: Member Zydel moved to grant an extension to August 26, 2008 with the condition that they would have completed plans to submit to the agencies listed in the July 7, 2008 letter. Seconded by Chairman Bourque.

Member Krebs suggested an extension for 90 days in order to eliminate the granting of additional extensions.

Chairman Bourque suggested setting milestones to which the applicant would be required to follow.

Vice Chairman Topliff suggested adding a condition that the extension to complete the plans be to the end of October and establish milestones. If those milestones, which are within the applicant's control, are not met on schedule, then no further extensions will be granted.

Ms. Alexander suggested the following conditions: Monthly reports to be presented on the second Tuesday of each month for a total of three reports; and the submission of plans, by August 26, 2008, to the agencies as listed in the July 7, 2008 letter along with a specific request of the applicant that the agencies return their comments no later than September 23, 2008.

Chairman Bourque asked Mr. Bouchard if he thought that submitting the plans on September 23, 2008 for review would be unreasonable? Mr. Bouchard said that it may be possible depending on the length of time the responding agencies take. They could stress to the agencies that the review comments be made within 7-10 days.

Member Krebs pointed out that the only date that the applicant has control over is August 26, 2008.

Mr. Bouchard said that he would submit the information to the agencies with copies to the Town. If, by September 14, 2008, no comments have been received, he will alert Ms. Alexander. Chairman Bourque said that Ms. Alexander would need them by August 23, 2008. Mr. Bouchard said he would give the comments to Ms. Alexander as soon as possible.

Ms. Alexander stated conditions: (1) to receive three monthly reports; (2) send the plans to the agencies by August 26, 2008; (3) request that comments be received from departments no later than September 23, 2008; and (4) submit plans to the Planning Board by October 7, 2008. The Board will determine final approval at the October 28, 2008 meeting.

Member Zydel said that the applicant is the key. He said that the schedule that the Board is discussing is unrealistic because of NH DOT. He said that the Board should hold the applicant responsible for what they have control over. He suggested that the extension be given for 90 days contingent on meeting the August 26, 2008 deadline.

Member Krebs suggested a 90-day extension with the condition that if they do not submit plans to the necessary agencies by August 26, 2008 then the August 26, 2008 extension will be their last. There will be no further extensions.

Member Zydel withdrew his earlier motion.

MOTION: Member Krebs moved to grant a 90-day extension to October 28, 2008 with the condition that by August 26, 2008, applicant will submit plans to the necessary agencies and, if they do not meet the condition, the additional 60-day extension is rescinded. Seconded by Member Cruson.

VOTE:	Robert B. – N	Alan T. – Y	Todd T. – N
	Kevin K. – Y	Kathy C. – Y	Mark Z. - Y

THE MOTION TO GRANT A 90-DAY EXTENSION TO OCTOBER 28, 2008 WITH THE CONDITION THAT BY AUGUST 26, 2008, APPLICANT WILL SUBMIT PLANS TO THE NECESSARY AGENCIES AND, IF THEY DO NOT MEET THE CONDITION, THE ADDITIONAL 60-DAY EXTENSION IS RESCINDED PASSED ON A 4-2 VOTE.

2. Minor Site Plan Extension. Amoskeag Rowing Club. Case #06-103. Map VW, Lot 188-1 located in the Medium Density Residential (R1), Aquifer Conservation (AC) District Overlay, Shoreland

Protection (SP) District Overlay, Wetland Protection (WP) District Overlay, and Floodplain Development (FD) District Overlay. The applicant, Amoskeag Rowing Club Inc., requests an extension to the conditionally approved Special Use Permit and Major Site Plan Application which was previously extended on November 27, 2007 to June 30, 2008. *Public hearing to be opened. Continued from previous meeting for timeline and NH DES materials to be submitted.*

Chairman Bourque said that the Amoskeag Rowing Club submitted a letter withdrawing their application and will resubmit at another time, therefore, they will be removed from the docket.

3. Major Site Plan Application. Grace Capital Church. Case #08-103. Map 634, Lot 41-1 located in the Limited Office (LO), Soucook River Development (SRD), and Aquifer Conservation (AC) Overlay Districts at 542 Pembroke Street. The applicant, McFarland-Johnson, Inc., on behalf of owners Four Square Gospel of California, is proposing to build an 18,128 s.f. addition to the existing Grace Capital Church. The building addition would include adding 537 seats to the main sanctuary, offices, a gym, and multi-purpose classrooms. The expansion would include adding 157 parking spaces with a new access driveway. *Accepted as complete May 27. Public hearing closed. Continued from previous meeting for revised plans and drainage calculations to be submitted.*

Chairman Bourque asked that the record show that Member Zydel has recused himself from this application and Alternate Member Seaworth will vote in Member Zydel's place.

Fred Mock of McFarland Johnson said that because of the cost constraints associated with the porous pavement, the applicant will use more conventional methods which will require an easement from Associated Grocers of New England (AG) for the stormwater detention pond. He noted the July 22, 2008 letter from AG.

Mr. Mock said that all the comments made by Ms. Alexander were address either on the plans as an addition to the plan or comment. They have applied for a driveway permit. He suggested that the drainage easement from AG be a condition of approval.

Mr. Mock said that numbers 24 to 34 of the Summary of Outstanding Review & Comment Items for Applications at the July 22, 2008 Meeting were completed.

He said that it would not be a good idea to provide striping that would indicate a left hand turn onto Cooperative Way until the road is extended. He said that the Church and its building committee agreed that it would be unlikely that a parishioner would be dropped off at the Church entrance and the driver would continue through the parking lot.

Mr. Mock said that they have not completed a septic design. Based on information that they have received, there is a chance that they will be able to connect to Town sewer and, therefore, did not feel it necessary to complete a septic system design.

Mr. Mock said that the Applicant is still planning on phasing the project.

Chairman Bourque said that he did not feel comfortable approving a design application that was incomplete. By not having an approved sewerage design, the application is incomplete. He said that the Applicant should split the project between the parking lot and the building.

Member Krebs stated that he agreed with Chairman Bourque and noted that most of the discussions have been about the parking lot, not the building. Mr. Krebs also agreed with KV Partners regarding the use of turning arrows or narrowing down the exiting lane.

Mr. Mock said that they have “Do Not Enter” signs.

Chairman Bourque advised against approving the application without a completed sewer design. He suggested that the Applicant commit to Town sewage or an approved septic system so that the Board could give a conditional approval. The Applicant would need a NHDES approval permit.

Harold Thompson, Pembroke Sewer Commissioner, stated that the Sewer Commission is awaiting a letter from Pembroke 600 stating that they will officially rescind 18,000 gallons of sewer capacity from their original 35,000 gallon capacity. They are also waiting for a letter from Grace Capital Church. Mr. Thompson is quite certain that Grace Capital Church will receive Town sewage once the Sewer Commission receives Pembroke 600’s letter.

Jonathan Holly, Architect said that the Applicant wanted to begin the parking lot construction before winter. Chairman Bourque said that the Board cannot approve phases that have not been designed.

Chairman Bourque opened the public hearing at 8:32 pm.

There being no comments, Chairman Bourque closed the public hearing at 8:33 p.m.

MOTION: Vice Chairman Topliff moved to approve the waiver of a Special Use Permit. Seconded by Member Terrien.

VOTE:	Robert B. – Y	Alan T. – Y	Todd T. – Y
	Kevin K. – Y	Kathy C. – Y	Brian S. - Y

MOTION TO APPROVE THE WAIVER OF A SPECIAL USE PERMIT PASSED ON A 6-0 VOTE.

Chairman Bourque asked Mr. Mock if the Applicant could meet all the conditions listed in the Summary of Outstanding Review and Comment Items for Applications at the July 22, 2008 Meeting, and still complete the parking lot this year? Mr. Mock said yes.

Chairman Bourque suggested that No. 8 of “Suggested Conditions of Approval” in the Summary of Outstanding Review & Comment Items read as follows: “Provide a letter from the Pembroke Sewer Commission committing a certain number of gallons of sewer capacity to Grace Capital Church.”

Member Cruson suggested adding that No. 8 also include “or NHDES approved septic design.”

Member Terrien suggested adding a No. 13 to the Suggested Conditions which would require screening HVAC units.

MOTION: Chairman Bourque moved to approve the application with the following conditions:

1. Submit the drainage easement from AGNE subject to review and approval by Town Counsel.

2. Provide a copy of the approved driveway permit.
3. Provide a copy of the approved NH DES Alteration of Terrain permit.
4. Complete Note 6 with book and page of access easement once filed.
5. Submit the final access easement with AGNE as previously revised by Town Counsel, subject to final review and approval by Town Counsel.
6. Add existing and proposed building lighting to the plan.
7. Add a Note on Sheet C3.0 that a letter stating that burglar and fire alarm systems will meet NFPA code will be presented at the time of building permit application.
8. Provide a letter from the Pembroke Sewer Commission stating that sewer capacity is available to Grace Capital Church or provide a copy of the approved NH DES septic design.
9. Add the phasing plan, including sheets A1-1, A1-2, and A3-1, back into plan set, and adjust phase dates as needed on Sheet C3.0.
10. Add a plan Note that a SWPP will be required for the site.
11. Revise the areas on C3.0 which have text obscured by other text or shading, such as “Crosswalk Typ” and text over the new entrance.
12. Address all of Town Engineer’s comments to the satisfaction of Town Engineer.
13. Screen the HVAC units so they are not visible from the roads or public areas.
14. Add the expected completion date of December 31, 2012 for all phases of construction to the recordable plan.

Seconded by Vice Chairman Topliff.

VOTE: Robert B. – Y Alan T. – Y Todd T. – Y
 Kevin K. – Y Kathy C. – Y Brian S. - Y

MOTION TO APPROVE THE APPLICATION WITH THE FOLLOWING CONDITIONS:

1. **SUBMIT THE DRAINAGE EASEMENT FROM AGNE SUBJECT TO REVIEW AND APPROVAL BY TOWN COUNSEL.**
2. **PROVIDE A COPY OF THE APPROVED DRIVEWAY PERMIT.**
3. **PROVIDE A COPY OF THE APPROVED NH DES ALTERATION OF TERRAIN PERMIT.**
4. **COMPLETE NOTE 6 WITH BOOK AND PAGE OF ACCESS EASEMENT ONCE FILED.**
5. **SUBMIT THE FINAL ACCESS EASEMENT WITH AGNE AS PREVIOUSLY REVISED BY TOWN COUNSEL, SUBJECT TO FINAL REVIEW AND APPROVAL BY TOWN COUNSEL.**
6. **ADD EXISTING AND PROPOSED BUILDING LIGHTING TO THE PLAN.**
7. **ADD A NOTE ON SHEET C3.0 THAT A LETTER STATING THAT BURGLAR AND FIRE ALARM SYSTEMS WILL MEET NFPA CODE WILL BE PRESENTED AT THE TIME OF BUILDING PERMIT APPLICATION.**
8. **PROVIDE A LETTER FROM THE PEMBROKE SEWER COMMISSION STATING THAT SEWER CAPACITY IS AVAILABLE TO GRACE CAPITAL CHURCH OR PROVIDE A COPY OF THE APPROVED NH DES SEPTIC DESIGN.**
9. **ADD THE PHASING PLAN, INCLUDING SHEETS A1-1, A1-2, AND A3-1, BACK INTO PLAN SET, AND ADJUST PHASE DATES AS NEEDED ON SHEET C3.0.**
10. **ADD A PLAN NOTE THAT A SWPP WILL BE REQUIRED FOR THE SITE.**
11. **REVISE THE AREAS ON C3.0 WHICH HAVE TEXT OBSCURED BY OTHER TEXT OR SHADING, SUCH AS “CROSSWALK TYP” AND TEXT OVER THE NEW ENTRANCE.**

12. ADDRESS ALL OF TOWN ENGINEER'S COMMENTS TO THE SATISFACTION OF TOWN ENGINEER.

13. SCREEN THE HVAC UNITS SO THEY ARE NOT VISIBLE FROM THE ROADS OR PUBLIC AREAS.

14. ADD THE EXPECTED COMPLETION DATE OF DECEMBER 31, 2012 FOR ALL PHASES OF CONSTRUCTION TO THE RECORDABLE PLAN.

PASSED ON A 6-0 VOTE.

Chairman Bourque granted a short recess at 8:50 p.m.

Chairman Bourque opened the meeting at 8:55 p.m. and asked that the record show that Member Zydel has returned to the Board. Alternate Member Seaworth will no longer vote.

4. Minor Site Plan Application. Pleasant View Gardens. Case #08-105. Map 559, Lot 14 located in the Rural/Agricultural Residential (R3), Aquifer Conservation (AC) District Overlay, Wetland Protection (WP) District Overlay, Shoreland Protection (SP) District Overlay, and Floodplain Development (FD) District Overlay at 796-826 and 830 North Pembroke Road. The applicant, T.F. Bernier Inc., on behalf of owner New England Flower Farms, LLC, is proposing to build a 6,660 sf. temporary greenhouse, a 4,225 sf. wood chip boiler building, and a 9,000 sf. wood chip storage bin on the site of the existing operations of Pleasant View Gardens. A gravel access driveway will also be constructed. *Accepted as complete June 24. Public hearing closed. Special Use Permit granted. Continued from previous meeting for revised plans to be submitted.*

Timothy Bernier of T. F. Bernier, Inc. stated that the site is located on North Pembroke Road and would like to place a wood chip heating system on the site. He said that Pleasant View Gardens presently has an easement over Pembroke Sand's property and, at the end of the process, Pembroke Sand will have an easement over the same property which will then be owned by Pleasant View Gardens. Mr. Bernier also said that a State permit is required for the boiler stack. He said that NHDES has a strict 120-day process for completion of the permit and the applicant is concerned that if they wait until they receive the permit to start the construction, it would be too late to have the system running by winter. He has spoken with Everett Hodges, Pembroke's Code Enforcement Officer, and Ms. Alexander and it is his understanding that, if the Board approved the project with the condition that the Town must receive the stack permit, then, no construction could occur until the applicant received the permit.

Since the application will require a Building Permit and a Mechanical Permit, Mr. Hodge was comfortable with the Board approving the application with the understanding that the Mechanical Permit would not be issued until Mr. Hodge received the Stack Permit.

Henry Huntington said that the cement work must be completed before the boiler is delivered. The boiler is set in place and then the building is constructed around it. NHDES said that this permit is really a notice, not a permit and is used to register the facility. Mr. Huntington said that he understands that if Pleasant View Gardens does not receive a Stack Permit, they will not receive a boiler.

Chairman Bourque opened the public hearing at 9:04 p.m.

Mr. Bernier said that they have met all the criteria for regional impact.

There being no further comments, Chairman Bourque closed the public hearing at 9:06 p.m.

Mr. Bernier suggested that the Board make a condition of approval that the Mechanical Permit not be issued until the NHDES permit was received by the Code Enforcement Officer.

Chairman Bourque noted that this is a unique application because of the lengthy lead-time associated with the Stack Permit and the need to complete the project before winter.

Vice Chairman Topliff said that a condition of approval should be added that only site work and foundation work will be done prior to the Town of Pembroke receiving the NHDES Stack Permit at which time the applicant can proceed with the remainder of the project.

MOTION: Chairman Bourque moved to Approve the application with the following conditions:

1. Provide language for the temporary access easement into Lot 14 for satisfactory review and approval by Town Counsel.
2. Revise data table on Sheet 1 to exclude information about Lot 12 and display only the existing (after lot line adjustment) sizes and dimensions for Lot 14.
3. Add the total square footage of the existing greenhouses to the recordable plan.
4. Add a Note to the recordable plan stating “All work associated with the building permit can proceed upon plan registration, and all work associated with the mechanical permit cannot proceed until the NH DES air permit has been provided to the Planning Board.”

Seconded by Member Cruson.

VOTE: Robert B. – Y Alan T. – Y Todd T. – Y
 Kevin K. – Y Kathy C. – Y Mark Z. - Y

MOTION TO APPROVE THE APPLICATION WITH THE FOLLOWING CONDITIONS:

- 1. PROVIDE LANGUAGE FOR THE TEMPORARY ACCESS EASEMENT INTO LOT 14 FOR SATISFACTORY REVIEW AND APPROVAL BY TOWN COUNSEL.**
- 2. REVISE DATA TABLE ON SHEET 1 TO EXCLUDE INFORMATION ABOUT LOT 12 AND DISPLAY ONLY THE EXISTING (AFTER LOT LINE ADJUSTMENT) SIZES AND DIMENSIONS FOR LOT 14.**
- 3. ADD THE TOTAL SQUARE FOOTAGE OF THE EXISTING GREENHOUSES TO THE RECORDABLE PLAN.**
- 4. ADD A NOTE TO THE RECORDABLE PLAN STATING “ALL WORK ASSOCIATED WITH THE BUILDING PERMIT CAN PROCEED UPON PLAN REGISTRATION, AND ALL WORK ASSOCIATED WITH THE MECHANICAL PERMIT CANNOT PROCEED UNTIL THE NH DES AIR PERMIT HAS BEEN PROVIDED TO THE PLANNING BOARD.”**

PASSED ON A 6-0 VOTE.

New Business

- 5. Minor Subdivision Application. Borough Road. Case #08-05. Map 561, Lot 45 located in the Rural/Agricultural Residential (R3) District, Commercial/Light Industrial (C1) District, Aquifer Conservation (AC) Overlay District, and Wetlands Protection (WP) Overlay District at 504-512 Borough Road. The applicant, Keach-Nordstrom Associates, Inc., on behalf of owner Peter Spiewak, is proposing to subdivide the property into three lots, which will be two house lots and one remainder lot.**

George Chadwick of Keach-Nordstrom Associates stated that this is a 40-acre parcel of land to be subdivided into three lots consisting of two single-family house lots and one remainder lot. The parcel is located in the R3 zone with a corner of the property in the C1 zone. Mr. Chadwick said that the remainder lot is encumbered by the aquifer conservation district. The house lots will have individual wells and septic systems. The proposed lots meet the dimensional requirements of the Town.

Mr. Chadwick said he is requesting a waiver from 205-46.C.2(a) to permit the individual septic disposal system for Lot 45-2 to be located within the building setback. He also said that each lot is greater than the required 80,000 sq. ft. and do not include the steep slopes in the 80,000 sq. ft. area. Ms. Alexander asked that the buildable area be clearly delineated on the plan.

Mr. Chadwick stated that they have the NHDES subsurface disposal system permits. He also stated that none of the wildlife listed in No. 5 of the Summary of Outstanding Review & Comment Items are located on this parcel of land. He said that Best Management Practices will be adhered to during construction. He is also open to a site walk of the property by the Board.

Ms. Alexander said that since this is a minor subdivision application, KV Partners has not reviewed it.

Mr. Chadwick said that the applicant has no intention of future development for the remainder lot. The remainder lot, Lot 45, will be sold to Mr. Kruger.

Member Cruson noted a great deal of poorly drained soil on the plan and questioned whether the septic area crossed into the steep slope area.

Mr. Chadwick said that a septic system and home could be built in a 15% slope. The lot is buildable and in character with other houses in the neighborhood.

Mr. Chadwick said that his interpretation of the 4,000 sq. ft rule is that when the individual disposal system is designed and approved, it must be out of the setback not out of the required 4,000 sq. ft that is needed for subdivision approval.

Member Cruson said that the septic system is so close to the setback and on a slope that she is not sure that it takes into consideration the intent associated with the 4,000 sq. ft. area rule.

Mr. Chadwick said that his interpretation of the rule is that the system has to be outside of the set back.

Member Cruson suggested that the Board walk the site in order to gain a clearer understanding of the lot. Chairman Bourque agreed that he would like to walk the site before voting on the waiver.

It was agreed that the Board will meet at Town Hall at 6:30 p.m on August 12, 2008 and will proceed to the site.

Mr. Chadwick said that he appreciated the willingness of the Board to walk the site and reiterated that the plan meets all wetland setbacks and that the Board is concerned with the property line setbacks.

The Board agreed to continue this meeting to August 12, 2008.

Minutes

6. Review and Approve Meeting Minutes of July 8, 2008

Seeing that the copies of the minutes of the July 8, 2008 meeting were incomplete, the Board agreed to table their review until August 12, 2008.

Miscellaneous

7. Correspondence

Member Krebs asked that a reminder of the site walk be sent to all Board members.

Ms. Alexander said that the Town of Bow will review Public Service of NH's (PSNH) site plan on September 4, 2008. She will suggest, in writing, that PSNH float a balloon in order to give neighboring communities an idea of the stack height.

The 21st Annual Municipal Volunteer Nomination form is due August 29, 2008.

8. Committee Reports

Member Krebs reported that the Conservation Commission discussed new problems associated with the new gate at White Sands. They will perform a site walk to look for locations to place boulders to prevent ATV's from driving around the pump house. They will also discuss signage.

Member Cruson suggested placing a notice in the Town quarterly newsletter indicating the parking location at White Sands.

9. Other Business

The Board will send a letter to Geoff Ruggles thanking him for his service to the Board.

Member Krebs asked for the status of the Heiser subdivision. Ms. Alexander will review the file.

Chairman Bourque directed Ms. Alexander to invite Messrs. Steve Whitman, Jeffrey Taylor, and Gerald Coogan to meet with the Board at 8:00 p.m. on August 12, 2008 to discuss the open space and growth management regulations.

Ms. Alexander said that Newcore Supply on Commerce Way would like to move their CO₂ tanks presently located in their building to a location outside of their building. She said a security fence will be placed around the tank site. She asked if the Board would like see it as a revised site plan or if the Code Enforcement Officer (CEO) could approve it. The consensus of the Board was that the CEO could approve it.

The Board asked Ms. Alexander to inquire as to the status of the Hooksett development project at Head's Pond.

Ms. Alexander will be on vacation for a few weeks. Mr. Ion Thomas of the Planning Commission will be in the Planning Office from 12-4 p.m. on Tuesday. He will also attend the August 26, 2008 Board meeting in her place.

Alternate Member Seaworth said he will be away on August 26, 2008.

Adjournment

MOTION: Member Terrien moved to adjourn. Seconded by Member Krebs.

The vote was unanimous in favor of the Motion.

The meeting adjourned at 10:30 p.m.

Respectfully submitted,
Jocelyn D. Carlucci, Recording Secretary