

**Pembroke Planning Board
Minutes of Meeting
(Approved)
Tuesday, August 26, 2008**

MEMBERS PRESENT: Robert Bourque, Chairman; Alan Topliff, Vice Chairman; Cindy Lewis, Selectmen's Representative; Mark Zydel; Todd Terrien; Kevin Krebs; Kathy Cruson;

ALTERNATE PRESENT:

ABSENT: Alternate Brian Seaworth

STAFF PRESENT: Ian Thomas, Interim Planner and Jocelyn Carlucci, Recording Secretary

Chairman Bourque opened the meeting at 7:00 p.m. and stated that no one heard from Alternate Member Seaworth as to whether he would be attending the meeting.

Old Business

1. 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. Monthly progress report submitted. Revised plans due 8/26 or no further extension to 10/28/08 granted.*

There was no one in the audience representing Pembroke 600.

Mr. Thomas said that he and Elaine, of the Planning Department, had not received, as of today, any updated plans or communications from Pembroke 600. This was confirmed by Interim Town Administrator, Carol Murray who also noted that Elaine made several calls to the applicant on Tuesday, August 25, 2008 that were not returned.

Chairman Bourque read aloud the Notice of Decision of the last meeting. He said that the last correspondence from Dan Scott was an e-mail dated August 11, 2008 to Stephanie Alexander. Ms. Alexander responded to the e-mail on August 19, 2008 regarding the August 26, 2008 deadline.

Vice Chairman Topliff suggested tabling the case until later in the meeting in case a representative of Pembroke 600 arrived late. The Board agreed. (Continued at Item 8A.)

2. 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. *Application not yet accepted as complete. Continued from previous meeting for site walk, held on 8/12.*

George Chadwick of Keach-Nordstrom Associates, Inc. was present. He explained that he has highlighted the usable land on the plan excluding the steep slopes, right-of-way, easements, and wetlands. He said that the area meets the requirements of usable land based on the zoning regulations. Mr. Chadwick said he would like to build at the front of Lot 45-2 to avoid a wetland crossing.

He responded to the outstanding items as follows:

1. Waiver request from 205-46.C.2(a): He said he was aware of the Town regulations but that the State requirements are such that single family home septic systems with flows less than 1,000 gallons per day can be located within 10' from the side bar of a property line. For that reason and to avoid a wetland impact, he is asking for a waiver of the Town regulations to locate the septic system in the front portion of the lot.
2. He has identified the usable land in a colored format.
3. The applicant's wetland scientist did not identify the brook on the plan. After review of the USGS map, there is a brook/runoff which he will note on the plan.
4. He will add a note to the plan regarding the sight distance as requested by the Roads Committee.
5. To be addressed later.
6. The Board will be notified by DES if wetlands bureau approval is necessary.
7. NH Natural Heritage Bureau identified three items: Brook Floater, Wild Lupine, and Eastern Hognose Snake. He said that the Brook Floater has been found in the Suncook River – this property does not abut the Suncook River. He is willing to place a note on the plan as such. The Wild Lupine and Eastern Hognose Snake is found a long distance away from the property and will not be affected.
8. Item M. Note 16 was added to the plan regarding BMPs.
9. He said that all construction will be in the front portion of lots, with short driveways in order to avoid any wetlands.
10. He is willing to discuss storm water drainage with the Board.

Chairman Bourque said that the center of the larger lot has contiguous buildable area that meet the Town's criteria, yet the applicant proposes placing the house in the front portion of the lot which does not have adequate buildable area. Mr. Chadwick compared the developed abutting property and pointed out that it is smaller than the proposed lot and that the regulations do not state that the construction must occur in the area that is defined in the area identified as 70%.

Chairman Bourque said that he would expect to find the proposed home in the buildable area. Mr. Chadwick said that there is adequate room on the lot to build a home.

Member Cruson said she would not support placing a leach field 10' from the property line because, should the system fail, it may have a negative impact on the abutter's property. She said that this parcel has adequate land that is not wetlands or on a boundary line that could support a septic system.

MOTION: Chairman Bourque moved to grant a waiver to allow the leach field to be in the setback area. The motion was not seconded.

MOTION TO GRANT A WAIVER TO ALLOW THE LEACH FIELD TO BE IN THE SETBACK AREA WAS NOT SECONDED AND, THEREFORE, DEFEATED.

Chairman Bourque said that the Town Planner felt that 15% or greater of the sloped area was included in the square footage. Mr. Chadwick stated, as a professional engineer, that it is not. Chairman Bourque said he would have the Town Engineer verify the data.

Mr. Chadwick said he has made a note on the plan that the road has plenty of sight distance.

Selectmen's Rep. Lewis stated that the applicant would need a driveway permit.

Mr. Chadwick said he will acquire the NH DES permits necessary prior to the building permit. He also said that the Dredge and Fill Permit may be needed if the house is placed in another location than originally noted.

Chairman Bourque said that:

Item 7: Not applicable (brookfloaters, wild lupine and eastern hognose snakes).

Item 8: Town Engineer may want to see drainage information.

Seeing no comments from the Roads Committee, Selectmen's Rep. Lewis suggested that Mr. Chadwick ask to be placed on the Roads Committee's agenda.

Chairman Bourque will ask the Town Planner and the Town Engineer for regulation clarification regarding placement of the home in an area that is not within the 56,000 sq. ft. contiguous buildable area. Chairman Bourque instructed Interim Planner Thomas to request that Ms. Alexander, upon her return, do so.

MOTION: Selectmen's Rep. Lewis moved to continue the application for **Case #08-05** to the September 23, 2008 meeting. Seconded by Vice Chairman Topliff. Unanimously approved.

New Business

3. Minor Site Plan Application. HP Fairfield. Case #08-106. Map 632, Lot 16 located in the Commercial/Light Industrial (C1) District and Aquifer Conservation (AC) District Overlay at 94 Sheep Davis Road. The applicant, Howard P. Fairfield, LLC, is proposing to construct a 30' x 60' dry storage accessory building on the site to shelter existing equipment.

David Brouillet, Project Manager with Holden Engineering presented for the applicant. He said the property is an existing facility that sells snow plows, street sweeping equipment etc. to municipalities. It has been in operation for 20 years and is on a 4.39 acre site. The existing building is 7,458 sq. ft. with an existing 2,000 sq. ft. steel frame lean-to. They have paved parking in the front. The gravel area in the rear is used to store equipment. The minor site plan is to construct a 30 x 60 dry storage building. They are not proposing any new lighting or new landscaping. Photos of the site were distributed to the Board.

Mr. Brouillet said that the applicant disagrees with some of the comments by the Town Planner. The building was created in approximately 1980. Land was annexed in 2003 which was subject to Planning Board approval, at which time the frontage was not an issue.

Mr. Brouillet introduced Art Foster, the Operations Manager for HP Fairfield. A letter from the Pembroke Water Works dated August 18, 2008 and Mr. Foster's handwritten reply explaining what would be stored in the proposed building was contained in the Member packets. Mr. Brouillet said that there would be no hazardous material stored in the proposed building. The building will not be heated.

Selectmen's Rep. Lewis said that the applicant has plenty of parking. Mr. Brouillet said that the applicant has 10 employees who park in the smaller parking areas. Mr. Foster said that 95% of the shipping and receiving occurs in the gated area.

The Board agreed that the 200' frontage issue as listed in #7 of the Summary of Outstanding Review & Comment Items for Applications was not applicable.

MOTION: Vice Chairman Topliff moved to accept the application as complete. Seconded by Selectmen's Rep. Lewis.

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

THE MOTION TO ACCEPT THE APPLICATION AS COMPLETE PASSED ON A 7-0 VOTE.

Chairman Bourque opened the public hearing at 7:47 p.m.

There being no questions or comments, Chairman Bourque closed the public hearing at 7:48 p.m.

MOTION: Member Terrien moved to approve the Special Use Permit. Seconded by Chairman Bourque.

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

THE MOTION TO APPROVE THE SPECIAL USE PERMIT PASSED ON A 7-0 VOTE.

Chairman Bourque asked Mr. Foster if the propane tank was in its present location in 2003. Mr. Foster said yes. Chairman Bourque concluded that it would then be grandfathered. The Board agreed that the propane tank would not need additional screening.

The Board reviewed the Suggested Conditions of Approval as listed on the Summary of Outstanding Review & Comment Items for Applications and concluded that #1, 3, 4, and 7 were unnecessary. Mr. Brouillet will note on the plan the hazardous material storage language listed in the Town zoning regulations.

MOTION: Member Terrien moved to approve the site plan application with the following conditions: (1) Depict existing outdoor lighting on the plan, (2) Note the RSA for hazardous material on the plan, (3) Note the Pembroke Water Works letter dated August 18, 2008 to the Town of Pembroke with its notarized Letter of Authorization and Mr. Foster's handwritten response, and (4) Add the snow storage area to the plan. Seconded by Chairman Bourque.

Selectmen's Rep. Lewis said that the applicant will need to get a revised driveway permit from the State. Mr. Brouillet agreed to pursue that if necessary.

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

THE MOTION TO APPROVE THE SITE PLAN APPLICATION WITH THE FOLLOWING CONDITIONS: (1) DEPICT EXISTING OUTDOOR LIGHTING ON THE PLAN, (2) NOTE THE RSA FOR HAZARDOUS MATERIAL ON THE PLAN, (3) NOTE THE PEMBROKE WATER WORKS LETTER DATED AUGUST 18, 2008 TO THE TOWN OF PEMBROKE WITH

ITS NOTARIZED LETTER OF AUTHORIZATION AND MR. FOSTER'S HANDWRITTEN RESPONSE, AND (4) ADD THE SNOW STORAGE AREA TO THE PLAN PASSED ON A 7-0 VOTE.

- 4. Minor Site Plan Application. Beacon Landing. Case #08-107.** Map 561, Lot 6 located in the Commercial/Light Industrial (C1) District and Aquifer Conservation (AC) District Overlay at 79 Sheep Davis Road. The applicant, Community Services Council of New Hampshire, is seeking retroactive site plan approval for a change of use from an office to an adult day program for people with memory impairment.

Sheila King, President of Community Services Council of New Hampshire, submitted a set of plans to the Chairman. Ms. King said that they applied for a zoning variance in May which was granted. For various reasons, they did not realize that they were suppose to come before the Planning Board. They anticipate opening in September 2008.

Ms. King said that Community Services Council of New Hampshire is a multi-service non-profit organization that provides a range of services from the Sheep Davis Road location and others. Half of the facility on Sheep Davis Road contains offices and the other half houses a small day program for people with dementia. They did not increase the footprint of the building. There is no change in the parking lot.

Ms. King said that she received a copy of the Summary of Outstanding Review & Comment Items for Applications. The plans have been redrafted and will be submitted to the Town Planner.

With regard to the traffic impact, Ms. King said that the family members are dropped off at various times during the day. The times range from 7:30-9:00 a.m. with only a few arriving at 10 or 1 p.m. There is a constant ebb and flow but no large numbers arrive at one time. Pickups are also varied. The organization is hoping to obtain a van in order to provide transportation soon which will lessen the number of dropoffs and pickups.

The State requires one staff member per 8 participants. The Council will have a maximum of 30 clients. Therefore, there will be 4 direct care staff, a program manager, an activity director, a part-time nurse and one other. The maximum number of staff and employees will be 8.

In the office portion of the building there is approximately 14 staff members. The days and hours of operation are noted on the plan. The program opens at 6:30 a.m. and closes at 6 p.m.

The initial cost to attend the program for the first year will be \$50-\$55 per day per individuals. Ms. King said that there are many reimbursement sources available.

Ms. King said that the parking designation used was a hospital designation. She said that the adult day program does not compare to a hospital because they are not a bedded facility and are not required to meet the hospital parking requirements. Selectmen's Rep. Lewis said that the facility has more than enough parking available.

Ms. King said that they also have sufficient snow storage area. The snow storage area is noted on the plan.

MOTION: Selectmen’s Rep. Lewis moved to accept the plan for review. Seconded by Chairman Bourque.

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

THE MOTION TO ACCEPT THE PLAN FOR REVIEW PASSED ON A 7-0 VOTE.

Chairman Bourque opened the public hearing at 8:14 p.m.

There being no questions or comments, Chairman Bourque closed the public hearing at 8:15 p.m.

Ms. King said that the dead trees that are located where the sewer line was connected will be replaced.

Selectmen’s Rep. Lewis said that the applicant should apply for a revised driveway permit from the State.

MOTION: Member Terrien moved to approve the minor site plan with a number of conditions.

Chairman Bourque noted that the Board must vote on a special use permit. Member Terrien withdrew his motion.

MOTION: Chairman Bourque moved to grant a Special Use Permit for this application in the Aquifer area. Seconded by Selectmen’s Rep. Lewis.

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

THE MOTION TO GRANT A SPECIAL USE PERMIT FOR THIS APPLICATION IN THE AQUIFER AREA PASSED ON A 7-0 VOTE.

MOTION: Member Terrien moved to approve the minor site plan application with the following conditions:

1. Submit a check for \$25 made out to the Merrimack County Registry of Deeds for the LCHIP fee.
2. Submit a Special Use Permit, for any use over the Aquifer, for consideration and approval by the Board and Health Officer.
3. Design the recordable plan into the format acceptable by the Merrimack County Registry of Deeds.
4. Correct the “arborvitae” and “fixture” spellings on the recordable plan.
5. Label each of the contour lines.
6. Provide the signature of the architect.
7. Display a scale bar to 1” = 30’.
8. Note the abutters and their addresses on the plan.
9. Add days and hours of operation to the plan, the maximum number of patients permitted at one time, and the maximum number of staff and employees on the site at one time to accommodate the maximum number of patients.
10. Add the permits sought, pending, and receiving as a Note on the plan, including but not limited to, the Zoning Board variance, NH Health and Human Services permit, etc.

11. Add a Note to the plan that this is a retroactive minor site plan as the conversion has already been completed.
12. Add existing drainage structures to the plan.
13. Add the water line and connection to the plan.
14. Add the sewer line and connection to the plan.
15. Add utility lines to the plan.

Seconded by Chairman Bourque.

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

THE MOTION TO APPROVE THE MINOR SITE PLAN APPLICATION WITH THE FOLLOWING CONDITIONS:

1. **SUBMIT A CHECK FOR \$25 MADE OUT TO THE MERRIMACK COUNTY REGISTRY OF DEEDS FOR THE LCHIP FEE.**
2. **SUBMIT A SPECIAL USE PERMIT, FOR ANY USE OVER THE AQUIFER, FOR CONSIDERATION AND APPROVAL BY THE BOARD AND HEALTH OFFICER.**
3. **DESIGN THE RECORDABLE PLAN INTO THE FORMAT ACCEPTABLE BY THE MERRIMACK COUNTY REGISTRY OF DEEDS.**
4. **CORRECT THE “ARBORVITAE” AND “FIXTURE” SPELLINGS ON THE RECORDABLE PLAN.**
5. **LABEL EACH OF THE CONTOUR LINES.**
6. **PROVIDE THE SIGNATURE OF THE ARCHITECT.**
7. **DISPLAY A SCALE BAR TO 1” = 30’.**
8. **NOTE THE ABUTTERS AND THEIR ADDRESSES ON THE PLAN.**
9. **ADD DAYS AND HOURS OF OPERATION TO THE PLAN, THE MAXIMUM NUMBER OF PATIENTS PERMITTED AT ONE TIME, AND THE MAXIMUM NUMBER OF STAFF AND EMPLOYEES ON THE SITE AT ONE TIME TO ACCOMMODATE THE MAXIMUM NUMBER OF PATIENTS.**
10. **ADD THE PERMITS SOUGHT, PENDING, AND RECEIVING AS A NOTE ON THE PLAN, INCLUDING BUT NOT LIMITED TO, THE ZONING BOARD VARIANCE, NH HEALTH AND HUMAN SERVICES PERMIT, ETC.**
11. **ADD A NOTE TO THE PLAN THAT THIS IS A RETROACTIVE MINOR SITE PLAN AS THE CONVERSION HAS ALREADY BEEN COMPLETED.**
12. **ADD EXISTING DRAINAGE STRUCTURES TO THE PLAN.**
13. **ADD THE WATER LINE AND CONNECTION TO THE PLAN.**
14. **ADD THE SEWER LINE AND CONNECTION TO THE PLAN.**
15. **ADD UTILITY LINES TO THE PLAN.**

PASSED ON A 7-0 VOTE.

The Board recessed at 8:20 p.m.

Chairman Bourque opened the meeting at 8:28 p.m.

5. **Minor Subdivision Application. Saltmarsh. Case #08-06.** Map 262, Lot 36 located in the Rural/Agricultural Residential (R3) District and the Wetlands Protection (WP) District Overlay at 485 Fourth Range Road. The applicant, JE Belanger Land Surveying, PLLC, on behalf of owners Warren

and Judith Saltmarsh, is proposing to subdivide the 30.97 acre property to create one additional house lot.

For the record, Selectmen’s Rep. Lewis said that she works with Jacques Belanger.

Jacques Belanger of J. E. Belanger Land Surveying, PLLC represented the applicant. He said the applicant proposes to separate a 12 acre lot from the existing parcel. There is a wetland application in progress. He referred to the Summary of Outstanding Review and Comment Items for Applications and noted the following:

1. The typographical errors have been corrected.
2. The address in the title block will be corrected
3. The plan date is presently in the title block.
4. The rear setbacks have been noted.
5. How the topography was generated will be noted on Sheet 1.
6. Wetlands permit was submitted to the Town 2 weeks ago.
7. His telephone number was added to the plan.
8. They have not purchased the wetland buffer signs.
9. The data table has been added to the plan.
10. He is requesting a waiver requiring him to delineate the back portion of the lot.
11. The signature block for the Planning Board has been placed on Sheet 1 and Sheet 2.
12. He added “Lot 36” to the end of “prime farmland” in the soil type index.
13. He has referenced the culvert and drainage structures to the wetland application.
14. He is not sure what Ms. Alexander was asking for with regard to the display of the surface water collection and discharge.

Mr. Belanger said that the NH DES Minimum Impact Expedited Application has been revised recently. The lot will be purchased by the abutter to be used for agricultural purposes.

Chairman Bourque noted that they had not received a waiver request. Mr. Belanger presented the Waiver Request to Chairman Bourque. Chairman Bourque read the Waiver Request aloud.

MOTION: Selectmen’s Rep. Lewis moved to grant the waiver regarding wetland delineation of the remainder of the lot. Seconded by Member Cruson.

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

MOTION TO GRANT THE WAIVER REGARDING WETLAND DELINEATION OF THE REMAINDER OF THE LOT PASSED ON A 7-0 VOTE.

MOTION: Chairman Topliff moved to accept the application as complete. Seconded by Chairman Bourque.

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

MOTION TO ACCEPT THE APPLICATION AS COMPLETE PASSED ON A 7-0 VOTE.

Chairman Bourque opened the public hearing at 8:39 p.m.

Lisa Gilbert of 472 Fourth Range Road asked if the intent of the new lot was for house lots. Mr. Belanger said it was for agricultural use -- cattle and horses.

Selectmen's Rep. Lewis said that no information had been received from the Roads Committee or the Public Works Department. She inquired if additional frontage had been deeded to the Town on this parcel as was the case on other portions of Fourth Range Road. She suggested that an inquiry be made.

There being no further questions, Chairman Bourque closed the public hearing at 8:45 p.m.

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

1. Correct typographical error "cemetery" for Town of Pembroke, "minimum" in plan Note 4, and "prime" in the farmland section.
2. Add complete address "485" in title block and in plan Note 3.
3. Add a plan date to the title block.
4. Relabel rear setback for Lot 36-1 as "rear", and label rear setback for Lot 36.
5. Add a Note on Sheet 1 stating how the topography was generated.
6. Submit a copy of the NH DES wetlands permit for driveway crossing for Lot 36-1.
7. Purchase wetland buffer markers from the Planning Office and place every 25' along the perimeter excluding the area allowed in the waiver.
8. Provide the telephone number of the surveyor, and the address and phone number of the wetland scientist on the plan.
9. Develop a data table to display the existing and proposed lot size, the buildable area of both lots, wetland acreage and other environmental constraints acreage for each parcel, acres of farmland soils, etc.
10. Display the culvert and drainage structures required for the driveway wetlands crossing.
11. Display surface water collection and discharge, or write a plan Note describing how this will be undertaken.
12. Modify the Board signature block with the language indicated in the regulations on both Sheet 1 and Sheet 2.
13. Add "Lot 36" to the end of "prime farmland" in the soil type index.
14. Display the Town road right-of-way. (The Planning Board will confirm its exact measurement).
15. Obtain a Town driveway permit.
16. Obtain recommendations for cutting and ditching along the Town right-of-way from the Public Works Department.

Seconded by Vice Chairman Topliff.

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

MOTION TO APPROVE THE APPLICATION WITH THE FOLLOWING CONDITIONS:

1. **CORRECT TYPOGRAPHICAL ERROR "CEMETERY" FOR TOWN OF PEMBROKE, "MINIMUM" IN PLAN NOTE 4, AND "PRIME" IN THE FARMLAND SECTION.**
2. **ADD COMPLETE ADDRESS "485" IN TITLE BLOCK AND IN PLAN NOTE 3.**

3. **ADD A PLAN DATE TO THE TITLE BLOCK.**
4. **RELABEL REAR SETBACK FOR LOT 36-1 AS “REAR”, AND LABEL REAR SETBACK FOR LOT 36.**
5. **ADD A NOTE ON SHEET 1 STATING HOW THE TOPOGRAPHY WAS GENERATED.**
6. **SUBMIT A COPY OF THE NH DES WETLANDS PERMIT FOR DRIVEWAY CROSSING FOR LOT 36-1.**
7. **PURCHASE WETLAND BUFFER MARKERS FROM THE PLANNING OFFICE AND PLACE EVERY 25’ ALONG THE PERIMETER EXCLUDING THE AREA ALLOWED IN THE WAIVER.**
8. **PROVIDE THE TELEPHONE NUMBER OF THE SURVEYOR, AND THE ADDRESS AND PHONE NUMBER OF THE WETLAND SCIENTIST ON THE PLAN.**
9. **DEVELOP A DATA TABLE TO DISPLAY THE EXISTING AND PROPOSED LOT SIZE, THE BUILDABLE AREA OF BOTH LOTS, WETLAND ACREAGE AND OTHER ENVIRONMENTAL CONSTRAINTS ACREAGE FOR EACH PARCEL, ACRES OF FARMLAND SOILS, ETC.**
10. **DISPLAY THE CULVERT AND DRAINAGE STRUCTURES REQUIRED FOR THE DRIVEWAY WETLANDS CROSSING.**
11. **DISPLAY SURFACE WATER COLLECTION AND DISCHARGE, OR WRITE A PLAN NOTE DESCRIBING HOW THIS WILL BE UNDERTAKEN.**
12. **MODIFY THE BOARD SIGNATURE BLOCK WITH THE LANGUAGE INDICATED IN THE REGULATIONS ON BOTH SHEET 1 AND SHEET 2.**
13. **ADD “LOT 36” TO THE END OF “PRIME FARMLAND” IN THE SOIL TYPE INDEX.**
14. **DISPLAY THE TOWN ROAD RIGHT-OF-WAY. (THE PLANNING BOARD WILL CONFIRM ITS EXACT MEASUREMENT).**
15. **OBTAIN A TOWN DRIVEWAY PERMIT.**
16. **OBTAIN RECOMMENDATION FOR CUTTING AND DITCHING ALONG THE TOWN RIGHT-OF-WAY FROM THE PUBLIC WORKS DEPARTMENT.**

PASSED ON A 7-0 VOTE.

15. Public Hearing to Adopt Revised Driveway Regulations

Chairman Bourque opened the public hearing at 8:53 p.m.

There being no questions or comments, Chairman Bourque closed the public hearing at 8:53 p.m.

MOTION: Chairman Bourque moved to accept the regulations as presented. Seconded by Vice Chairman Topliff.

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

MOTION TO ACCEPT THE REGULATIONS AS PRESENTED PASSED ON A 7-0 VOTE.

6. Public Hearing to Adopt Active and Substantial Development and Substantial Completion Subdivision Regulations

Chairman Bourque opened the public hearing at 8:55 p.m.

MOTION: Selectmen’s Rep. Lewis moved to delete the words “at least” from Section 205-24 D.2.a. and 2.b., therefore reading as follows:

- a. Construction of and/or installation of 100% of basic infrastructure . . .
- b. Construction and completion of 100% of drainage improvements . . .

Seconded by Chairman Bourque. Unanimously approved.

There being no questions or comments, Chairman Bourque closed the public hearing at 8:59 p.m.

MOTION: Member Terrien moved to accept the Active and Substantial Development and Substantial Completion Subdivision Regulations as amended. Seconded by Chairman Bourque.

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

MOTION TO ACCEPT THE ACTIVE AND SUBSTANTIAL DEVELOPMENT AND SUBSTANTIAL COMPLETION SUBDIVISION REGULATIONS AS AMENDED PASSED ON A 7-0 VOTE.

7. Public Hearing to Adopt Active and Substantial Development and Substantial Completion Site Plan Review Regulations

Chairman Bourque opened the public hearing at 8:59 p.m.

MOTION: Chairman Bourque moved to delete the words “at least” from Section 203-25 D.2.a. and 2.b., therefore reading as follows:

- c. Construction of and/or installation of 100% of basic infrastructure . . .
- d. Construction and completion of 100% of drainage improvements . . .

Seconded by Vice Chairman Topliff. Unanimously approved.

There being no questions or comments, Chairman Bourque closed the public hearing at 9:01 p.m.

MOTION: Vice Chairman Topliff moved to accept the Active and Substantial Development and Substantial Completion Site Plan Regulations as amended. Seconded by Member Terrien.

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

MOTION TO ACCEPT THE ACTIVE AND SUBSTANTIAL DEVELOPMENT AND SUBSTANTIAL COMPLETION SITE PLAN REGULATIONS AS AMENDED PASSED ON A 7-0 VOTE.

Minutes

8. Review and Approve Meeting Minutes of August 12, 2008

With regard to the Scripture easement, Member Krebs said that he suggested to the Conservation Commission that they give back the conservation easement since trespassing is not allowed. He said the Conservation Commission felt it would not be appropriate because residents would think it was easy to give back a conservation easement.

Selectmen’s Rep. Lewis noted that the Scriptures gave the easement so the Town could use it as a match for Bragfield Pond. The easement belonged to the NH Forest Society who, in turn, gave it to the Town. She said that the Board of Selectmen concluded that, considering the cost of returning it and the fact that it was given as a match for another piece of property, it should remain in its present condition.

Member Terrien did not feel that a business should run on a conservation easement. Selectmen’s Rep. Lewis said that the present standards are different from the standards of the past regarding easements and that the Conservation Commission will be reviewing suggested guidelines from the Board of Selectmen. The Board of Selectmen will be monitoring the situation.

MOTION: Chairman Bourque moved to accept the August 12, 2008 Minutes of Meeting as amended. Seconded by Member Zydel.

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

MOTION TO ACCEPT THE AUGUST 12, 2008 MINUTES OF MEETING AS AMENDED PASSED ON A 6-0 VOTE WITH ONE ABSTENTION.

8A. Continued Discussion of Major Subdivision Approval Status. Pembroke 600. Case #04-13.

Interim Town Administrator Murray said that, to her knowledge, no one has received any information from Pembroke 600.

Vice Chairman Topliff pointed out that if the Board takes no action, the extension is automatically curtailed but if the applicant can prove that the Town received the information necessary, the extension would remain in place. He suggested that the Board take no action. Chairman Bourque asked that a letter be sent to the applicant indicating that if they can prove that the plans were delivered to the parties involved by August 26, 2008, their condition would remain in force, otherwise the extension would be rescinded.

Interim Town Administrator Murray said that Elaine, of the Planning Department, called the applicant three times and never received a return call. She said that they will ask Ms. Alexander to check her e-mails in case the applicant notified her by e-mail. Ms. Murray also said that she would verify that Elaine made a note in the file of her efforts to contact the applicant.

Miscellaneous

9. Open Space/Growth Management Consultant Discussion and Selection

The Board reviewed the letter dated August 20, 2008 from Jeffrey H. Taylor & Associates noting the proposed consultant fees.

Selectmen's Rep. Lewis said that Sharon Wason of the NH Regional Planning Commission indicated that the open space/growth management study could be paid for by CTAP money.

Selectmen's Rep. Lewis said the Board should make it clear that we would like to work on eliminating the Growth Management Ordinance.

Interim Town Administrator Murray asked how the project was going to be implemented and managed. Chairman Bourque said that his understanding from Jeffrey Taylor is that the Board would be working with him on the project.

Vice Chairman Topliff suggested that the Board specify that Mr. Taylor provide comments on areas in the ordinance that could be changed in order to achieve the affect of a GMO.

Interim Town Administrator Murray said that the Board may want to work on phasing with another community.

Selectmen's Rep. Lewis said that the Board will need a formal proposal from Jeffrey Taylor & Associates.

Chairman Bourque asked Interim Town Administrator Murray to invite Jeffrey Taylor & Associates to meet with the Board on September 9, 2008 to clarify the scope of the proposed work. He also asked that she inform the other consultants of the Board's decision to work with Jeffrey Taylor & Associates.

MOTION: Member Terrien moved to hire Jeffrey H. Taylor & Associates to work on the Open Space/Growth Management regulations to include phasing and alternatives to growth management and to meet with the Planning Board at its next work session on September 9, 2008 to review the scope of the work. Seconded by Vice Chairman Topliff.

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

MOTION TO HIRE JEFFREY H. TAYLOR & ASSOCIATES TO WORK ON THE OPEN SPACE/GROWTH MANAGEMENT REGULATIONS TO INCLUDE PHASING AND ALTERNATIVES TO GROWTH MANAGEMENT AND TO MEET WITH THE PLANNING BOARD AT ITS NEXT WORK SESSION ON SEPTEMBER 9, 2008 TO REVIEW THE SCOPE OF THE WORK PASSED ON A 7-0 VOTE.

10. CTAP Impact Fee Workshop Date and Time Selection

Interim Town Administrator Murray will look into the workshop date and time selection and will notify the Board.

11. Correspondence

With regard to the Mills Falls Subdivision information that was left by Ms. Alexander for the Board Members this evening, Member Cruson asked if her understanding that the project would not come before the Board was correct? Chairman Bourque said yes because it was previously approved.

Christopher Evans said that the additional six units were previously approved in 1986. He spoke with Everett Hodge, the Code Enforcement Officer, who asked that the Planning Board prepare a statement indicating that the project has all necessary approvals and that building permits can be issued. Mr. Evans understands that he must meet all current building codes.

Mr. Evans said that he may build the units as rentals rather than condominiums. He said that there are garages under the units and 3-4 visitor parking spaces on the property.

Selectmen's Rep. Lewis said that the Board will have to review whether the project was approved as condominiums or rental units. She also suggested that Mr. Evans return to the Planning Board if any changes are made to the project.

Chairman Bourque suggested that Mr. Evans prepare the plans and return to the Board in order to keep the Board informed of what is being done. He also said that once past documents have been reviewed, the Board will issue a statement to Mr. Hodge regarding the building permits.

Member Cruson said that it would be best to have this project placed on the agenda for the Board's review. Mr. Evans said that he will discuss the project with his other partners and then will ask to be placed on the agenda.

Mr. Evans asked what would be necessary to change a Class 6 road to a Class 5 road. Chairman Bourque said that there is a procedure to follow in order to change a road classification.

Member Cruson said she would prefer that he speak with the Town Planner or speak with the Board after the meeting.

Interim Planner Thomas noted the following correspondence:

- A notice from the Town of Bow regarding Public Service of NH.
- Information on workshops from the NH Housing Finance Authority
- A letter from Brown engineering.
- Returned plans from KV Partners.
- Chickering Meadows as-built plans.

12. Committee Reports - None

13. Other Business

Member Zydel said Alternate Member Seaworth indicated that he would go to the Roads Committee meetings.

Selectmen's Rep. Lewis said that the CIP Committee needs a Planning Board representative.

Selectmen's Rep. Lewis said that she and Chairman Bourque have asked Kevin Foss to return to the Board.

Adjournment

MOTION: Member Cruson moved to adjourn. Seconded by Vice Chairman Topliff.

The vote was unanimous in favor of the Motion.

The meeting adjourned at 10:14 p.m.

Respectfully submitted,
Jocelyn D. Carlucci, Recording Secretary