

# **PEMBROKE PLANNING BOARD**

## **MINUTES OF MEETING (Adopted) Tuesday, February 27, 2007**

**MEMBERS PRESENT:** Robert Bourque, Chairman, Roland Lemoine, Vice Chairman, Larry Young, Selectman's Rep., Cindy Lewis, Alan Topliff

**ALTERNATES PRESENT:** Mark Zydel, Todd Terrien

**EXCUSED:** Kevin Foss

**STAFF PRESENT:** Laura Scott, Director of Planning; Jocelyn Carlucci, Recording Secretary

Chairman Robert Bourque called the meeting to order at 7:00 p.m.

Laura Scott noted that Merrill Construction has withdrawn their Major Site Plan and Minor Subdivision Conceptual Consultation and, therefore, will not be present this evening.

### **Public Hearings – Continued Applications**

**Major Subdivision Application.** Case #06-07. Map 937 Lot 7, located at 424 North Pembroke Road in the Rural/Agricultural Residential (R3) Zoning District. The applicant, Stephen Cormier, proposes to develop the parcel as an Open Space Subdivision with 11 single-family residential lots, a new cul-de-sac road, and 31.6 acres of open space (3 lots). The house lots will be served by individual private septic systems and a private community water system.

Chairman Bourque recused himself and Roland Lemoine became Acting Chairman.

Acting Chairman Roland Lemoine designated Todd Terrien to vote for Kevin Foss and Mark Zydel to vote for himself since he has not been sworn in yet as a regular member.

Laura Scott indicated that there were two pieces of information that were not included in the member packets: (1) letter from the Conservation Commission dated February 23, 2007; (2) letter from KV Partners LLC dated February 23, 2007. Referring to Ms. Scott's memo dated January 24, 2007 listing outstanding items, she stated that items 1d, 3, and 4b have been completed. Because of a photocopy error, item 4 was eliminated from the members' copies of the memo. Item 4 included (a) DES Subdivision Permit, (b) DES Wetland Permit, (c) Alteration of Terrain; and (d) Water Supply Permit. Item 4b, DES Wetland Permit, was received.

Ms. Scott pointed out that the member packets also included a letter from Northpoint Engineering, LLC dated February 19, 2007, a letter from Attorney Charles F. Cleary (applicant's counsel) dated February 16, 2007, the NHDES dated January 31, 2007 regarding the public water supply system, and a revised set of plans which focus on minor issues addressed by the engineer and Ms. Scott. The layout has not changed.

Ms. Scott stated that, based on their February 23, 2007 letter, KV Partners LLC has no further engineering issues.

Acting Chairman Lemoine opened the public hearing at 7:03 p.m.

Attorney William Tucker, appearing in Attorney Charles Cleary's absence, stated that the letter from Attorney Cleary addressed, in detail, the four issues that were brought up in discussion by the Planning Board at the last meeting. He also stated that nothing has changed and would be happy to answer any questions by the Board.

Member Alan Topliff stated that, at the last public hearing, there were concerns expressed by the Board regarding area suitability of this proposed development. He read from the Zoning Ordinance regarding Cluster Subdivision Provisions as follows:

**143-73 A. Purpose:** To preserve the natural beauty of existing areas within the Town of Pembroke and to encourage the preservation of open space.

**143-74 E. Review Criteria** – The proposed clustered buildings will not have an undue adverse effect upon the adjacent property, character of the neighborhood, traffic conditions, utility facilities and other areas related to the public health, safety and general welfare.

Member Topliff then asked for Dennis Aubin's comments.

Mr. Aubin, the applicant's partner, pointed out that with regard to 143-73, the applicant wanted to maintain the beauty and natural resource surrounding the Ames Brook area and was the reason why they did not cross Ames Brook.

With regard to 143-74, Mr. Aubin pointed out that there are currently houses situated both close and away from North Pembroke Road. The proposed plan shows the houses staggered on the lots in order to maintain the rural character of the area. A market analysis prepared by Craig Keeler of Fairway Realty (a copy of which was submitted to the Planning Board) stated that, in his professional opinion, the development would not adversely effect any of the North Pembroke Road properties in terms of value or character.

Mr. Aubin stated that they focused on the two narrow lots that Member Cindy Lewis was concerned about and plotted a 26' x 50' two-story colonial with a two-car attached garage and a 16' deck and found that there was still enough room to put a shed and various play items on the property without encroaching on the setbacks. This example represented a 2200 sq. ft. home which Mr. Aubin they feel is in character with the neighborhood.

In response to Acting Chairman Lemoine's question, Mr. Aubin said that he did not intend to sell any lot for development by someone else. Mr. Aubin also said that he did not want to restrict a lot purchaser to a specific house location although they do have the ability to do that if it were necessary.

Ms. Scott said that the developer is still working on the documents pertaining to the homeowners' association, conservation easement, and other things noted in her January 24, 2007 memo.

Member Cindy Lewis asked what the allowed uses were on conservation land.

Ms. Scott replied that the details had not been drafted yet. The Conservation Commission is scheduled to meet with the applicant on March 12<sup>th</sup>.

Member Lewis wanted it noted that, it is her opinion that the Conservation Commission typically does not allow ATV use on Conservation land.

Ms. Scott said that, with regard to snowmobiles, as long as there is an agreement with a local snowmobile club to maintain their trails, it would probably be allowed. The agreement would have to be agreed upon annually. ATVs are currently not allowed on Town conservation land.

Mr. Aubin reviewed the access to the conservation land noting that they will be upgrading the walk bridge to access the rest of the property. They also created a larger area for walking paths in order to accommodate sensitive plantings along the brook.

Acting Chairman Lemoine pointed out that the plan states 11-single family lots in the cul-de-sac road and 31.6 acres of open space. He would like it to read: 11-single family lots and 3 open space lots consisting of 31.6 acres resulting for a total of 14 lots.

Don Davis, 438 N. Pembroke Rd. questioned the definition of "character" with regard to the area. He stated that the number of houses proposed is out of character with the area and that the development would negatively impact wildlife. He wanted assurance that his property, which abuts Lots 7-11 and 7-12, would not be adversely affected by additional water as a result of the development.

Jim Kowalik, 425 N. Pembroke Rd. reviewed 143-73 A and B of the Zoning Ordinance and stated that "preserving the natural beauty" would include, not only the land the people reside on, but also the neighboring area. He does not feel that the natural beauty of the neighborhood would be preserved by adding 11 houses in a small area of land particularly in relation to the lot sizes. With regard to 143-74 E, he felt that there will be adverse effects felt by the neighborhood such as a large grouping of mailboxes by the road, an increase in residents waiting for the school bus, increased traffic, and increased trash pickup, to name a few. He would like assurance as to the type of houses being built. He also pointed out that final road ownership has not been determined.

Although Mr. Kowalik agrees with conservation land, he feels that access to this particular land would be difficult in terms of residents parking their cars in order to access the land. He would have preferred to see the conservation land being accessed near a picnic area with parking.

He reiterated that he did not feel that the acceptance of this development would be in keeping with the Master Plan. He also felt that the process for the application was confusing and more

residents should have been approached for their comments. He urged the Planning Board to review all the issues.

Kevin Krebs, 429 North Pembroke Road, has a list of 10 abutters who are not in favor of the project. He stated that the information included in his ZBA appeal was given to the Planning Board along with a petition signed by 34 residents who are not in favor of this subdivision.

Ayn Whytemare, 730 Borough Road, is a member of the Conservation Commission. She stated that it has been made clear that Mr. Cormier intends on building a development on this parcel of land. The development will either consist of 11 houses with public open space or it will have 20+ houses, each on a minimum of 2 privately owned acres. She said that it would be safe to assume that the private landowners would not want existing trails to continue through their property and would then post the property for hunting, snowshoeing, etc. She pointed out that the houses will not be on North Pembroke Road, but rather on a road off of North Pembroke Road. With regard to the Ames Brook area, she noted that there is a very old brook ecosystem, completely intact. In her professional opinion, there is more diversity in plants in a small space than she has ever seen in any other Pembroke location. She felt that if the land was owned privately, there would be no guarantee that this ecologically significant area would continue to exist because there is no way to regulate ecological integrity of an area on privately owned land. She felt that Mr. Cormier has been very responsive and tried to make this project a positive project.

Mr. Krebs asked how many houses could be built on the land.

Ms. Scott said that they would be allowed 14 units and, if the state allowed them, they could cross Ames Brook.

Mr. Krebs pointed out that the developer, when first applying to the Zoning Board, indicated that they could have 18 houses. In his opinion, the ZBA based their decision on the premise that 10 houses were better than 18. Therefore, Mr. Krebs feels that the ZBA was misinformed by the applicant from the beginning.

Paul Whittemore of Pembroke Water Works stated that, with regard to the water system proposed for this project, the Water Works has no interest in managing or taking it over today. They recommend that it be built to Water Works specification. The Water Works would like information regarding the water pipes proposed in the road.

Mr. Krebs asked if the Town would to take over and manage the water system if the applicant built the water system to Town specifications.

Ms. Scott replied that it would have to be voted on by the Town's people as a Petition Warrant Article.

Mr. Aubin said that the applicant has already received preliminary approval from the State on the water system and it will be monitored by an outside company. The homeowners' association will pay for monitoring and maintaining the water system and applicant is willing to put a

restriction, in writing, to guarantee that the homeowners' association not petition the Town to take over the system.

Mr. Kowalik pointed out that in the draft minutes of the January 23<sup>rd</sup> meeting, it states that "Taking into consideration the public's concerns, the Planning Board felt that the applicant should return to the Planning Board with a design that would show larger lot sizes in keeping with the rural look of the area." He realizes that the minutes were not approved, but in reading the draft minutes, his interpretation is that the Planning Board wanted to see more changes than had been discussed.

There being no further comments, Acting Chairman Lemoine closed the public hearing at 7:54 p.m.

Member Mark Zydel stated that his impression of the lot size discussion at the January 23<sup>rd</sup> meeting was not to require larger lot sizes but rather was centered around the intent of the cluster subdivision being woven throughout the parcel thereby having more area between lots.

Member Todd Terrien referred to Page 11-3 of the Master Plan, Community Service Results of a March 2003 survey. The result of the survey showed that the type of housing that should be encouraged is single-family, elderly housing, and conservation subdivision. The survey also stated that future development should be directed to the upland area of Pembroke.

Ms. Scott reminded everyone that if the Planning Board were to approve the subdivision, there is still a lengthy list of outstanding items and, in addition, the Conservation Commission and the Planning Board have to agree to the terms of the easement before it is brought to the Board of Selectmen. The Board of Selectmen is also responsible for accepting the conservation easement as well as the road, drainage, and sloping deeds/easements.

Member Lewis stated that she would like to see a deed restriction which would make it impossible for the Zoning Board to grant a homeowner a variance for a set back.

Ms. Scott said that it is her understanding that the Zoning Board cannot be bound by deed restrictions.

Mr. Tucker said he would be happy to work with the Town Attorney to draft language that would meet the Planning Board's approval.

**MOTION:** Alan Topliff moved to approve the application with the condition that all outstanding issues listed in Laura Scott's memo dated January 24, 2007 be met. Todd Terrien seconded.

Member Lemoine asked that Ms. Scott change any 11-lot references to "a total of 14 lots consisting of 11 single-family lots and 3 open space conservation non-buildable lots."

Member Lewis asked that a note be added that the lots are for single-family homes.

**VOTE:** Alan T. – Y                      Cindy L. – Y                      Todd T. – Y  
Larry Y. – N                      Mark Z– N                      Roland L - Abstained

MOTION TO APPROVE THE APPLICATION WITH THE CONDITION THAT ALL OUTSTANDING ITEMS LISTED IN LAURA SCOTT’S MEMO DATED JANUARY 24, 2007 BE MET AND THE 2 AMENDMENTS TO THE NOTES PASSED ON A 3-2 VOTE WITH ONE ABSTENTION.

Acting Chairman Lemoine announced a break at 8:10 p.m.

Chairman Bourque called the meeting to order at 8:15 p.m.

**Public Hearings – New Applications**

**Lot Line Adjustment Application.** Case #07-02. Map 266 Lot 22 & 23, located at 224 & 226 Pembroke Street (Route 3) in the Medium Density Residential (R1) Zoning Districts. The property owners, Brian H. Carter and Herbert W. Carter, Revocable Trust 1996, are proposing to adjust the lot line between their properties to annex 7,776 sqft from Lot 22 to Lot 23. .

Member Lewis recused herself.

Laura Scott indicated that both property owners are present. They are requesting waivers to Items H, I, J, K, N, and U on the Subdivision Application checklist. Ms. Scott stated that there were no outstanding items. Ms. Scott requests that the applicant provide written certification that new bounds have been set and that the old bounds had been removed.

Brian Carter, applicant, stated that the reason for the application was to increase the measurement of his side yard.

**MOTION:** Roland Lemoine moved to approve the waivers. Alan Topliff seconded.

**VOTE:** Alan T. – Y                      Todd T. – Y                      Robert B - Y  
Larry Y. – Y                      Mark Z– Y                      Roland L - Y

MOTION TO APPROVE THE WAIVERS PASSED ON A 6-0 VOTE.

**MOTION:** Roland Lemoine moved to accept the application as complete. Mark Zydel seconded.

**VOTE:** Alan T. – Y                      Todd T. – Y                      Robert B - Y  
Larry Y. – Y                      Mark Z– Y                      Roland L - Y

MOTION TO ACCEPT THE APPLICATION AS COMPLETE PASSED ON A 6-0 VOTE.

Chairman Bourque opened the public hearing at 8:17 p.m.

There being no input, Chairman Bourque closed the public hearing at 8:17 p.m.

**MOTION:** Roland Lemoine moved to approve the application. Todd Terrien seconded.

**VOTE:** Alan T. – Y            Todd T. – Y            Robert B - Y  
Larry Y. – Y            Mark Z– Y            Roland L - Y

**MOTION TO APPROVE THE APPLICATION PASSED ON A 6-0 VOTE.**

Chairman Bourque asked that the record show Member Lewis had returned to the Board.

**Major Site Plan Application.** Case #07-101. Map 632 Lot 18-5, located on Riverwood Drive in the Commercial/Light Industrial (C1) and the Aquifer Conservation (AC) Zoning Districts. The applicant Jeff Lewis, of Northpoint Engineering, on behalf Gladstone Brothers Construction (applicant) and Riverwood Commercial Properties (owner), is proposing a Planned Industrial Development with 4 buildings, each having a series of 20’ wide by 60’ deep units (30 total). Each unit contains a 300 sqft office area and a 900 sqft warehouse area for a total of 36,000 sqft of gross floor area proposed (9,000 sqft and 27,000 sqft warehouse).

Laura Scott stated that the applicant and property owner are here. She asked to make one clarification to her February 8, 2007 memo. Since the memo was written, Ms. Scott, the Fire Chief, and the applicant met and, with regard to the waiver for the 100-foot separation between the buildings, the Fire Chief said that he did not support the waiver but has no reason to oppose it.

Ms. Scott also clarified that there is an error on #10c of her February 8<sup>th</sup> memo. It should read that the **Director of the Department of Public Works** has authority to increase the driveway width.

Member Lewis clarified that she is not related to the applicant, Jeff Lewis.

It was noted by Kevin Leonard of Northpoint Engineering, LLC that Dave Ladeux representing Gladstone Brothers Construction and Mr. Whittemore, owner of the property, are also present.

Mr. Leonard stated that the applicant is proposing 30 units in a planned industrial development. The units will be 20’ x 60’; with a total gross floor area of 36,000 sq. ft. Applicant is working with the various departments to address their comments.

Applicant has prepared condominium documents and can, at their request, submit them to the Planning Board for their review.

Mr. Leonard addressed the waiver requests:

1. The septic system is proposed in the front setback: The front setback is 50' and the applicant requests a waiver to allow the septic system 30' from the front property line. He stated that the applicant will connect to Town sewer which presently runs along Riverwood Drive, as soon as Town sewer capacity is available. The applicant feels that this is a reasonable request given the circumstance and it would also allow more open space in the rear of the property.
2. Less than 100-ft. separation between buildings. Mr. Leonard noted that the plans provide for 98 ft. separations and an 83 ft. separation between the buildings. The plans were designed for the maneuverability of a WB 50 around the site. The buildings are intended to be sprinklered.

Chairman Bourque asked if they would be using a pad-mount transformer or a pole-top transformer?

Mr. Ladeux and Mr. Leonard agreed that it would make sense to have a pole-top transformer since the utilities are located on poles across from their Riverwood Drive site.

**MOTION:** Cindy Lewis moved to approve the septic system waiver - allowing the septic system to be placed in the front setback, namely 30 feet from the front property line. Roland Lemoine seconded.

**VOTE:** Alan T. – Y                      Todd T. – Y                      Robert B – Y                      Cindy L - Y  
 Larry Y. – Y                      Mark Z– Y                      Roland L - Y

**MOTION TO APPROVE THE SEPTIC SYSTEM WAIVER - ALLOWING THE SEPTIC SYSTEM TO BE PLACED IN THE FRONT SETBACK, NAMELY 30 FEET FROM THE FRONT PROPERTY LINE PASSED ON A 7-0 VOTE.**

Regarding the waiver to allow a reduction in the minimum 100 ft. separation between principle structures, Member Topliff asked if the term “WD 50” meant a vehicle with a 50’ wheelbase. He stated that the longest truck that the Pembroke Fire Department has is an aerial platform truck with an overall length of 40 ft.. He asked if anyone had determined, given the turning radius of the truck, if it would be able to make the swing around the buildings.

Mr. Leonard stated that he couldn’t say specifically for that truck but noted that the access drive around the property is 24’ in width and has a 25’ radius around the building which is typical on a new roadway. He felt that the provided access aisles would allow that truck to maneuver around the site.

Ms. Scott said that the Fire Chief did not feel that the radius would be a problem with the current Fire Department vehicles.

Selectman’s Rep. Young asked what the distance was between the storage buildings located on the lot next to the proposed site.

Member Topliff thought that it was less than 100 feet.

**MOTION:** Cindy Lewis moved to approve the waiver to allow a reduction in the minimum 100-ft. separation between principle structures. Roland Lemoine seconded.

**VOTE:** Alan T. – Y            Todd T. – Y            Robert B – Y            Cindy L - Y  
Larry Y. – Y            Mark Z– Y            Roland L - Y

**MOTION TO APPROVE THE WAIVER TO ALLOW A REDUCTION IN THE MINIMUM 100-FT. SEPARATION BETWEEN PRINCIPLE STRUCTURES PASSED ON A 7-0 VOTE.**

Laura Scott noted that there are engineering and planning issues still outstanding. They are listed in Ms. Scott’s February 8, 2007 memo to Jeff Lewis of Northpoint Engineering and in KV Partners LLC letter to Ms. Scott dated February 8, 2007.

Member Mark Zydel asked if, given the amount of pavement and building that will be placed on the site, if there was storm water retention required. Mr. Leonard responded that there will be an underground infiltration facility.

Ms. Scott said that KV Partners has addressed the storm water retention issue.

Mr. Leonard stated that he was in receipt of the memos containing the list of outstanding issues and, now that the waivers have been addressed, they will begin to work on the list.

**MOTION:** Chairman Bourque moved to table the major site plan application to March 27, 2007. Alan Topliff seconded.

**VOTE:** Alan T. – Y            Todd T. – Y            Robert B – Y            Cindy L - Y  
Larry Y. – Y            Mark Z– Y            Roland L - Y

**MOTION TO TABLE THE MAJOR SITE PLAN APPLICATION TO MARCH 27, 2007. PASSED ON A 7-0 VOTE.**

**Conceptual Consultations**

**Major Site Plan and Minor Subdivision Conceptual Consultation.** Map 559 Lot 12, located on North Pembroke Road in the Rural-Agricultural Residential (R3) and Aquifer Conservation Zoning District. The applicant, Tim Bernier of T.F. Bernier, Inc., on behalf of Frank Merrill of Silver Hill Development Corp., is proposing a 2-lot Subdivision and a Major Site Plan to locate a construction industry and business offices on the newly created parcel, as well as relocate the existing driveway and scale houses to better serve the newly created lot.

Withdrawn by applicant.

**Strong Foundations Charter School.** Discussion with Beth McClure of Strong Foundations Charter School, which is to be located on Riverwood Drive (Map 632 Lot 18-9), about the school and its proposed location.

Beth McClure, of Strong Foundations Charter School, introduced herself and stated that they would like to buy the building formerly known as “Animation Station”. The mission of the school is to double the number of children reading at grade level or above by the end of third grade and end of fourth grade. This charter school would open August 2007 with grades K-3, the first year, and K-4, the second year. They propose to have 60 students with an approximate class size of 15. The following year they would like to expand to 105 students, their charter number. They have no intention to change or add square footage to the building. They will run the school on a traditional 190-day calendar. They will have after-school tutoring as a source of revenue. Their summer program would have no more than 25 students. The students will be from surrounding towns. Ms. McClure will be speaking with Sewer Commissioner Paulette Malo regarding the number of people allowed to occupy the building.

Chairman Bourque asked if the students would pay for their education. Ms. McClure explained that the charter school is considered a public school so it is free to the students.

In response to an inquiry by Vice Chairman Lemoine, Ms. Scott stated that charter schools are exempt from property taxes and they are treated the same as municipal schools.

Member Lewis said that her understanding was that the Federal Government changed a law that required the town which housed the charter school to pay special education costs if there was a student attending the school with special needs. Ms. McClure clarified that the law only pertains to private schools, not charter schools. Therefore, the town in which the student resides is responsible for special education costs, not the town where the school is located.

Ms. Scott also noted that the school is exempt from site plan review, although it still must follow building, life safety, and health codes. The applicant is merely presenting a conceptual in order to gain feedback from the Planning Board. Applicant has already met with the Board of Selectmen.

In response to Ms. Lewis’ concerns over parking and child drop-off /pickup, Ms. McClure stated that they will encourage carpooling. She also pointed out that the property presently has a circular driveway, and the students could, if desired, ride a Pembroke bus.

Member Lewis said that she disagrees that the applicant does not have to come back to the Planning Board with a site plan. Ms. Scott stated that the State Board of Education, as well as counsel, stated that they are exempt from the requirement of a Planning Board site plan review because they are to be treated the same as a municipal school, which is exempt from Site Plan Review. .

## **Public Hearing – Planning Board**

A public hearing to amend the Planning Board Rules of Procedure, which was adopted on 5/9/06, to amend Article III, section 3.1 Election of Officers.

Chairman Bourque clarified that his suggestion to elect Planning Board officers at the first full meeting in April would allow the new officers to take their positions prior to the beginning of a construction season. He felt it would be easier on the new officers

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

There being no input, Chairman Bourque closed the public hearing at 8:55 p.m.

**MOTION:** Vice Chairman Lemoine moved to amend the Planning Board Rules of Procedure, adopted on 5/9/06, Article III, section 3.1 Election of Officers to elect a Chair and Vice Chair at the first Board meeting in April. Todd Terrien seconded.

**VOTE:** Alan T. – Y                      Todd T. – Y                      Robert B – Y                      Cindy L - Y  
Larry Y. – Y                      Mark Z– Y                      Roland L - Y

MOTION TO AMEND THE PLANNING BOARD RULES OF PROCEDURE, ADOPTED ON 5/9/06, ARTICLE III, SECTION 3.1 ELECTION OF OFFICERS TO ELECT A CHAIR AND VICE CHAIR AT THE FIRST BOARD MEETING IN APRIL PASSED ON A 7-0 VOTE.

**Meeting Minutes**

- January 23, 2007

Vice Chairman Lemoine requested that page 5, paragraph 8 show that Vice Chairman Lemoine would not be voting other than to break a tie.

Selectman Rep.Young noted that all the elections on page 4 and 5 showed a vote of 7-0 and should be changed to 6-0 with one abstention.

Alan Topliff requested that page 5, paragraph 11 read “. . .60% of those responding to the survey wanted development concentrated in upland areas of Town.”

Cindy Lewis requested that page 8 include the following statement. “Because the applicant is placing windows on the 2nd floor, there will be a mezzanine which would require parking for that square footage if it was converted to office space. If the area remained for storage, additional parking would not be required.”

Vice Chairman Lemoine requested that page 5 show that he questioned clarification on how the number of lots were determined on the applicant’s plan.

Member Zydel noted that page 6, paragraph 7 was incorrect. It was his recollection that the discussion focused on more space between the lots utilizing the entire parcel, not “larger lot sizes.” Therefore, Paragraph 7 should read, “The Board commented that the design of the cluster

subdivision was to create greater space between the lots.” Alan Topliff stated that his recollection was that the comment was not a “consensus” of the Board, but rather a “comment” from the Board.

**MOTION:** Chairman Bourque moved to accept the January 23, 2007 minutes as amended. Cindy Lewis seconded.

**VOTE:** Alan T. – Y                      Todd T. – Y                      Robert B – Y                      Cindy L - Y  
Larry Y. – Y                      Mark Z– Y                      Roland L - Y

MOTION TO ACCEPT THE JANUARY 23, 2007 MINUTES AS AMENDED PASSED ON A 7-0 VOTE.

- February 13, 2007

**MOTION:** Alan Topliff moved to accept the February 13, 2007 minutes. Mark Zydel seconded.

**VOTE:** Alan T. – Y                      Todd T. – Y                      Robert B – Y                      Cindy L - Y  
Larry Y. – Y                      Mark Z– Y                      Roland L - Y

MOTION TO ACCEPT THE FEBRUARY 13, 2007 MINUTES PASSED ON A 7-0 VOTE.

### **Correspondence**

Laura Scott noted the memo from Industrial Communications regarding the Epping Zoning Board of Appeals and a cell tower.

She also included the new Town Conservation Land list for the member three-ring binders.

### **Miscellaneous**

Laura Scott stated that there will be no work session on March 13, 2007 because it is ballot day.

The Board of Selectman candidates night will be held at 6:30 p.m. on Thursday at the Library.

Selectman Rep. Young asked Ms. Scott to update the Board on the progress of the Town Owned Land Survey. She stated that the Economic Development Committee, Zoning Board of Adjustment, and the Conservation Commission will review the survey in March. She also noted that she and Town Administrator, Troy Brown, are discussing a review of the survey by the Town Water and Sewer Departments.

Member Lewis noted that NH Tool Outlet has erected a new sign on Route 106. She questioned if the sign size is in accordance with the town ordinance.

Ms. Scott said, to her recollection, the issue has been brought to the Building Inspector's attention.

Vice Chairman Lemoine made the Board aware that the National Power Sports facility is very nice and something that the Town should be proud of.

### **Adjournment**

**MOTION:** Bob Bourque moved to adjourn. Todd Terrien seconded.

Vote was unanimous in favor of the Motion.

The meeting adjourned at 9:13 p.m.

Respectfully submitted,

Jocelyn D. Carlucci  
Recording Secretary