

PEMBROKE PLANNING BOARD
ADOPTED MINUTES OF MEETING
Tuesday, April 10, 2007

MEMBERS PRESENT: Robert Bourque, Chairman, Roland Lemoine, Vice Chairman, Cindy Lewis, Selectman's Representative, Alan Topliff, Kevin Foss

ALTERNATES PRESENT: Todd Terrien, Kathy Cruson, Daniel Crean

EXCUSED: Mark Zydel

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

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

Chairman Bourque announced that Alternate Member Terrien would be voting for the full member position and Alternate Member Cruson would vote in place of Member Zydel.

Pembroke-Concord Cooperation Discussion: Aquifer Conservation / Wellhead Protection

Paul Whittemore, Superintendent of the Pembroke Water Works, announced that there have been conversations between Allenstown, Concord, and Pembroke regarding aquifer and wellhead protection. He stated that Concord received a grant from the State to create an Aquifer Conservation District. Mr. Whittemore gave the Planning Board a model ordinance to protect ground water that was prepared by the office of Energy and Planning and Dept. of Environmental Services (DES) for review.

Mr. Whittemore stressed that dialogue should continue between Concord and Pembroke regarding the Aquifer Conservation Districts in hopes that the two districts would mirror one another. He suggested that Pembroke Planning Board write a letter to the Concord Planning Board offering to work together to review Pembroke's current Aquifer Conservation District and help with their projected District with the goal of protecting the water.

He stated that the river's water quality has a direct impact on the ground water. He also pointed out that this topic relates to the Pembroke Water Work's recent correspondence which the Planning Board received regarding storm water management on any properties that the Planning Board reviews in the Aquifer Conservation Area. Mr. Whittemore stated that DES is willing to work with Pembroke and Concord to protect the river.

Chairman Bourque asked if other towns along the aquifer had been invited to participate in the discussions on water protection?

Mr. Whittemore said that he has not spoken to anyone other than Concord. It is his opinion that the Planning Boards from the towns located along the river should discuss the protection of the water supply. Again, he stressed that DES is willing to work with the communities and, to this point, the dialogue with Concord has been very positive.

A question was asked about new technology and information used to protect groundwater. Laura Scott indicated that in the model ordinance that was presented to the Planning Board lists all the background information that was used in its development. Vice Chairman Lemoine requested Ms. Scott to give him the website so he may review the model.

Ms. Scott reiterated that conversations with Concord have already begun and now that Pembroke's town meeting is over and new selectmen are in place, it might be a good time to conduct joint meetings with Concord and other towns for the purpose of discussing ground water issues.

Mr. Whittemore stated that he does not have the time to continue pursuing this issue and hopes that the Pembroke Planning Board would continue the conversations with Concord. He said that because the Pembroke Water Works has a GAA rated aquifer around the wellhead area, they have authority to go into Concord to inspect all properties in the wellhead areas for best management practices.

Chairman Bourque asked if it would be necessary to have the entire Board meet with Concord's Planning Board, or if merely a few members would be appropriate?

Ms. Scott suggested choosing a date that Concord and Pembroke could meet and (1) have a general overview about the aquifer presented; (2) have DES discuss the aquifer resource; (3) present Pembroke's Aquifer Conservation District ordinance; (4) discuss how Concord's Aquifer Conservation District could be similar; and (5) discuss how the two ordinances could be compatible.

Alternate Member Crean suggested that, prior to the two Boards' meeting, Pembroke's Planning Board should create a strategy as to (1) what Pembroke wishes to accomplish, (2) when they would like to accomplish it, and (3) how they want to accomplish the goal.

Member Topliff wondered if Central NH Regional Planning would be any help in bringing the communities together for this process?

Discussion with Water Works regarding Planning Board Plan Review Requests

Mr. Whittemore expressed concern for stormwater management. Treatment of stormwater is important because it affects surface and ground water. Pembroke Water Works feels that it is important to have a written document to the Planning Board outlining the issues pertaining to each project in the Aquifer Conservation District for future protection of Pembroke's water supply. Dave Maclean, the Pembroke Water Works' Geologist, has indicated that there should be a plan prepared that outlines the standards for stormwater management and the treatment process.

Mr. Whittemore used the example of A & B Lumber's recent project which consists of additional paving and a sprinkler system which could have an affect on the aquifer.

Chairman Bourque asked if stormwater management was mandated by the State?

Mr. Whittemore said that the State has requirements and that the model aquifer contains an outline. The present theory is to use stormwater to recharge ground water. In impervious areas, the water never runs into the ground and, therefore, has a direct effect on the water.

Chairman Bourque asked if KV Partners was aware of State requirements.

Ms. Scott said yes, but Pembroke Water Works is proposing stricter stormwater management rules similar to those imposed by the Planning Board on BS & Chips. She reminded the Board that in the past they had discussed changing the subdivision and site plan regulations as a whole. The stormwater sections of the subdivision and site plan regulations are old. They could be improved to address Mr. Whittemore's concerns. By placing the changes in the regulations, all applicants would be aware of them and the rules would not be on a case-by-case basis. If the regulations are not changed, and the Water Works feels that the proposed project would have a negative impact on the aquifer, they would request the Planning Board review, more closely, ground water aquifer issues, rather than just meeting the rules for stormwater management.

Mr. Whittemore said that the Pembroke Water Works feels that the applicant should hire Dave MacLean of GeoInsight to review stormwater management to ultimately protect the aquifer and ground water.

Acting Selectman Lewis indicated that since KV Partners is already following State regulations, it is her opinion that it would pose a financial burden to the applicant to be required to have a second person review the plans. She is not in favor of having it reviewed twice unless there was an issue that the Water Works was concerned about. It is her opinion that the Planning Board should be able to write the regulations so that they follow Pembroke's needs.

Mr. Whittemore pointed out that at the present stage, the Water Works is only able to look at the sites individually. The reason they use GeoInsight is because they have a great deal of data based on the information that they presently collect for the Pembroke Water Works.

Ms. Scott pointed out that KV Partners is not looking at the data as a geologist for aquifer drinking water would, they are looking at the information based on State and town standards. She further stated that Mr. Whittemore's position is that the present rules do not adequately protect the aquifer. She said that KV Partners has also indicated that Pembroke's rules could be stronger.

Alternate Member Crean suggested that the Planning Board consider (1) requiring a review of the plans by GeoInsight for those projects within the Acquirer Conservation District and (2) requiring a review of the plans by KV Partners for those projects in other areas. He also stated that the process should be noted in the subdivision and site plan regulations.

It was confirmed by Ms. Scott that as soon as an application is received, there is a technical review by town departments/committees at which time it is determined that if the project is in the

aquifer or in water and sewer areas, the application is given to Water Works and/or the Sewer Commission for their review. The applicant is directed to meet with the Pembroke Water Works and Sewer Department regarding water and sewer service.

Mr. Whittemore said standard practice for a potentially high water user has always been for the applicant to pay for the estimated water demand figures to be reviewed by another Pembroke Water Works' engineer other than GeoInsight.

Vice Chairman Lemoine stated that the technical review process should come after the applicant has met with the water and sewer departments. This would ensure that the applicant has determined that Pembroke fits their needs prior to beginning the Planning Board process.

Member Topliff applauded the Pembroke Water Works' effort to protect the aquifer but felt that it is important to balance that against the burden that is placed on applicants and their projects and/or developments. With that being said, he felt that it is important for the Planning Board to adopt the new Best Management Practices as part of Pembroke's regulations so that new applicants will be aware, from the beginning, what is required. With regard to those applicants who are proposing a potential danger to the aquifer, they should be dealt with separately. He did not feel that A&B Lumber or the Riverwood Drive projects carried a strong risk to the aquifer and, therefore, would be uncomfortable, at this late date, to expect them to hire a geologist to study the stormwater.

Vice Chairman Lemoine asked for clarification on the yearly review process by the water department.

Mr. Whittemore said that the Pembroke Water Works is required to check the properties once every three years and check backflow protectors every 6 months.

Mr. Whittemore stated that, if the water department found a contamination hazard, a letter would be written based on the State requirements of Best Management Practices with a copy sent to DES. The deficiencies must be corrected within a certain amount of time. The site is then re-inspected by the water department. If the deficiencies have not been corrected, a call is placed to DES. If the property owner refuses to allow the water department on the property, DES is called and DES would conduct the inspection.

Chris Culberson, Chairman of Pembroke Water Works, stated that the only tool that the Pembroke Water Works has for enforcement is the Town Code Enforcement Officer.

Ms. Scott stated that she and Mr. Whittemore have discussed sharing information regarding sites scheduled for inspection so the water department will be aware of what the Planning Board has approved.

Mr. Whittemore was informed by DES that EPA Regional One would be inspecting local properties. They also said that Pembroke has the highest hazardous waste storage. He pointed to a map and indicated that all the red dots shown are potential sites of contamination many of which were grandfathered.

Mr. Culberson indicated that the point tonight was to discuss with the Planning Board ways to control the potential danger to our drinking water.

Vice Chairman Lemoine asked that the Pembroke Water Works give him a set of regulations that the water department uses.

Mr. Brasley said that the regulations are presently being revised and once revised, would be placed on the Town's website.

Water Works Request – Dirt Doctors (709 Keith Ave) Site Plan Approval Clarification

Dan Crean stepped down.

Ms. Scott indicated that each member packet included a letter via e-mail to Chairman Bourque dated March 27, 2007 from Paul Whittemore along with copies of the following correspondences from Red Rock Investments, LLC:

1. letters from Red Rock Investments, LLC to:
 - a. Chairman Bourque dated April 3, 2007;
 - b. Pembroke Water Works dated October 30, 2006
 - c. Norm Provencher of Pembroke Water Works dated January 11, 2006
 - d. Pembroke Water Works dated January 19, 2007
 - e. Paul Whittemore, Superintendent of Pembroke Water Works dated January 30, 2007;
2. letters from Pembroke Water Works to Red Rock Investments, LLC dated January 15, 2007, January 26, 2007, and February 16, 2007;
3. letter from Baldwin, Callen & Ransom, P.L.L.C. to Ms. Laura Scott dated February 26, 2007
4. letter from Baldwin, Callen & Ransom, P.L.L.C. to Paul Whittemore dated February 26, 2007.

Mr. Whittemore stated that in 1999 two monitoring wells were installed on the Keith Avenue site. The Pembroke Water Works has sampled the wells consistently until 2003. Sampling was reinstated in 2004 and continued to this date. Someone from the Red Rock Investments has consistently paid the sampling costs. On January 11, 2006 Keith Anastasy sent a letter to the Pembroke Water Works questioning his requirement to pay for well water sampling. The water department in turn sent Mr. Anastasy a history of the issue.

In reviewing Pembroke Water Works' documentation, Mr. Whittemore found that the water department did not require the property owner to pay for water sampling. He pointed out that the purpose of monitoring wells is to analyze water samples but there does not appear to be anything stating that the property owner is responsible for the sampling cost.

Mr. Brasley clarified that the Planning Board required that monitoring wells be placed on the property but it was never stated that the well would be tested periodically or who was responsible for payment of the tests. Since the Water Works were of the opinion that the wells had to be tested, they tested them, and the bill was paid by the property owner.

Ms. Scott concurred that the 1999 minutes of the meeting state that the two monitoring wells would be required, and the plans show the required wells but there is no official correspondence from the Planning Board or the Pembroke Water Works stating who is responsible for the sampling costs. After a brief discussion regarding Enpro's most recent site plan and if the wells were addressed at that time, Ms. Scott clarified that the site plan was to modify the original site plan for the use inside of the building.

She further clarified that Mr. Anastasy's letter of April 3, 2007 refers to Mr. Whittemore's, letter dated January 26, 2007 which admits that Red Rock Investments has no requirement by the Planning Board to pay for monitoring well testing.

Selectman's Rep. Lewis asked Ms. Scott if she told Red Rock Investments that they would not have to pay for the testing. Ms. Scott clarified that she told the applicant that there was nothing in the minutes, on the plan, or from the Planning Board that payment for sampling was part of the requirement of the monitoring wells.

Selectman's Rep. Lewis said that the Planning Board would not have required monitoring wells to be placed on the property if they did not expect them to be tested.

Chairman Bourque asked if it was part of the approval process for Enpro to pay for the testing of the wells?

Mr. Whittemore said that the purpose of Pembroke Water Works' January 15, 2007 letter was to document that the monitoring wells were required to analyze the potential contamination and that the property owner was responsible for the cost of the sampling. A copy was sent to Enpro.

Member Terrien stated that, in his opinion, since the property owner has always paid for the testing, it would seem that history would dictate who is responsible for the cost.

Ms. Scott asked if the Board felt that since the property owner is not paying for the well testing, would Red Rock Investments be in violation of the site plan? In her opinion, the Planning Board would have the burden of proof.

Chairman Bourque asked what the Water Works' intention was at this point?

Mr. Culberson stated that everyone agrees that the wells must be tested – the question is who is to pay for the testing.

Mr. Whittemore said that the Water Works is no longer pursuing the issue and feels that it is now a Planning Board issue. The Water Works will continue to test the wells and will be taking over the testing cost since it is critical that the wells be tested.

Chairman Bourque asked for suggestions from the Board. He asked Selectman's Rep Lewis if she felt that the Planning Board should approach Town Counsel regarding this issue.

Ms. Lewis said that the Planning Board needs to know from the Water Works what items are being tested for and what the costs are associated with the testing.

Chairman Bourque suggested that Mr. Whittemore create a document indicating frequency of testing, the length of time the wells would have to be tested, and who would be responsible for the testing.

Mr. Whittemore said that the testing should occur as long as there is a risk on the site. He also said that as soon as the Water Works has completed their review of their regulations, they will submit a copy to Ms. Scott.

Chairman Bourque requested that Ms. Scott ask Town Counsel to comment on whether a document in the file stands as part of the official record -- referring to the Enpro letter.

Selectman's Rep. Lewis said that Enpro must have received authorization from the property owner (Red Rock) in order to be the applicant to the Planning Board .

There were no further comments.

Taylor Homes Site Plan - ROW and "Unused Land"

Alternate Member Crean has rejoined the Planning Board.

Ms. Scott reminded the Board that recently an applicant had proposed upgrading Third Range Road to Church Road for a potential subdivision. The Planning Board, at that meeting, questioned the status of the proposed Cross Road/Third Range Road connector. The Board instructed Ms. Scott to write a letter to Taylor Homes requesting an easement to the Town for the 50 ft. ROW from Church Road/Cross Road to Third Range Road.

Ms. Scott noted that each member packet included a copy of a memo from Ms. Scott to Howard Chandler, of Taylor Homes, and David Bibbins, of First Congregational Church dated March 7, 2007 regarding the 50' right-of-way for the Cross Road/Third Range Road connector. She noted Taylor Community's response dated March 12, 2007 (enclosed in the member packets). The Church did not respond.

Alternate Member Crean stated that the Town generally does not want to take property off the tax role until it becomes a road. In general, a strip of land is usually dedicated to the public, even though the road is not laid out or engineered, and the dedication becomes part of a plat which remains in effect for a minimum of 20 years. Therefore, in this particular case, there is no reason for the Town to accept an easement to the land because the Town would then become responsible for it. An easement should not be accepted until a development is proposed. The

dedication cannot be revoked by the owner. The land has already been dedicated and can be taken by the Town whenever it chooses.

There were no further comments.

Financial Guarantees Procedure – Memo from Town Administrator

Member packets included a March 21, 2007 memo from Troy Brown, Town Administrator to Robert Bourque, Planning Board Chairperson regarding bonds and letters of credit.

Ms. Scott indicated that the memo asks the Planning Board to meet with the Board of Selectmen to formalize the issue of current and future letters of credit and bonds established by the Planning Board to fulfill conditional subdivision and site plan approvals.

In the past, the Planning Board has been responsible for requiring the bond, and setting the amount for the bond or letter of credit. The question is whether the Planning Board wants to be the administrative board or if the Planning Board would prefer that the Board of Selectmen be the administrative board. The Board of Selectman has indicated that they would like to retain control but would prefer a more formalized agreement between the two Boards. The Board of Selectmen suggested dates that the Boards could meet to discuss this issue.

Alternate Member Crean indicated the Planning Board should create a process which would determine if an applicant is out of compliance, and authorize, if necessary, the Board of Selectmen to call the bond. There also needs to be discussion on whether or not the Planning Board would revoke the plan approval. It should be drafted in the subdivision and site plan regulations. The key is to let the applicant know ahead of time so they can correct the problem before the bond is called.

After a brief discussion, Chairman Bourque asked Ms. Scott to write a letter to Troy Brown indicating that the Planning Board will create a process and will submit it to him for review and suggestions.

ZBA Response to Planning Board Request

Ms. Scott referred to the letter from William Bonney, Chairman of the Zoning Board of Adjustment dated April 2, 2007 in response to the Planning Board's request to review and comment on cases coming before the ZBA.

Selectman's Rep. Lewis said that the letter that was sent to the ZBA was not what was intended by the Planning Board. She clarified that she merely wanted the Planning Board to be notified as to the items on the ZBA's agenda so that the Planning Board, as a whole, could comment if they so desired.

Ms. Scott pointed out that the Planning Board received a copy of the memo that was sent to the ZBA, no one on the Planning Board commented that the memo was not what the Planning Board intended, and Chairman Bourque approved the memo.

Alternate Member Crean clarified that the Planning Board could give input to the ZBA with regard to its intent with regard to an issue coming before the ZBA as long as they did not show approval or disapproval to the issue.

Chairman Bourque asked if the Board would like him to write another letter asking the ZBA to provide the Planning Board with the agendas to their meetings.

Ms. Scott pointed out that the ZBA's agenda is on the website but she would be willing to make sure that the Planning Board received a copy of the Agendas if they wished.

Alternate Member Crean re-clarified that if the Board commented, for example, that a "particular property does not qualify for a variance because . . ." and went into the facts of the matter then that would not be acceptable. But, if the Board said to the ZBA "in your deliberation of whether or not you should grant a variance for this purpose, we would like to call your attention to the following factors that the Planning Board feels are important to adopting the ordinance" - that would be acceptable. It is important that the Planning Board not indicate approval or disapproval on a topic before the ZBA. Also, Mr. Crean noted that if Planning Board members testify at a ZBA hearing as residents, they may have to recuse themselves if the matter comes before the Planning Board at a later date.

Member Topliff asked that the ZBA agenda be sent to all members of the Planning Board.

Dana Carlucci of 8 Prospect Street asked if someone from the Planning Board could clarify the pros and cons regarding combined meetings between Planning Board and the Zoning Board at the request of the applicant.

Ms. Scott noted that the pros are that it is cheaper for the applicant and they would only have to make one presentation. The cons are that the applicant would have to complete all their engineering and drainage per the Planning Board requirements and then take the risk that the ZBA would deny the special exception or variance, and would then lose all the costs associated with the required Planning Board preparations.

Request for Meeting with ZBA

Ms. Scott stated that Mr. Carlucci discussed with her the possibility of having an informal meeting between the ZBA and the Planning Board. There are many new members on both boards and it might be advantageous to introduce each other, discuss the roles of the ZBA and Planning Board and their intent regarding various ordinances.

Alternate Member Crean asked if there could be statistics compiled regarding the variances that have been granted over the last year and what sections of the ordinance created problems for ZBA. The information may indicate what sections of the ordinance should be revised.

Chairman Bourque asked if anyone was opposed to having an informal meeting with the ZBA to discuss those items mentioned. All were in agreement. Ms. Scott will speak with the ZBA.

Subdivision Regulations – Draft Proposed Amendments

Ms. Scott referred to her memo to the Planning Board dated April 3, 2007 regarding Draft Subdivision Regulation Changes. Per the Planning Board's request, she did not request opinions from any other departments, committees, or boards. She did, however, want to encourage the Planning Board to look at the regulations as a whole and not piece-meal and felt that the Board should encourage input from other Town boards, departments, and committees.

The portion of the regulations that Ms. Scott reviewed was cul-de-sacs and deadends. She reviewed definitions, construction of streets, and dead-end streets, and street improvements.

Selectman's Rep. Lewis said that the existing problem is that at the present time the Planning Board regulations state that a cul-de-sac can be 600' but the Board has recently extended cul-de-sacs to 1,000' with fire suppression.

The issue, as Chairman Bourque stated, is that the Board wanted to review the present regulations surrounding the cul-de-sac issues. He expressed that initially the Board measured the 1,000' cul-de-sacs from the town road to the center of the cul-de-sac. He suggested that it might be best to measure the length of a cul-de-sac from the town road to the furthest point of the cul-de-sac.

In the draft Subdivision Regulation Changes proposed by Ms. Scott, Section 205-8 Terms Defined, Ms. Scott clarified that an example of a temporary cul-de-sac would apply to an applicant whose intent was to create a two-phase cul-de-sac subdivision. If an applicant, in Phase I, built a 600' cul-de-sac with the intention of a future expansion to a 1,000' cul-de-sac at Phase II, the 600' cul-de-sac would be considered a temporary cul-de-sac and the 1000' cul-de-sac would be the permanent cul-de-sac. No further discussions or suggestions were made by the Board.

At Chairman Bourque's request, Ms. Scott clarified that Section 205-41D2f, refers to a T-turnaround and an L-turnaround minimum length of 30 ft., but does not state a maximum length.

After a brief discussion, the Board agreed that Section 205-41D2f, should read “. . . not be less than thirty (30) feet long or more than fifty (50) feet long . . . and have a fifty-foot radius . . .”

Member Topliff suggested that in 205-41D2e which reads “If the temporary dead-end street is longer than 600 feet in length, all residences must have a fire suppression system”, he would like to add “. . . must have a fire protection suppression system in any residence that is on a dead-end

street or cul-de-sac.” He further pointed out that there is no time-frame associated with the term “temporary” and one should be considered.

Alternate Member Crean expressed his desire to see the wording of 205-41D1 to read: “. . . continuation of streets between adjacent properties when such continuation is necessary, appropriate, or convenient for the movement of traffic . . .” His feeling is that if someone wishes to build a subdivision or shopping center, there should be provisions to access other subdivisions without having to go back onto the main street. He also suggested that the Board discuss access between parcels in the same way.

Selectman’s Rep. Lewis said that the Board was not dealing with the real question which was if they wanted to encourage cul-de-sacs or something other than the standard cul-de-sac.

Chairman Bourque said that the discussions were merely for the short-term while the Board reviewed other alternatives to cul-de-sacs.

A brief discussion brought to light that damage to the street and curbing coupled with the turning difficulties by snow plows are problems associated with cul-de-sacs and deadends. It was agreed that it would be best to encourage other designs. One possibility was to encourage the connection of dead-ends and cul-de-sacs in hopes of forming a future thru-street

In order to avoid creating a cul-de-sac off of an existing cul-de-sac, it was agreed that a dead-end or a cul-de-sac must be measured from a main access road which would be defined as a road that has more than one access.

At the suggestions of Selectman’s Rep. Lewis, it was agreed that permanent T or L-turnarounds will be at the discretion of the Planning Board.

Alternate Member Crean suggested placing the burden on the applicant to justify creating a dead-end. He also said that he would prefer spending more time in carefully reviewing all issues regarding the “Construction of Streets” section of the Subdivision Regulations by studying regulations from other towns.

Chairman Bourque agreed with Mr. Crean but reiterated that the purpose, at this point, is to place a temporary patch on the cul-de-sac issue until such time as the regulations can be rewritten.

Discussion of the measurement of a cul-de-sac ensued. It was discussed that the measurement of a 1000’ cul-de-sac was to begin at the entrance of a town road which has more than one point of access along the travel way of the cul-de-sac. Ms. Scott clarified that by that definition, it would seem unlikely that there would ever be large middle areas of a cul-de-sac but rather a long strip of road and a small cul-de-sac circle would be more likely in order to maximize the number of houses. The Board agreed that the radius of the cul-de-sac would be no less than 60 feet and the measurement of the cul-de-sac would be from the entrance of a town road which has more than one point of access along the travel lane to the farthest point around the center of the cul-de-sac.

The Board requested that Ms. Scott to draft the new changes for their review prior to being sent to other town boards, committees, and departments.

Miscellaneous

- 4/02/07 Budget Update was enclosed in all member packets. There were no comments.
- Notice of the May Newsletter was enclosed in the member packets. The deadline is next Monday. It was agreed that the Planning Board would like to have an open forum for the public to express their concerns, comments, and suggestions on June 12, 2007 at a location to be announced.

- Board Member Binder Updates were enclosed.

Membership

- Elections: Chair and Vice-Chair

MOTION: Alan Topliff moved to nominate Robert Bourque as Chairman of the Planning Board. Todd Terrien seconded.

Chairman Bourque indicated that he would like to give Vice Chairman Lemoine an opportunity to be Chair and Mr. Bourque would agree to be Vice Chairman.

Member Topliff expressed his concern that Vice Chairman Lemoine has, in the past, been intimidating to the applicant. Member Topliff felt that to be adversarial is the wrong approach for the Planning Board. The Board should be friendly and as cooperative as possible.

Vice Chairman Lemoine replied that the Board should be able to ask questions of the applicant and that the applicant should be made aware of what the Board is looking for.

Member Topliff agreed that the Board should be asking questions but that it should be done in a non-confrontational manner and in a way that would not upset the applicant. He then asked Chairman Bourque if he wanted to be Chairman again. Chairman Bourque replied that he would like to give Vice Chairman Lemoine a chance.

MOTION: Alan Topliff moved to withdraw his nomination of Robert Bourque as Chairman of the Planning Board. Todd Terrien seconded.

MOTION: Chairman Bourque moved to nominate Roland Lemoine as Chairman of the Planning Board. Selectman’s Rep. Lewis seconded.

VOTE: Alan T. – N Todd T. – Y Robert B – Y Cindy L - Y
 Kevin F. – Y Kathy C – Y Roland L – Abstained
 Dan C. - Abstained

MOTION TO NOMINATE ROLAND LEMOINE AS CHAIRMAN OF THE PLANNING BOARD PASSED ON A 5-1 VOTE WITH TWO ABSTENTIONS.

MOTION: Roland Lemoine moved to nominate Robert Bourque as Vice Chairman of the Planning Board. Selectman's Rep. Lewis seconded.

VOTE: Alan T. – Y Todd T. – Y Robert B – Y Cindy L - Y
Kevin F. – Y Kathy C – Y Roland L – Y
Dan C. - Abstained

MOTION TO NOMINATE ROBERT BOURQUE AS VICE CHAIRMAN OF THE PLANNING BOARD PASSED ON A 7-0 VOTE WITH ONE ABSTENTION.

Chairman Bourque stated that Roland Lemoine will begin as Chairman as of the next meeting.

- Reappointment: Alan Topliff agreed to continue serving on the Planning Board. Ms. Scott indicated that Mark Zydel has indicated that he would also like to remain on the Board.
- Board Representation: The following members agreed to represent the Planning Board on the following committees:
 - o Kevin Foss - Economic Development Committee
 - o Roland Lemoine - CIP Committee
 - o Todd Terrien - Conservation Commission
 - o At the suggestion of Roland Lemoine, Chairman Bourque instructed Ms. Scott to contact Mark Zydel and ask if he would be willing to serve on the Roads Committee since he is a bridge engineer.
- Volunteer request from TJ Murphy. Ms. Scott contacted TJ Murphy in the past when he first expressed an interest in joining the Planning Board, but nothing came of it. She suggested that since she does not know TJ Murphy, it might be best to have someone who knows Mr. Murphy contact him or, a letter from the Chairman would be drafted. It was agreed that Ms. Scott would send a copy of the e-mail that was sent to the ZBA for his review regarding potential volunteers.

MOTION: Alan Topliff moved to adjourn. Vice Chairman Roland Lemoine seconded.

The vote was unanimous in favor of the Motion.

The meeting adjourned at 10:12 p.m.

Respectfully submitted,

Jocelyn D. Carlucci
Recording Secretary