

MINUTES
PEMBROKE PLANNING BOARD
April 25, 2006

PLANNING BOARD MEMBERS PRESENT: Norm Provencher, Chair; Selectman Larry Young (Selectmen's representative), Paul Andrews; Alan Topliff, John Harrington, Alternate Planning Board member; Cindy Lewis, Alternate Planning Board member; Kevin Foss, Alternate Planning Board member.

EXCUSED: Bob Bourque, Vice Chair; Roland Lemoine, Pat Fair, Bill Faith, Alternate Planning Board member;

UNEXCUSED:

STAFF PRESENT: Laura Scott, Planning Director; Susan Gifford, Recording Secretary

Chairman Provencher opened up the Planning Board meeting at 7:01 p.m. Cindy Lewis was designated to vote for Roland Lemoine; John Harrington was designated to vote for Pat Fair; and Kevin Foss was designated to vote for Bob Bourque.

Chairman Provencher noted that the Planning Board meeting is scheduled to adjourn by 10:00 p.m. unless the Planning Board elects to continue discussion on some or all of the remaining items on the agenda. The Planning Board will make this determination at each meeting. Any items remaining will be placed on the agenda for the next regular meeting.

Meeting Minutes

Edits were proposed and discussed for March 14, 2006 and March 28, 2006 Planning Board minutes. Edits for April 11, 2006 and the approval of the March 14th and March 28th minutes were held to the end of the meeting for brevity sake.

Public Hearings – Old Business

- 1) **Major Subdivision Application – Case #04-13** Map 634, Lot 17, located at 600 Pembroke Street, in the Soucook River Development District, the Architectural Design District, Aquifer Conservation District, Shoreland Protection District, Floodplain District, and the Wetlands Protection District. Applicant, H.L. Turner Group and CLD Consulting Engineers, on behalf of Pembroke 600 Corp. propose to create a 4-lot commercial subdivision with associated offsite improvements to Route 3 and Route 106.

Ms. Scott noted that this application was noticed a development of regional impact to the City of Concord and the Central NH Regional Planning Commission (CNHRPC). CNHRPC sent an email dated 4/21/06 stating that they had no comments at this time.

Ken Rhodes, P.E., CLD Consulting Engineers, and Mark McLeod, of H.L. Turner were in attendance. Mr. Rhodes provided an update of the Route 106 and Route 3 intersection design as submitted to NH DOT. The application has been continued from 2/28/06 with extension of time line for consideration to work out offsite improvements with NH DOT. Mr. Rhodes reported that the plans presented to NH DOT were very consistent with those originally presented to the Planning Board. The process is moving along. From Route 106, there will be a double left-lane turn southbound to Route 3.

Chairman Provencher opened the continued public hearing at 7:35 p.m.

The Planning Board noted that CLD has new and existing conditions on the same drawing and it is rather confusing. Ken Rhodes explained that they are moving the right hand turn from Route 106 onto Route 3 north by 20 feet. The yellow highlighting is pavement being added. Mr. Rhodes made note of adding directional arrows to the reduced plans for clarity.

Motion: Mr. Topliff moved to continue consideration of Case 04-13 and any associated public hearing to May 23, 2006. Mr. Andrews seconded.

VOTE: CINDY -Y PAUL - Y JOHN - Y
LARRY - Y ALAN- Y KEVIN - Y

CASE #04-13 CONTINUED TO 5/23/06 ON A 6-0 VOTE

- 2) **Major Site Plan Application.** Case 05-109. Map 561 Lot 5-10, located on Commerce Way in the Commercial/Light Industrial (C-1) District. The applicant, Central-RIC, Inc., proposes Boulder Woods V, which consists of an additional 32,400 square feet of mini and maxi storage, as well as 21 spaces for outside storage of vehicles.

Motion: Mr. Topliff moved to continue consideration of Case 05-109 and any associated public hearing to May 23, 2006 as requested by the applicant. Mr. Andrews seconded.

VOTE: CINDY -Y PAUL - Y JOHN - Y
LARRY - Y ALAN- Y KEVIN - Y

CASE #05-109 CONTINUED TO 5/23/06 AT THE REQUEST OF APPLICANT ON A 6-0 VOTE

Public Hearings - New Business

- 1) **Lot Line Adjustment and Minor Subdivision Application Reconsideration**
Case #05-08 Map 563 Lots 25 and 40-6, located on Route 3 and Ashley Drive, in the LO an R-1 Zoning Districts. The applicant, T.F. Bernier, on behalf of Jacqueline F. Thompson Trust, proposes to adjust the lot line between lot 25 and lot 40-6 and subdivide Lot 40-6, creating one new lot with frontage on Ashley Drive. Ashley Drive is to be reconfigured to a cul-de-sac.

Ms. Scott noted that this public hearing was noticed to abutters. She also noted that the Conservation Commission provided input to the Planning Board as an abutter. Attorney Bill Hall, Bob Carpenter of T.F. Bernier, and Charles Thompson were in attendance. Mr. Hall stated that he would keep his presentation brief and would be happy to answer questions. Mr. Hall stated that Lot 25 would have 11 plus acres, Lot 40-6-1 would have 12 acres and Lot 40-6 would be split off, creating a cul-de-sac. Mr. Hall, on behalf of the applicant, requested a waiver of engineering fees for performance guarantee and inspection fee estimates.

Motion: Ms. Lewis moved to accept the plan in as complete. Mr. Andrews seconded.

VOTE: CINDY -Y PAUL - Y JOHN - Y
LARRY - Y ALAN- Y KEVIN - Y

CASE #05-08 ACCEPTED IN AS COMPLETE ON A 6-0 VOTE

Chairman Provencher opened the public hearing at 7:46 p.m.

Steven Pulaski, abutter at opposite end of the property, stated that he felt a cul-de-sac is a good idea. Mr. Pulaski has a concern for his privacy. He asked if the applicant must follow the same rules for foliage as the rest of Ashley Drive development. Yes, they will. The cul-de-sac is located where the temporary turnaround is located now.

There being no further input, Chairman Provencher closed the public hearing at 7:48 p.m.

Ms. Scott noted that the town does have a copy of the draft road deed and drainage easement, but they have not yet been sent to Town Counsel for review. A bond is required for Ashley Drive; the amount will be set by the Town Engineer. An engineering and legal escrow account is usually set up by the applicant. Mr. Hall confirmed that the applicant is not contesting the legal fees for document review. The Town Engineer typically comes up with the bond estimate. The Town had in-house ability to set the bond the last time this case was under consideration and now uses an outside firm for engineering.

Motion: Ms. Lewis moved to waive the engineering fee to set the bond amount and inspection fee amount if the plan were sent out for engineering review to the town firm. Mr. Andrews seconded.

VOTE: CINDY -Y PAUL - Y JOHN - Y
LARRY - Y ALAN- Y KEVIN - Y

ENGINEERING FEE FOR ESTABLISHING THE BOND AND INSPECTION FEE AMOUNTS WAIVED ON A 6-0 VOTE

Motion: Mr. Andrews moved to approve Case #05-08 with the following conditions:

- 1) Receipt of legal fees for review of road deed and drainage easements.
- 2) Receipt of performance guarantee for road and drainage improvements.
- 3) Receipt of inspection fees for road and drainage improvements.
- 4) Approval by Town Counsel and execution of road deed and drainage easements
- 5) The applicant shall plant 2 shade trees per lot (oak, linden or maple) in the ROW.
- 6) Conditions of approval shall be met within 6 (six) months.

Mr. Harrington seconded.

VOTE: CINDY -Y PAUL - Y JOHN - Y
LARRY - Y ALAN- Y KEVIN - Y

LOT LINE ADJUSTMENT AND MINOR SUBDIVISION PLAN APPROVED WITH CONDITIONS ON A 6-0 VOTE

- 2) **Major Site Plan and Special Use Permit Application (Development of Regional Impact) Case # 06-102** Map 256 Lot 26-2, located on Ricker Road, in the Commercial/Light Industrial District and is subject to the Aquifer Conservation, Floodplain Development, and Shoreland Protection Overlay Districts. The applicant, BS & Chips, LLC, proposes to use this property as a wood chip processing and handling yard, a pallet recycling operation, and log storage. There will be an office and maintenance building, a diesel fuel tank, and trucks and rolling equipment on-site.

Cindy Lewis stepped down for this application, #06-102 BS & Chips

BS & Chips provided a drawing dated 4/21/06 of the dry hydrant/drafting station. CNHRPC sent an email dated 4/21/06. No comments have been received from Concord Planning Department yet. Pembroke Water Works provided a memo following technical review March 9, 2006 indicating that they had major concerns and would require their geologist to evaluate the site plan and comment. The Fire Chief is scheduled to meet with the applicant and their engineer. The ZBA approved a Special Exception for BS & Chips on 4/6/06 and a copy of the decision was provided to the Planning Board. The only condition was a restriction on hours of operation. On April 17, 2006 the applicant requested a waiver of "no building review fee" in the amount of \$10,345.

Peter Bloomfield, President, Concord Steam and P.E. with professional engineering firm Bloomfield Associates, presented an overview of the proposal. The site is adjacent to the asphalt plant.

Concord Steam plans to move its existing wood handling operation from the Dirt Doctors site on Keith Ave to this site on Ricker Road. They have been at the Dirt Doctors site for three years. Due to lease issues, they plan to move to the old gravel pit at Map 256, Lot 26-2 on Ricker Road.

They plan to grade the site to a consistent slope and put in a 40' x 100' office building. While they originally talked about paving the whole area, after hearing town committee concerns about too much paving, the paved area was reduced to an area for the truck and loader and an unloading area. The rest of the site will have a compacted crushed gravel surface. A drainage swale will run along the outside to provide additional recharge area.

Mr. Bloomfield addressed the more immediate concern brought up by the Pembroke Water Departments geologist's water study report dated 4/18/06. Mr. Bloomfield stated that the leachate referred to in the report is more likely to occur in a wood pile, as at a paper mill, that rots and stews a toxic fluid. The wood pile will be built up August to November and used November through March at Concord Steam. The pile will be maintained to minimize water. Proper pile maintenance and packing will eliminate the danger of spontaneous combustion. At peak buildup, the wood material on the ground will be 10-15,000 tons of wood worth \$300,000. The water report concern with leachate does not apply in this situation. The pile will be cleaned out by the end of March. In May, they need to dump piles in the yard from self-unloading trucks and move the piles as needed. In response to Board questions, Mr. Bloomfield stated that Concord Steam will burn 40,000 tons of wood per season.

Mark Saltsman, Vice President, Concord Steam, stated that the wood chips are used on a first in, first out basis. The concerns raised by the geologist report would occur if wood piles sat for an extended time, eight to ten years. In response to Board questions about a Route 106 monitoring well, Mr. Saltsman stated that discussion with the Water Works has not started. Mr. Saltsman stated that their geologist was present at the meeting to listen. Rainwater would percolate through the piles and best management practices would be provided. Air and water are so damaging to piles. BS & Chips will use an oversized loader to build up piles. The gravel base will be 6-12 inches, compacted by heavy equipment. Most water runs off the piles and soaks into the ground.

Peter Bloomfield stated that for the most part, the wood delivered is green. Wood piles can get to a condition of being "too dry".

Brad Green, the geologist for BS & Chips, stating that leaching of contaminant from asphalt is not likely to occur. Oils grab onto organic matter in the soil.

There will be a camera system on 24/7 when the trucks are weighed and dumping. There will be people working on the piles and in the office monitoring the site

Bark mulch is very volatile. It is the live part of the tree.

Peter Bloomfield explained that the wood chip fuel is used for the Concord Steam District heating, which includes the State House, Federal Building, schools and some buildings on the NH Hospital grounds/State Office Park South. Steam lines run down Pleasant Street to Main Street. The system provides heat and hot water to the Capital building, restaurants, the Concord YMCA and apartment buildings. The company has done this since 1938 and has used wood fuel since 1976. Concord Steam stopped using wood in 1993 for eight or nine years when oil was cheap.

Ms. Scott suggested that a joint meeting of BS & Chips with Pembroke fire, engineering and water representatives, and herself may resolve some issues. Peter Bloomfield expressed concern that too many issues would be on the table, given the attendees and that smaller, more focused meetings may be more

likely to resolve issues. The consideration of the plan should be continued, but abutters will not be renotified. Mark Saltsman pointed out the need to start building the pile soon. Mr. Topliff noted that with the extension to May, they are one month behind now.

Motion: Mr. Andrews moved to continue consideration of Case 06-102 and any associated public hearing to May 23, 2006 to allow time for meetings and resolution of some issues. Mr. Foss seconded.

VOTE: PAUL - Y JOHN - Y
LARRY - Y ALAN- Y KEVIN - Y

CASE #06-102 CONTINUED TO 5/23/06 ON A 5-0 VOTE

Cindy Lewis returned to the Planning Board.

Miscellaneous Items

Meeting Minutes

Motion: Mr. Harrington moved to approve the minutes of the March 14, 2006 regular meeting as amended. Mr. Foss seconded.

VOTE: CINDY -Y PAUL - Y JOHN - Y
LARRY - Y ALAN- Y KEVIN - Y

MINUTES OF 3/14/06 APPROVED AS AMENDED ON A 6-0 VOTE

Motion: Mr. Harrington moved to approve the minutes of the March 28, 2006 regular meeting as amended. Mr. Foss seconded.

VOTE: CINDY -Y PAUL - Y JOHN - Y
LARRY - Y ALAN- Y KEVIN - Y

MINUTES OF 3/28/06 APPROVED AS AMENDED ON A 6-0 VOTE

Motion: Mr. Harrington moved to approve the minutes of the April 11, 2006 regular meeting as amended. Mr. Foss seconded.

VOTE: CINDY -Y PAUL - Y JOHN - Y
LARRY - Y ALAN- Y KEVIN - Y

MINUTES OF 4/11/06 APPROVED AS AMENDED ON A 6-0 VOTE

Motion: Mr. Andrews moved that Ms. Scott prepare a 'suggested edits' version of each set of minutes and provide this to Planning Board members in their packet for the sake of efficiency in discussing and approving the minutes. Mr. Foss seconded.

VOTE: CINDY - Y PAUL - Y JOHN - Y
LARRY - Y ALAN- Y KEVIN - Y

MOTION PASSED ON A 6-0 VOTE

Tapes of Planning Board meetings – Tapes of the meetings are available for the public to listen to at Town Hall during regular office hours. Any person may make their own copy using their own equipment. The Planning Department keeps the tapes available until the minutes are approved. Then the tapes are recycled, with the newest tapes placed at the end of the recycle pile. The tapes are an aid and a backup until the official minutes are adopted by the Planning Board.

Ms. Lewis would like clarification from Town Counsel on this process.

Appointments to CNHRPC Full Commission and other

Chairman Provencher reported that he received an email dated 4/24/06 from Troy Brown asking that the Planning Board make a formal recommendation to the Board of Selectmen for appointments to Full Commissioner and Alternate Commissioner positions representing Pembroke at CNHRPC. In addition, Troy Brown offered to serve on the Transportation Advisory Committee (TAC).

Ms. Scott clarified that the procedure is that the Planning Board recommends to the Board of Selectmen Full and Alternate Commissioner position and the Board of Selectmen approves the appointments. The Board of Selectmen appoints the CNHRPC Conservation and Transportation representatives. Meetings are usually held during the day.

Motion: Mr. Andrews moved to recommend Paul Andrews as CNHRPC Full Commissioner (as voted 4/11/06) and to recommend Laura Scott as CNHRPC Alternate Commissioner (as voted 12/5/05). Mr. Topliff seconded.

VOTE: CINDY - Y PAUL - Y JOHN - Y
LARRY - Y ALAN- Y KEVIN - Y

MOTION PASSED ON A 6-0 VOTE

Motion: Mr. Andrews moved to endorse Troy Brown as CNHRPC Transportation Advisory Committee member for Pembroke if no one from Roads Commission volunteers to serve. Mr. Harrington seconded.

VOTE: CINDY - Y PAUL - Y JOHN - Y
LARRY - Y ALAN- Y KEVIN - Y

MOTION PASSED ON A 6-0 VOTE

Term expiration

Chairman Provencher noted that Roland Lemoine's term is expiring 4/30/06 and his name has been sent to the Board of Selectmen for reappointment at their May 3, 2006 meeting.

Chairman Provencher noted that he has served on the Planning Board since 1983 and his current term is also expiring 4/30/06. Mr. Provencher is NOT planning to renew his term this time. In fact, this will be his last Planning Board meeting. THANK YOU NORM FOR 23 YEARS OF DEDICATED SERVICE AND BEST ENJOY YOUR TUESDAY EVENINGS OFF!!

Commendation of Planner

Chairman Provencher noted that a letter from B.J. Dailey, 306 Dearborn Road was received. He was very pleased with all the aid the Planner provided with his recent application.

General Correspondence

Letter to State Dept. of Administrative Services – Troy Brown wrote a letter dated 4/18/06 on behalf of the Pembroke Board of Selectmen expressing concern about the proposed fuel storage and pumping facility on Route 106.

Letter to State of NH DOT – Troy Brown wrote a letter 4/14/06 on behalf of the Town of Pembroke in support of the CNHRPC grant application seeking funding for a US Route 3 Corridor Study through the towns of Pembroke, Allenstown and Hooksett.

Next Meeting – Planning Board work session 5/9/06 at 7:00 p.m. and regular meeting 5/23/06.

Election of Officers – Elections will be held in May.

ADJOURNMENT

At this point, Mr. Andrews made the following **MOTION: That the meeting is adjourned.** Mr. Harrington seconded the Motion and the Chair noted that the Board had **unanimously approved the Motion** by voice vote and he adjourned the meeting at 9:20 p.m.

Respectfully submitted,

Pembroke Planning Board

Susan P. Gifford
Recording Secretary