

**APPROVED MINUTES
PEMBROKE PLANNING BOARD
May 23, 2006**

PLANNING BOARD MEMBERS PRESENT: Bob Bourque, Chair; Roland Lemoine, Vice 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, Bill Faith, Alternate Planning Board member

EXCUSED:

UNEXCUSED:

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

Chairman Bourque opened up the Planning Board meeting at 7:00 p.m. Bill Faith and John Harrington were designated to vote for the vacant Planning Board positions.

Chairman Bourque 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

Chairman Bourque moved action on the minutes to after the three public hearings on the agenda.

Public Hearings – Old Business

- 1) **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.

Ms. Scott stated that the Board accepted the Major Site Plan application in as complete and opened the public hearing on 3/28/06. She noted that the 65 day consideration period on this application expires on May 31st. Mr. Brown is present.

Mr. Topliff asked if the property experienced water problems during the recent heavy rains. Mr. Brown stated that the first retention pond was 1/3 to 1/2 full and the north end pond was at half depth and just getting up to the outflow. Ms. Lewis verified that this site fared better than the Precision Technology site.

Chairman Bourque opened the continued public hearing at 7:03 p.m.

There being no further input, Chairman Bourque closed the public hearing at 7:04 p.m.

Motion: Mr. Lemoine moved to approve Major Site Plan application # 05-109 for Boulder Woods V at Map 561, Lot 5-10 with the following conditions:

- 1) 2001 Approvals – a copy of the amended Site Specific approval needs to be provided to the Planning Department once it is approved.
- 2) A copy of the amended and signed Joint Use Agreement with PSNH needs to be provided.

Mr. Andrews seconded.

VOTE: ROLAND - Y PAUL - Y JOHN - Y BILL - Y
LARRY - Y ALAN - Y BOB - Y

CASE #05-109 APPROVED WITH CONDITIONS ON A 7-0 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.

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.

At the April 25, 2006 Planning Board meeting, the Board voted to continue consideration on the completeness of the Major Site Plan Application to the May 23, 2006 meeting. BS & Chips did not provide revised plans by the May 16th at noon deadline for inclusion in the agenda packet for 5/23/06. Revised plans were provided after the deadline, but none of the Town departments have finished reviewing them.

In a memo dated 5/16/06, Ms. Scott outlined outstanding items following a meeting with the Code Enforcement Officer, Pembroke Water Superintendent, Planning Board's engineer, Water Department consulting engineer, BS& Chips and their fire engineer, water engineer/scientists and site engineer on May 12th.

Peter Bloomfield, President, Concord Steam and P.E. with professional engineering firm Bloomfield Associates, presented an overview of the revised proposal. The applicant has reduced the amount of work on site significantly. Half the site remains undisturbed. In discussion with the Pembroke Fire Chief and Nick Cricenti, P.E., Mr. Bloomfield understands the fire department wants a fire pond, a drive leading to it, and a dry hydrant. Part of the pond would be in the 125-foot setback from the river. The applicant requests a Planning Board waiver to design the fire pond partially in the setback. Mr. Lemoine asked what precautions are taken by the asphalt plant on the abutting lot to protect the aquifer and shoreland. Mr. Bloomfield has not studied their plan to know what precautions are provided.

The BS& Chips site will have a diesel tank with containment area on the pavement. Wood chips will remain in the storage area for 9-10 months per year. Mr. Bloomfield stated that their management plan results in the turn over of one chip pile within 5-6 months. In response to Board questions, Mr. Bloomfield stated that the Water Department concerns were acidic leachate from sawdust in stagnant water. The pile is the high point on the site, so water will not run into it. The site is graded and the material under the wood chips is semi-permeable. Berms will be placed around the pile. The ideal pile would be skinny and tall. The area will be adequate for Concord Steam use, but the applicant stated that he would come back to the Planning Board to revise the Site Plan if PSNH entered into an agreement to store chips at BS & Chips.

In response to Board questions about a small oil fire experienced at the Concord Steam plant during the recent heavy rains, Mr. Bloomfield stated that an oil line broke, sprayed oil on the front of a boiler and the oil ignited. It was not a case of spontaneous combustion of chips. Mr. Bloomfield stated that one silo full of chips at the plant in Concord equals two days of burning.

In response to Board questions, Ms. Scott stated that the current site plan regulations give the Planning Director or the Planning Board authority to determine whether an application is a development of

regional impact. Due to the size, scope and visual impact, Ms. Scott determined this application to be a development of regional impact. Mr. Lemoine stated that any potential development of regional impact ought to be brought to the Planning Board. Ms. Scott noted that this could be changed in the regulations by the Site Plan Regulation subcommittee.

Motion: Mr. Andrews moved to continue consideration of Case 06-102 for completeness and any associated public hearing to June 27, 2006 to allow time review of revised plans. Mr. Topliff seconded.

VOTE: ROLAND -Y PAUL - Y JOHN - Y BILL - Y
LARRY - Y ALAN- Y BOB - Y

CASE #06-102 CONTINUED TO 6/27/06 ON A 7-0 VOTE

Cindy Lewis returned to the Planning Board.

- 3) **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.

In a letter dated May 15, 2006, James Bouchard, Senior Project Manager, of H.L. Turner Group Inc provided an update of the Route 106 intersection design as discussed with NH DOT. The plan has been continued since 2/28/06 with extension of time line for consideration to work out offsite improvements with NH DOT. Mr. Bouchard reported that NHDOT review process is in progress. It is not prudent to submit modifications to both the subdivision plans and off-site improvements until receipt of NHDOT’s review comments. He requested continuance to 6/27/06.

Motion: Mr. Harrington moved to continue consideration of Case 04-13 and any associated public hearing to June 27, 2006 at the request of the applicant. Mr. Andrews seconded.

VOTE: ROLAND -Y PAUL - Y JOHN - Y BILL - Y
LARRY - Y ALAN- Y BOB - Y

CASE #04-13 CONTINUED TO 6/27/06 ON A 7-0 VOTE

Meeting Minutes

Motion: Mr. Harrington moved to approve the minutes of the April 25, 2006 regular meeting as amended and with Ms. Scott’s changes (Take out sentence on page four regarding camera system that is incorrect.). Mr. Andrews seconded.

VOTE: ROLAND -Y PAUL - Y BOB-Y JOHN - Y
LARRY - Y ALAN- Y BILL - Y

MINUTES OF 4/25/06 APPROVED AS AMENDED ON A 7-0 VOTE

Motion: Mr. Harrington moved to approve the minutes of the May 9, 2006 regular meeting as amended with Ms. Scott’s changes. Mr. Andrews seconded.

VOTE: ROLAND -Y PAUL - Y BOB-Y JOHN - Y
LARRY - Y ALAN- Y BILL - Y

MINUTES OF 5/9/06 APPROVED AS AMENDED ON A 7-0 VOTE

Work Session

- 1) **June 13th Master Plan meeting organization** – On April 10, 2006, Ms. Scott sent invitations to all town boards and commissions, including the School Board, to attend a meeting on June 13 to discuss implementation of the 2004 Master Plan. Each board and commission was asked to

submit lists of Master Plan Implementation item that have been accomplished, those scheduled to be accomplished in 2006, items that are no longer relevant, and items needing assistance/information/coordination in order to accomplish. All information will be compiled and shared with those in attendance to enhance the discussion at the meeting on June 13. The Planning Board consensus was to hear brief presentations from each board and commission in alphabetical order. Ms. Scott will send out a reminder note about the June 13 meeting.

- 2) **Cluster (Conservation) Subdivision Ordinance** – Ms. Scott provided a copy of proposed changes to the existing Article X (Cluster Subdivision Provision) Conservation Subdivision for review and comment. She also provided a completely rewritten draft Article X Conservation Subdivisions compiled from many samples from other towns. The clean copy is the rewritten ordinance. The edited copy is the current ordinance with proposed changes. Chairman Bourque asked each Planning Board member to read both copies and make comments as homework. Ms. Scott noted that the rewritten ordinance provides a density bonus, is allowed in every district, and is mandatory if the parcel is over 20 acres. In a cluster subdivision, the developer cannot get more units than he would with a conventional subdivision. The clean version formula allows for more units. Chairman Bourque asked Ms. Scott to prepare a three-tiered comparison document among the existing, modified and totally new proposed ordinance for the next discussion of this topic.

It was discussed that with frontage on an existing road, conservation subdivisions must meet R3 criteria for frontage. A developer could have smaller lots on a new road. The Planning Board can dictate the size of lots based on well and septic capacity. The concern is the number of new students a development would bring to the town. The average family size is decreasing, but the average square footage of new construction is increasing.

There will be a meeting with the Allenstown and Pembroke Sewer Departments to review the sewer agreement. Pembroke has land available to develop commercial lots. ~~Allenstown~~ plans to run sewer up Route 28 with limited access. Allenstown has very little commercial land. For two months, the sewer plant reaches capacity, May being one of those months. Sump pumps that empty into sewer lines increase capacity used.

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It was discussed whether it was more desirable for the town to own conservation land, or hold an easement where the town can continue to tax the property owner at 'current use' rate. In response to Board questions, Ms. Scott noted the rewards to developers under a conservation subdivision are that they can build a couple more homes with fewer infrastructures (road, sidewalks etc). The benefits to the Town are fewer roads to plow, someone else maintains the easement, and there is protected open space. Wells and septic systems will be necessary to develop North Pembroke Road area. With wetlands and ledge, this will limit the number of homes that can be built.

Ms. Scott noted that in Henniker, homes on one-acre with conservation land and trails around it sold well. A Hooksett contractor set up his own water works and charged for its use. It was discussed that there is little hope for flat, grassy soccer fields on the current town-owned conservation land. In the new proposed ordinance, Ms. Scott tightened up the conservation land to not include a buffer strip of land; however 150' wide land on a particular lot may be adequate.

Ms. Scott will provide the requested comparison among the current, modified and brand new proposed Conservation Subdivision ordinance. She will note what is gained, what is new and what is taken away in each version. Ms. Scott noted that the conservation ordinance is a zoning ordinance, so applicants may go to the ZBA to seek relief.

- 3) **Board member binders** – Ms. Scott provided a list of items she proposed to place in Planning Board member binders. Some members have binders they wish to recycle after they merge their own notes into the newly updated material. Add item 17) List of Town Owned Conservation Land. Some members want to trade paper copies of the Master Plan for CD version.

General Correspondence

Articles – Ms. Scott provided copies of two articles from May 2006 NH Town and City magazine – GRANIT Data Mapper Offers Mapping Tools Anyone can Use and Protecting Groundwater Resources.

Letters – Copies of letters to applicants from Troy Brown, Town Administrator, with Notice of Building Permit Approval conditions.

Folder – Ms. Scott circulated a folder of all materials received since the last Planning Board meeting. This folder is available in her office, and older material is recycled.

Other – Ms. Lewis reported a concern about the number of trees cut down in the wetlands at the Buck Street/Smith Avenue subdivision. This is an area that already has a water problem. Ms. Scott will find the file on the subdivision and research it.

Conservation Commission monitoring – Ms. Scott reported that the Conservation Commission will be monitoring all their properties in the summer using the criteria they developed. Ms. Scott was reading the deeds and found few restrictions. The Conservation Commission has scheduled a public hearing on June 12, 2006 to adopt the criteria to evaluate conservation property.

Next Meeting – Planning Board work session/Master Plan meeting on 6/13/06 at 7:00 p.m. and regular meeting 6/27/06.

ADJOURNMENT

At this point, Mr. Topliff made the following **MOTION: That the meeting is adjourned.** Mr. Faith seconded the Motion and the Chair noted that the Board had **unanimously approved the Motion** by voice vote and he adjourned the meeting at 8:30 p.m.

Respectfully submitted,
Susan P. Gifford
Recording Secretary