

**Pembroke Planning Board**  
**Approved Minutes of Meeting**  
**Tuesday, June 26, 2007**

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

**ALTERNATES PRESENT:** Daniel Crean, Kevin Krebs, Kathy Cruson

**EXCUSED:** Mark Zydel

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

Chairman Lemoine opened the meeting at 7:00 p.m. He appointed Alternate Member Daniel Crean to vote in place of Mark Zydel.

**Conceptual Consultation**

- *Map 634 Lot 48-3, Case #05-102 & #06-105 (Pembroke Crossing): Review and Discuss Proposed Modifications to Approved Site Plans*

Laura Scott pointed out that Art Rose of A. W. Rose Construction, LLC is here as a representative of Pembroke Crossing LLC. The following items were included in the member packets: (1) Laura Scott's memo dated June 20, 2007; (2) Copy of the site plan approved 11/22/05 and 07/25/06 along with a copy of the proposed modified site plan; (3) Memo from Police Chief Scott Lane dated June 21, 2007; and (4) Memo from Mike Vignale dated June 20, 2007.

Ms. Scott pointed out that, as her June 20, 2007 memo to the Planning Board indicates, she provided plans to the Building Inspector/Code Enforcement Officer, Consulting Engineer, Police Chief, and Fire Chief. KV Partners was the only party who expressed a concern which was noted in their June 20, 2007 memo.

Art Rose, representing Pembroke Crossing LLC said that a tenant, a butcher shop, has requested a few modifications. The tenant would like a larger cooler area. The original cooler size was 21' x 25' by 6' tall. The proposed cooler is 16' x 40' by 6' tall and is to be located at the rear of the building so that the tenant can access it from inside and outside of the building. The items that were previously discussed such as the screening around cooler, will not change.

Mr. Rose said that the new location places the cooler at the bottom of the slope near the Rt. 106 turnaround area. The cooler is not readily visible from Rt. 106 or Rt. 3.

The second cooler originally planned to be located on the side of building was a smaller 10' x 12' cooler which the tenant also wants relocated to the back of the building. The condensing units for HVAC units will also be located on the back of the building.

The tenant has asked for an outdoor barbecue/grilling area to be located on the outside corner of the building.

Another tenant who will be located on the opposite side of the building from the butcher shop, will be a small restaurant offering pizza, subs, etc. They have requested an outdoor seating area. Both tenants want accessibility to a dumpster (one on each side of the building).

Mr. Rose stated that the Town consultant (KV Partners) was concerned that the cooler area would interfere with the drainage swale at the base of the slope. It will not. It is designed to be well within the setback area and the swale is located outside the setback area. He stated that there is no reason why the swale would not work as originally designed.

Chairman Lemoine asked if the exterior coolers were already built?

Mr. Rose answered that the pad is down and one of them is already constructed.

Chairman Lemoine asked if two parking spaces would be lost with the extra dumpster.

Mr. Rose said that the intent was not to lose any parking spaces, but rather to extend the corner to place a dumpster so it is accessible from that particular side of the building.

Chairman Lemoine pointed out that the outdoor seating area would take extra parking spaces.

Ms. Scott stated that it is her understanding that Pembroke Crossing has created more parking spaces than was originally required.

Selectman's Rep. Lewis commented that the applicant would be short parking for the other areas of the project.

Ms. Scott said the applicant would be required to change the parking the next time they came in. Now that the Planning Board changed the aquifer district ordinance, the applicant is allowed more parking on the site than originally planned.

Mr. Rose indicated that, based on full build-out of the site, 163 parking spaces were required. The spaces being provided at full build-out was originally 171.

Ms. Scott said that, depending on the proposed tenant (whether a drugstore, restaurant, etc.), parking will vary. The applicant may not be able to do what they would like.

Alternate Member Krebs pointed out that the applicant lost two parking spaces on one end of the building but gained them on the other end of the building.

At Selectman's Rep. Lewis' request, Mr. Rose clarified that the original 21' x 25' cooler will be changed to a 10' x 12' cooler and moved from the side of the building to the back of the building. Also, the small area between the two coolers would be reserved for the condensing units.

Mr. Rose pointed out again that, based on the parking count, there would be a seating limitation.

Vice Chairman Bourque asked where the applicant had intended to place the transformer on the original plan?

After review of the plan, it was noted by Mr. Rose that the transformer pad location did not change but was erroneously marked as a dumpster pad.

Vice Chairman Bourque pointed out that by placing the transformer pad in the rear of the building, it may be difficult to repair the unit in the future and may affect a large area of real estate. He asked if PSNH approved the location.

Mr. Rose answered yes. He also said the underground conduit has been placed and are now only waiting for the transformers themselves.

Vice Chairman Bourque also pointed out that the proposed eating area is only approximately 20 ft. from the dumpsters. Mr. Rose said he was aware of it.

Alternate Member Crean asked if the outside dinner area will have a roof or tent.

Mr. Rose said that, to his knowledge, there will be no roof or tent -- only 6 round tables with umbrellas.

He also noted that he was told by the building inspector, that changes are sometimes handled as "as-builts" but advised him to meet with the Planning Board with a revised drawing.

Ms. Scott said that the question is whether these items can be addressed as "as built" at the end of the project or if the applicant is required to go through a minor site plan application, assuming the Board has no problem with the proposed changes.

Alternate Member Crean said that if the Board would handle the changes as an after-the-fact modification, he would want a more detailed description of what is being done, how it is being done, parking computations, representations as to the drainage, representations as to the construction of the outdoor dining area because he does not want the Board to be forced to rely on minutes for clarification. This would also ensure the Board that the changes were in compliance with Town regulations. He has no problem with it being done as an "as-built" but requests more information on the proposed changes.

Selectman's Rep. Lewis asked if the large cooler is accessible from the outside and inside? Mr. Rose said yes and it is located on the 16' end of the building.

Selectman's Rep. Lewis said she would like to see the landscaping extended around the corner to hide the cooler and that she does not feel that there needs to be a public hearing to modify the site plan.

Chairman Lemoine asked that the applicant submit a letter to the Board outlining the changes, in detail, that have been requested.

Vice Chairman Bourque requested that should there be any future changes, he would ask that the applicant approach the Board prior to making the changes. His concern is that the Board has an approved site plan and the applicant has chosen to change it without the Board's consent.

**MOTION:** Alternate Member Crean moved to allow the modification of the approved site plan with as-builts on two conditions: (1) that the Board receive a detailed letter and plans indicating all the changes that were addressed at this meeting including any change in parking as a result of the outdoor seating area; that there will be no roof or enclosure around the outdoor seating area; the utility and drainage concerns will be addressed and the landscaping to hide the exterior cooler will be addressed;

and (2) any future changes will be approved by the Board prior to their construction. Member Topliff seconded.

**VOTE:** Alan T. – Y                      Cindy L. – Y                      Roland L. – Abstained  
Robert B. – Y                      Daniel C. – Y                      Kevin F – Y  
Todd T. – Y

THE MOTION TO ALLOW THE MODIFICATION OF THE APPROVED SITE PLAN WITH AS-BUILTS ON TWO CONDITIONS: (1) THAT THE BOARD RECEIVE A DETAILED LETTER AND PLANS INDICATING ALL THE CHANGES THAT WERE ADDRESSED AT THIS MEETING INCLUDING ANY CHANGE IN PARKING AS A RESULT OF THE OUTDOOR SEATING AREA; THAT THERE WILL BE NO ROOF OR ENCLOSURE AROUND THE OUTDOOR SEATING AREA; THE UTILITY AND DRAINAGE CONCERNS WILL BE ADDRESSED; AND THE LANDSCAPING, TO HIDE THE EXTERIOR COOLER, WILL BE ADDRESSED; AND (2) ANY FUTURE CHANGES WILL BE APPROVED BY THE BOARD PRIOR TO THEIR CONSTRUCTION PASSED ON A 6-0 VOTE WITH ONE ABSTENTION.

**Conditionally Approved Applications**

- *Map 634 Lot 45, Case #04-13 (Pembroke 600): Receive Status Report on Planning Board Conditions of Approval*

Chairman Lemoine acknowledged that Ms. Scott recused herself.

Applicant, Dan Scott, introduced himself and Kristen Bacon, Project Manager.

Mr. Scott indicated that he has been working at the project for 2-1/2 years and is here to answer any questions. In the last few months, his engineers have been working on a final design. He pointed out that there are a tremendous amount of utility issues that have to be dealt with. Originally he introduced plans that were site specific but then became involved in the infrastructure, the operation of the intersection, and offsite requirements. These large variables have caused a delay in the project's completion. They have had to resubmit plans and details with regard to the compatibility of the intersection and the site. He pointed out that they have spent a great deal of time and money on this project and would also like to see the project progress more rapidly but have had to be very conscious of environmental and aesthetic issues.

Mr. Scott said that they have had a few opportunities with potential clients but not any that they were interested in. In the final approval stage, there are a great deal of pieces that tie directly to the Town such as the loop road. He has been working with Troy Brown, Town Administrator. The applicant now has an attorney on board and is planning to have a meeting with Troy and the attorney to perfect the final plans.

Mr. Scott is aware that the Board was told that the applicant wanted an extension to December 31, 2007. He said that his intention is to get this project done in the next few months. However, it is critical that they have discussions with the Town and build their project on paper especially with relation to the loop road and the regional plan.

The project continues to be a 4-lot subdivision rather than the 12-lot subdivision that was originally planned due to the 5-year moratorium. They could not introduce the specifics to buildout until they received the final utility approvals. It is very important that the information is gathered in a specific sequence. It has been found that because of the topography of the land, a two-story facility would be possible.

Tennessee Gas has nearly convinced them that the relocation of the gas main on the site is probably not necessary. There is one stretch that will eventually cross the loop road which the applicant is presently concentrating on. Attorney Gartrell will represent the applicant and will meet with the Town to iron out details regarding the loop road vs. a town road vs. future road. Mr. Scott stated that within a few months, they should be prepared to proceed. He is willing to send the Board a schedule, but the schedules could change depending on unexpected circumstances.

Applicant has had several conversations with Ray D'Amante and Jody Keeler. They have prepared sales plans, statistical studies, and conceptual plans. The March meeting which affected the TIFTIF, was an issue that also changed their plans but they are still interested in going forward with the project.

He is in the process of preparing a conceptual in order to show the Board some of the elevation features of the parcel in order to view future possibilities. He emphasized that he wants to work as a team with the Town but he will need more time to do it right.

Vice Chairman Bourque asked how they stood with DOT.

Mr. Scott said that DOT is waiting for final plans from him with one exception on issues with regard to right of way that must be worked out. Generally speaking, they are waiting for final drawings with small conditions. They have all other utilities including Verizon.

Alternate Member Crean asked when the plans will actually be given to DOT.

Mr. Scott said that he needed to speak with Troy Brown, the Town's attorney, his attorney and the engineers in order to answer that.

Alternate Member Crean asked what the applicant needed to do to get final approval from DOT.

Mr. Scott said he needs to acquire a plan with all conditions and changes that have been accumulated in the past two years along with changes that were the result of findings from the utility companies' responses.

Vice Chairman Bourque asked when the Board could expect that.

Mr. Scott said possibly in two months but he hasn't confirmed it with his engineers. A big piece of this conversation comes down to the meeting with Troy Brown. He does not intend to file the plans prematurely because it is very costly and does not help the project in any way.

Alternate Member Crean said that he was concerned with Mr. Scott's reliance. He said that Troy does not have any final decision making as far as the road layout, or status of the road, or such.

Mr. Scott said he understood that and realizes that KV Partners will be involved.

Alternate Member Crean asked if Mr. Scott is expecting to submit plans for final approval within two months?

Mr. Scott said yes and certainly before December 31, 2007.

Selectman's Rep. Lewis asked if Mr. Scott was aware that the Board extended his subdivision application until July 24th?

Mr. Scott said yes.

Selectman's Rep. Lewis emphasized that on July 24, 2007 he is required to have more information for review.

Mr. Scott stated that there are so many players involved in this project and did not want to come back prematurely without addressing all the details.

Member Topliff explained to Mr. Scott that one of the challenges that the Board is facing is that the Town has had to turn away other developers because of the lack of sewer capacity. The 35,000 gallons of sewer capacity reserved for the applicant's project could be used for other commercial development if the applicant's project was not able to proceed in a timely fashion. That is the reason why the Board would like to see a timeline concerning the progress that this project is making.

Alternate Member Crean said that he was still confused about applicant's ability to proceed with development and access certain lots without addressing the pipeline.

Mr. Scott said that they will have to address the gas pipeline where the entrance road goes and part of it will have to be relocated.

Alternate Member Crean asked how long it would take to get Tennessee Gas to resolve the issue.

Mr. Scott said that Tennessee Gas has had all the information as well as the information pertaining to the other utilities for 6-7 months. Part of the condition of Verizon's approval is for them to do their own engineering. Verizon has already asked him for a \$50,000 deposit.

Alternate Member Crean urged the applicant to attend the July 24, 2007 meeting with something other than "we hope to get something done." He emphasized that the Town is in a position where they are at a standstill in development approvals that need sewer capacity it is adversely affecting the Town and taxpayers. Originally, the applicant was given approvals with deadlines but in order to grant a continuation, the Board needs a commitment as to what has been done to implement the project and what it will take for the applicant to get to the stage where the applicant can apply for site plan approval and building permits.

Chairman Lemoine recommended that Mr. Scott return on July 24, 2007 with the information requested by Alternate Member Crean.

Mr. Scott asked if he should continue to talk to Troy.

Chairman Lemoine said yes and that Troy should contact the Board.

Selectman's Rep. Lewis noted that a weekly project status was requested at the Board's last meeting so that if any information is gained prior to July 24<sup>th</sup>, it would be advisable to share that information with the Board.

- *Map 937 Lot 7, Case #06-07 (North Pembroke Road Cluster Development): Review Ames Brook Conservation Easement Document*

Laura Scott returned to the Board.

Chairman Lemoine announced that Alternate Member Krebs and Vice Chairman Bourque are stepping down. Alternate Member Cruson will vote for Vice Chairman Bourque.

Ms. Scott distributed a copy of a letter to the Planning Board from the Conservation Commission dated June 25, 2007 and summarized that the Commission reviewed, and unanimously approved, the Conservation Easement Deed as written. Dennis Aubin and Attorney Charles Cleary are present to answer any questions.

Attorney Cleary, representing the Steve Cormier Revocable Trust, stated that the Board has seen this easement in its prior form. After a number of revisions and, through a new policy adopted by the Commission, along with changes requested by the Planning Board, an acceptable Conservation Easement was drafted. The Commission has provided the Board with written approval of the Easement and Attorney Cleary is seeking Planning Board approval

Alternate Member Crean referred to Ms. Scott's memo of June 19, 2007 to the Board which states "includes most of the items contained in the June 11<sup>th</sup> Conservation Commission adopted 'Public Use Policy for Town-Managed Conservation Land'." He asked what the items in the policy are not contained in the easement.

Ms. Scott answered that the horseback riding issue was not allowed. The Planning Board requested that horseback riding not be an allowed use by right, which the Conservation Commission normally would have allowed.

In answer to a question by Chairman Lemoine regarding permission by the Boy Scouts of America to build a campfire or by someone to create a horse trail, Dennis Aubin stated that permission for these items would have to be attained by the Conservation Commission prior to building any of it.

Alternate Member Cruson said that she felt that the Deed was nicely prepared and that the changes made sense.

**MOTION:** Member Terrien moved to accept the Conservation Easement Deed as written. Member Topliff seconded.

**VOTE:** Alan T. – Y                      Cindy L. – Y                      Roland L. – Abstained  
                    Kathy C - Y                      Daniel C. – Y                      Kevin F. – Y

Todd T. – Y

**MOTION TO ACCEPT THE CONSERVATION EASEMENT DEED AS WRITTEN PASSED ON A 6-0 VOTE WITH ONE ABSTENTION.**

- *Map VW Lot 188-1, Case #06-103 (Amoskeag Rowing Club): Request for extension of Conditional Approval*

Chairman Lemoine recognized that Vice Chairman Bourque and Alternate Member Krebs returned to the Board.

Ms. Scott identified the items in the member packets: a copy of the memo from James Raymond dated 06/19/2007 and a copy of the original Planning Board conditional approval. Ms. Scott is planning to meet with the Rowing Club on June 27, 2007. She said that all the plan-related items can easily be produced, but the Club does not want to produce final plans until all the other items are taken care of. They are still working with DES and Tennessee gas for final permits. They are requesting an extension so they can continue to work on the project. Eugene Van Loan, representing the Amoskeag Rowing Club was present.

Eugene Van Loan said that their DES dock permit expired due to lack of execution. Recently their engineer has met with DES and was informed that if the Club submits the application with one small change, it will be approved. The site plan approved by the Planning Board showed a 20' wide rampway and the DES permit is for a 10' wide ramp at the tail end. The Club was told that if they leave the ramp at 10' it will be approved. They intend to leave the ramp at 10' wide and will amend their plan to the Planning Board to show the tail end of the ramp to be 10' wide.

With regard to Tennessee Gas, Mr. Van Loan stated that it was always the Club's understanding that the gas line was in the middle of the 100' easement and, in order to accommodate the plans, they would need to move the easement by 25' so the gas line would be located on the river side. It is their engineer's opinion that the gas line may not have to be moved. They will have an official answer shortly.

Ms. Scott said that the Club is asking for a one year extension. At Vice Chairman Bourque's inquiry, Ms. Scott said that, according to the engineer, items #3-8 on the conditional approval were completed but will not be submitting the final plans until Tennessee Gas and DES approvals are received.

Vice Chairman Bourque did not feel that the Board should extend the conditional approval for any longer than 4 months.

Selectman's Rep. Lewis pointed out that it could take up to 3 months for DES approval.

Mr. Van Loan said that an extension to December 31, 2007 would be acceptable.

**MOTION:** Member Terrien moved to approve a 6-month extension to the Amoskeag Rowing Club conditional approval. Selectman's Rep. Lewis seconded.

Alternate Member Crean suggested that a firm date be applied rather than stipulating a 6- month extension.

**MOTION:** Member Terrien amended his motion as follows: To extend the Amoskeag Rowing Club conditional approval to December 31, 2007. Selectman's Rep. Lewis seconded.

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

**MOTION TO EXTEND THE AMOSKEAG ROWING CLUB CONDITIONAL APPROVAL TO DECEMBER 31, 2007 PASSED ON A 6-0 VOTE WITH ONE ABSTENTION.**

### **Board of Selectmen Information Request**

- *Bond/Letter of Credit Release*
  - o *Dirt Doctors/Red Rock Investment (Keith Ave)*

Chairman Lemoine stepped down. Vice Chairman Bourque became Acting Chairman. Member Cruson will vote in place of Chairman Lemoine.

Ms. Scott noted a memo from Troy Brown dated June 8, 2007 requesting Planning Board input on releasing the \$20,000 performance bond. Water, Sewer, Highway, and KV Partners have signed off. A copy of the approved plan, memo from KV Partners dated 06/06/2007, and memo to Troy Brown from Ms. Scott dated 06/06/2007, were part of the member packet.

Ms. Scott noted that the bond was specifically for the items on the plan that was included in the member packet. It was only for the road – removal and reinstallation of curbing, and landscaping. Ms. Scott said that the bond was very specific for this project and cannot be used for anything else.

Alternate Member Crean stated that, in the future, for those board members who were not present at the time that the bond was acquired, it would have been helpful to have had some understanding what the bonding was for and what conditions were completed.

Selectman's Rep. Lewis asked if it would be appropriate for the Board to begin doing site visits before releasing any bonds? She said that in the past some of the landscaping was not completed as expected and yet the plans were signed off on, so the problem could not be remedied.

Alternate Member Crean said that it's the Town's engineer's responsibility to sign off on the specific conditions of the plans. In terms of the way the law is written regarding conditional approvals, there is suppose to be a compliance hearing unless the conditions require approval by some other entity that would attest to the completed condition. He said that the Board could, when it imposes conditions, identify those conditions that would require a compliance hearing in order to approve.

**MOTION:** Vice Chairman Bourque moved to recommend that the Board of Selectmen release the bond. Alternate Member Crean seconded.

**VOTE:** Alan T. – Y                      Cindy L. – N                      Kathy C. – Y  
Robert B. - Y                      Daniel C. – Y                      Kevin F. – Y

Todd T. – Y

**MOTION TO RECOMMEND THAT THE BOARD OF SELECTMEN RELEASE THE BOND PASSED ON A 6-1 VOTE.**

- *Marc Chronis Major Subdivision (Plausawa Hill Road)*

Chairman Lemoine returned to the Board.

Ms. Scott stated that Marc Chronis has a \$5,000 Letter of Credit for shoulder and drainage work on Plausawa Hill Road. The Highway Department and Town Engineer have reviewed and signed off on the project. The Board of Selectmen is asking for Planning Board input.

Alternate Member Krebs stated that he drove to the site and noted the work had been done.

**MOTION:** Vice Chairman Bourque moved to recommend that the Board of Selectmen release the Letter of Credit. Member Foss seconded.

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

**MOTION TO RECOMMEND THAT THE BOARD OF SELECTMEN RELEASE THE LETTER OF CREDIT BOND PASSED ON A 6-0 VOTE WITH ONE ABSTENTION.**

- *Emerson Mill Solid Waste Reimbursement Request*

Member Terrien recused himself. Member Cruson will vote in place of Member Terrien.

Chairman Lemoine stated that he told Troy Brown that the letter from Emerson Mills dated May 22, 2007 was not an acceptable letter because it was not signed and, therefore, Chairman Lemoine refused to discuss the issue.

Vice Chairman Bourque asked Alternate Member Crean if he felt that Emerson Mills could win if the issue was pushed.

Alternate Member Crean stated that there is legislation pending in this session to allow towns to charge residences for trash pickup. RSA 149M says that towns provide refuse disposable which only means that they must provide a facility. Towns are under no obligation to provide trash pickup. Most towns provide trash pickup for only residences. Condos and apartments are treated as a business and, therefore, trash is not picked up by the towns.

Ms. Scott stated that it is stated on the condo conversion subdivision plans (a copy of which each member received) that the town will not provide trash pickup.

Alternate Member Crean recommended that the message to the Board of Selectmen should be that if a condition is imposed on a plan than the request should come in to modify the plan and not to grant a waiver or exception to what the Planning Board imposed as a condition of approval.

Ms. Scott clarified that the Planning Board's reply to Troy Brown will be: (1) that if there are any conditions on an approved plan that someone wishes to modify, then they should come to the Planning Board for plan modification and not the Board of Selectmen; (2) the solid waste regulations that apply will be referenced; and (3) Vice Chairman Bourque requested that Ms. Scott note in the letter to Mr. Brown that the letter should have been signed by, at the very least, the condominium association's Chairman of the Board of Directors. Chairman Lemoine asked that a copy of the letter be sent to the Board of Selectmen.

### **Meeting Minutes – Review and Approve**

- *May 22, 2007*

Member Terrien returned to the Board.

The following changes were requested: (1) Page 3, middle of the final paragraph "Mr. Topliff stated that the cost of testing. . ." should read "Water Commissioners estimated that the cost of testing . . ."; (2) In the same paragraph, the sentence beginning, "Mr. Topliff stated that the Planning . . ." should end after the word "approval." – removing the words "and move one."; (3) In the same paragraph, remove the sentence "Pembroke Water Works is willing to pay for it."; (4) Page 4, section entitled "Tape Policy", sentence beginning "Key is that tapes bill be . . ." should read "Key is that tapes will be . . ."; (5) Same paragraph, next to last sentence, the word "spoiled" should be replaced with "spoliated."; (6) Page 4, section entitled "Trash Pick-up on Plausawa Hill Road", first sentence, "Pembroke Street and Plausawa Hill Road" should be replaced with "North Pembroke Road and Plausawa Hill Road."; (7) Page 5, first paragraph, next to last sentence reading ". . . Mr. Crean has point out . . ." should read ". . . Mr. Crean has pointed out . . ." (8) Same Paragraph, third sentence beginning "The Chair, or someone . . . can insure all . . ." should read ". . . can ensure all . . ."; (9) Same Paragraph, next sentence ". . . front of the Planning Board whiled comparing . . ." should read ". . . front of the Planning Board while comparing . . ."

**MOTION:** Member Terrien moved to approve the May 22, 2007 minutes as amended. Selectman's Rep. Lewis seconded.

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

**MOTION TO APPROVE THE MAY 22, 2007 MINUTES AS AMENDED PASSED ON A 6-0 VOTE WITH ONE ABSTENTION.**

- *June 12, 2007*

The following changes were requested: (1) Page 1, 6<sup>th</sup> Paragraph, place the following sentence as the second sentence: "Chairman Lemoine said that the Town does not make it easy for businesses."; (2)

Page 2, 9<sup>th</sup> Paragraph, should begin “Alternate Member Crean . . .” and “RELUPA” should read “RLUIPA”.

**MOTION:** Member Topliff moved to approve the June 12, 2007 minutes as amended. Member Terrien seconded.

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

**MOTION TO APPROVE THE JUNE 12, 2007 MINUTES AS AMENDED PASSED ON A 6-0 VOTE WITH ONE ABSTENTION.**

### **Correspondence**

- *June 8, 2007 Email from Troy Brown – Question #1 re: Planning Board Training*

Chairman Lemoine referenced the memo from Timothy Bates dated June 8, 2007 which states that there is no conflict of interest for Alternate Member Crean to provide training to members of the Board.

After a brief discussion, the Board agreed to hold the training session on September 11, 2007 from 7:00-8:30 pm.

- *Town of Epsom Cell Tower Abutter Notification*

Chairman Lemoine asked Ms. Scott to send the Town of Epsom a letter thanking them for notification.

### **Miscellaneous**

- *6/5/07 Budget Report*

It was noted that approximately 64% of the funds on line item entitled “Wages” has been spent. Ms. Scott pointed out that since normally some line items are overspent and others are underspent, the total budget amount is what is important. If the Board has overspent their budget, then the Board of Selectmen would need to approve the transfer of funds from another source. They will continue to monitor the expense item.

- *NH Town & City June 2007 “Meeting Minutes 101”*

Ms. Scott said that the document entitled “Meeting Minutes 101” was merely for informational purposes.

- *7-19-07 Open Space Development Tour*

Ms. Scott said that the advertisement was for their information.

The Pembroke Water Works/Planning Board joint meeting will be held on July 19, 2007.

Alternate Member Crean informed the Board that the law will be changing on July 31, 2007 with regard to the availability of minutes. All minutes will be made available by the 5 p.m. on the 5<sup>th</sup> business day after the meeting.

Member Foss said that the Pembroke Economic Development Committee would like to form a subcommittee, consisting of a few Planning Board members, to explore the rezoning of a portion of N. Pembroke Road from R-3 to C-1 previously suggested by Troy Brown.

Ms. Scott said that she encouraged the Economic Development Committee to attend the Planning Board and Pembroke Water Works joint work session on July 19, 2007.

- *Board Member Binder Updates*

Board Member Binder Updates were distributed.

**Adjournment**

**MOTION:** Member Topliff moved to adjourn. Member Foss seconded.

Vote was unanimous in favor of the Motion.

The meeting adjourned at 8:50 p.m.

Respectfully submitted,

Jocelyn D. Carlucci  
Recording Secretary