

**ADOPTED MINUTES
PEMBROKE PLANNING BOARD
June 27, 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 the Planning Board meeting at 7:00 p.m. Bill Faith and Cindy Lewis 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.

Revocation of Approved Site Plan.

Roland Lemoine stepped down for the first hearing. Kevin Foss was designated to vote for Roland Lemoine.

Chairman Bourque opened the public hearing at 7:05 p.m. and read the complete notice.

The public hearing is to determine if under RSA 676:4-a Revocation of Recorded Approval, the Merrill/Dennison, LLC. Site Plan for Map 634 Lot 48-1, which a Special Exception was granted by the ZBA on March 13, 2002 (Case 02-09-Z), was approved by the Planning Board on April 23, 2002 (Case 02-101), and recorded at the Merrimack Country Registry of Deeds on September 10, 2002 (Plan #16039), should be revoked. The reasons for holding this public hearing fall under RSA 676:4-a I(b) and RSA 676:4-a I(c) and are listed below.

- 1) Violation of section §143-68 D (9) of the Zoning Ordinance;
- 2) The condition of approval the Planning Board placed on the Site Plan that "all storage trailers must be removed from the site" was not followed;
- 3) The condition of approval the Zoning Board of Adjustment placed on the Special Exception that "the building is to be used for storage of equipment and materials owned by 'Merrill Construction' and 'Dennison Cabinets' only" was not followed;
- 4) The condition of approval the Zoning Board of Adjustment placed on the Special Exception that "no storage of fuels or hazardous materials of any kind" was not followed;
- 5) The condition of approval the Zoning Board of Adjustment placed on the Special Exception that "no utilities are to be installed, i.e. sewer and water" was not followed.

Ms. Scott clarified that there is a typo on page two of her letter, under #4 members should cross out 'East Coast Utilities' as they were located in the original building, not the second phase of the site which is under discussion at this time. Merrill Dennison had two site plan reviews.

Attorney Brandon Giuda, representing Merrill Dennison LLC., stated that the first his client heard about this situation is when they received notice of the public hearing. Attorney Giuda gave some background on how

this situation evolved. In 2004, the Pembroke Code Officer advised Merrill Dennison, LLC. to go before the Planning Board to change their site plan when Venture Construction, a construction company, approached them to store material in their building. Verbally and through the lease between Merrill Dennison, LLC and Venture Construction, Venture Construction was re-informed that they were not to store hazardous material at the site. Attorney Guida stated that Merrill Dennison, LLC had no idea what was going on and no correspondence from the town until an EPA visit to the site. Attorney Guida maintained that no one from the town ever formally went to Merrill Dennison LLC. regarding Venture Construction's activities. Venture Construction uses two toxic substances which are used in building bridges. The two toxic substances form a non-toxic seal when mixed. Attorney Guida stated that correspondence from the town was sent to Venture Construction but not to Merrill Dennison LLC.

As of this evening, Attorney Guida stated that all of the storage trailers were removed from the Merrill Dennison LLC. site. Venture Construction is being evicted for violation of their lease. Attorney Guida stated that the only incident on site that Merrill Dennison LLC. was aware of is that Venture Construction may have brought a truck back to the site that contained non-toxic material that had been mixed at the job site and then cleaned the truck out at the Merrill Dennison LLC. site.

Attorney Guida summarized the steps taken by Merrill Dennison LLC. to remedy all concerns. The trailers are now in compliance. No one else but Merrill and Dennison will be in the building under discussion. Attorney Guida stated that Venture Construction stored these materials without Merrill and Dennison's knowledge. Attorney Guida stated that Venture Construction put a pipe under the ground with electricity and last fall connected to municipal water. The water has been disconnected. Again there was a verbal conversation but no communication with Merrill and Dennison.

Paul Whittemore, Superintendent, Pembroke Water Works, stated that once every three years, the Water Works is required to go into all businesses in the wellhead protection area, including those in Concord on part of Manchester Street. As part of NH DES training, State staff accompanies the Water Works staff on these visits. Mr. Whittemore stated ground water is under pressure and towns need to ensure appropriate businesses are in the wellhead and aquifer protection districts so there are no adverse effects. Mr. Whittemore stated that on that monitoring visit, he was surprised at how much fuel and oil there was at Merrill's place. However, they never looked inside the trailers. When questioned about how they washed the trucks, Venture Construction employees responded "we run a hose across the parking lot". A pressure washer water connection was found between the overhead doors. Mr. Whittemore stated it appears the water goes through the meter and was paid for. Since then the EPA went up there and found 18-20 55-gallon drums of material stored in a 40-foot trailer. Venture Construction employees were observed throwing hardened material into a dumpster. It will be a major issue if wells have to be shut down. Frank Merrill, as land owner, has the ultimate responsibility. Mr. Whittemore stated that he has talked to the Water Department geologist, Geo Insight, regarding a complete environmental site evaluation for contaminants. Such a study would cost \$15,000-\$20,000 and the Water Department would require Merrill Dennison LLC. to pay for the study. It's that critical, stated Mr. Whittemore.

Attorney Guida stated that he respects Superintendent Whittemore's position, but soil samples were taken and it was his understanding there was no evidence of hazardous material. Attorney Guida stated that there is no mixing of material on site until they are at the job. Tests were taken and they came back negative. Planning Board members asked, who took the tests and where were they taken? Attorney Guida stated DES and EPA did a full investigation and was his understanding is that no contamination was found. Again, Planning Board members asked, what tests were done, how extensive were they, do they recommend further tests?

Detective Sergeant Duane Gilman, Pembroke Police, stated that Mr. Whittemore has not been made aware of all the details and that he asked him to speak little on this matter as there is a criminal investigation ongoing

with EPA, DES and the Pembroke Police. At this time, the focus is on Venture Construction. Detective Sargent Gilman stated that he could not say that the investigation will never come back to these gentlemen, Mr. Merrill and Mr. Dennison, but at this time the focus is on Venture Construction. The barrels of toxic material are not coming back sealed. There is the possibility that Venture Construction may be pouring one not full barrel into another to save space. Sgt. Gilman stated that three soil samples, equivalent to digging one-inch into the ground, were taken by test tube in front of the bays. Sgt. Gilman stated that it is our understanding that material from work done in other states, MS, NJ, may be hosed out from the back of Venture Construction trucks. The first time soil samples were taken, the police were on a consent search and they took samples where the water line was found. That is, they had the consent of the land owner to take the samples. There are issues with effect on the wells. However the EPA, based out of Massachusetts, DES and Pembroke Police have no plans to return to the site for more samples. That would be up to the Planning Board's discretion. In response to Planning Board questions on whether there was a master list of chemicals found, EPA and DES have the list but are unlikely to share it. One known substance is acetone, an eliminator that creates a rubber membrane. We are dealing with leftover material.

Dr. Greco, Pembroke Health Officer, stated that there are adverse effects and these chemicals are soluble and do infiltrate in sand. The question is, has it disbursed over a larger area. Dr. Greco noted that we have received a tremendous amount of rain lately. Pembroke has the finest water in the State. If it is saturated with contaminants, we cannot get rid of it.

In response to Planning Board questions about whether anything has been issued from the town, Ms. Scott stated that she, the Code Enforcement Officer, , Fire, Police and Water departments talked about the process. They decided to go to the Planning Board with violations of site plan approval because a public hearing would be held. The Planning Board notified all parties, including abutters, of concerns. Paul Whittemore asked how long East Coast Utilities has been on the Merrill Dennison site. The site plan specifically talks about not leasing out the 'building' but is not specific about the grounds.

There being no further input, Chairman Bourque closed the public hearing at 7:39 p.m.

Planning Board members discussed that they could not debate any penalty or revocation until they know the extent of the potential contamination of the wellhead area. Borings need to be taken through the pavement to determine what is in the ground. We need a complete site assessment. A site assessment is vital.

As a temporary hold off on revocation, the Planning Board discussed offering the land owner an opportunity to table action on revocation , if the owner were willing to pay for a geologic site survey as specified by Pembroke Water Works, utilizing the Water Department's geologist. The Planning Board discussed that the original building involved was approved as "cold storage" only. Land owner indicated willingness to pay for the study up to a cost of \$20,000. Geo Insight would determine from their environmental assessment what action is necessary if contaminants are found, and if they are flowing.

Motion: Mr. Topliff moved that:

1. The Planning Board table action on revocation of recorded approval on Merrimack County Registry of Deeds Plan #16039 for 90 days, assuming that
2. The property owner(s) are willing to pay for an environmental assessment of the site as specified by Pembroke Water Works, utilizing the Water Works' geologist up to a cost of \$20,000.
3. The Planning Board strongly recommends that the Code Enforcement Officer issue a Cease & Desist order to Venture Construction
4. Periodic inspections by the Code Enforcement Officer and Planning Director to ensure compliance with the approved Site Plans.

Mr. Andrews seconded.

Discussion: The Planning Board discussed that Peter Rowell, Code Enforcement Officer, had correspondence with the property owner in 2004, told them what to do and did not follow through. The Town Code Enforcement Officer did not issue a Cease and Desist order in 2006 either, so as not to interfere with an ongoing criminal investigation. The Planning Board discussed that Merrill-Dennison were not particularly vigilant on the use of their property.

VOTE: KEVIN-Y PAUL - Y CINDY- Y BILL - Y
 LARRY - Y ALAN- Y BOB - Y

ACTION ON REVOCATION TABLED 90 DAYS PENDING GEOLOGIC SURVEY PAID FOR BY PROPERTY OWNER APPROVED ON A 7-0 VOTE

Roland Lemoine returned to the Planning Board. Kevin Foss is no longer voting.

Ms. Scott noted that in the interim, there will be periodic inspection by the Code Enforcement Officer and the Planner to ensure Merrill and Dennison are in compliance. Chairman Bourque requested that any information the Water Works receives on this matter be shared with the Pembroke Health Officer. Superintendent Whittemore agreed to do this.

Public Hearings – Old Business

- 1) **Major Subdivision Application. Case #04-13.** Map 634 Lot 47, 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 June 19, 2006, James Bouchard of H.L. Turner Group Inc. states that as noted previously at the 4/25/06 Planning Board meeting, and correspondence of May 15, 2006, H.L. Turner believes it is not prudent to render and submit modifications to the site plan and off-site improvement plans for the project until receipt of NH DOT's review comments. Applicant requests continuation to July 25, 2006 Planning Board meeting.

CLD Consulting engineer Ken Rhodes and Dan Hudson were present. Mr. Rhodes reported that NH DOT has been backed up on review of applications, due to the flooding conditions in the State the last several months. Mr. Rhodes has received some positive feedback. NH DOT typically requests comments from Traffic Bureau and Highway Design. Comments have been received back from Traffic Bureau, and Highway Design comments are pending. Once they are received, NH DOT expects to compile the comments and have a report by mid-July. Mr. Hudson presented the plans, which are substantially the same as presented at the start of this site review. Mr. Hudson stated that coordination with utilities is in process now, anticipating receipt of NH DOT comments. Mr. Rhodes requested, on behalf of the applicant, an extension of approximately 90 days from the July deadline, to the October 24 Planning Board meeting, to consider the application pending receipt and review of NH DOT report.

Motion: Mr. Lemoine moved to continue consideration of Case 04-13 and any associated public hearing to October 24, 2006 at the request of the applicant. Mr. Faith seconded.

VOTE: KEVIN -Y PAUL - Y CINDY- Y BILL - Y
 LARRY - Y ALAN- Y BOB - Y

CASE #04-13 CONTINUED TO 7/25/06 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, #06-102 BS & Chips. Chairman Bourque designated Kevin Foss to vote for Cindy Lewis on this case.

In a memo dated 6/20/06, Ms. Scott outlined outstanding items after review of the most recently revised and submitted material. The application has not been accepted as complete nor has the public hearing been opened.

Peter Bloomfield, President, Concord Steam and P.E. with professional engineering firm Bloomfield Associates, presented an overview of the proposal. 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 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 if PSNH entered into an agreement to store chips at BS & Chips.

Motion: Mr. Lemoine moved to accept Case 06-102 in for review as complete. Mr. Andrews seconded.

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

CASE #06-102 ACCEPTED IN FOR REVIEW ON A 7-0 VOTE

In response to Board questions, Mr. Bloomfield, Concord Steam and BS& Chips, stated that there will be small septic system on site for a small bathroom associated with the office function. The applicant expects to receive NH DES site specific permit next week. Mr. Bloomfield requested conditional approval on the plan this evening.

Chairman Bourque opened the public hearing at 8:14 p.m.

It was discussed that Fire Department and Code Enforcement Officer issues can be addressed on the plan. The Water Works' geologist, Geo Insight, provided a final report that shows concerns. Mr. Bloomfield stated that the applicant will address the concerns in writing. Applicant's geologist, Brad Green of Sanborn NH, stated that some of the issues raised by Geo Insight stem from a misunderstanding. Mr. Green worked with Geo Insight and described the best management plan that would be followed. Grading will be away from the piles. Sampling will be done consistent with storm water permit requirements. Concord Steam will do the testing. Mr. Topliff asked if consideration had been given to a comparison sample in the retention pond. The intent is to encourage infiltration of water. If runoff made its way to the river, in diluted state, it would be a concern. Mr. Green stated that turnover of the wood pile is the most important factor. In less than 90 days, the applicant will provide graded and smooth areas for the piles.

In response to Mr. Topliff's question about enforcement, Ms. Scott noted that the Code Enforcement Officer can periodically check sampling. The town is allowed to go in and review records of sampling.

If the results are clean, the town can revise the frequency of testing. Rigorous testing is required at the beginning of operations. This is outlined in the management plan.

It was discussed that in the process of grinding up pallets, there is a potential for using contaminated pallets. The applicant had a plan to pick up unneeded pallets, repair and resell them. DES requires continuous fly ash and bottom ash sampling at Concord Steam plant. There is significant oversight and several tools in place for monitoring.

Paul Whittemore, Superintendent, Pembroke Water Works, requested a copy of the subsurface storm water study results. If the results are positive, that would indicate that well monitoring is necessary.

The Planning Board needs to consider a Special Use Permit for storage of diesel fuel. Mr. Bloomfield stated that the tank will be above ground, up near the maintenance facility/storage building, would be on pavement, fully enclosed with double wall tank containment of appropriate size.

There being no further input, Chairman Bourque closed the public hearing at 8:31 p.m.

Motion: Mr. Lemoine moved to grant a Special Use Permit for storage of diesel fuel at Map 256 Lot 26-2. Mr. Andrews seconded.

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

SPECIAL USE PERMIT GRANTED ON A 7-0 VOTE

Motion: Mr. Lemoine moved to approve Case 06-102 with the following conditions:

1. Receipt of NH DES Site Specific Permit.
2. Record the wood chip best management plan with the site plan at Merrimack County Registry of Deeds.
3. Owner's signature on the plan.
4. Engineer and Wetland Scientist seals and stamps on plan.
5. The concerns outlined in the Fire Department 6/12/06 memo need to be satisfactorily addressed in writing and on the plans.
6. The concerns outlined in the Town Engineer 6/12/06 memo need to be satisfactorily addressed in writing and on the plans.
7. Add a note to the plan that if the plant discontinues operation, the wood pile will be cleaned up to the satisfaction of the town.
8. All conditions of approval must be met within 6 months.

Mr. Andrews seconded.

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

CASE #06-102 APPROVED WITH CONDITIONS ON A 7-0 VOTE

Cindy Lewis returned to the Planning Board. Kevin Foss is no longer voting.

Public Hearings – New Business

- 1) **Major Site Plan Application.** Case #05-102. Map 634 Lot 48-3, located at 10-16 Sheep Davis Road (Route 3 and Route 106) located in the Commercial/Light Industrial, Home Business Overlay, Architectural Design Overlay, and Aquifer Conservation District Zoning Districts. The applicant, CLD Consulting Engineers, on behalf of the Pembroke Commercial Group, Inc, requests that two of the conditions attached to the Planning Board approval granted on November 22, 2005 to develop the site for multiple commercial uses totaling 36,000 sq ft and other site improvements, be removed.

The applicant requests that two conditions be removed, the condition for a maintenance agreement for Sand Road and for the removal of the existing light at the intersection of Sand Road and Route 3.

In a letter dated May 30, 2006, David Still, P.E., CLD Consulting Engineers, requested that two conditions of approval be modified. In a letter dated June 2, 2006 from Attorney Marc van Zanten of Craig, Deachman and Cowie, PLLC of Manchester NH, addressed modifications to Sand Road Maintenance and Lighting at Pembroke Crossing. NH DOT requires that the existing streetlight remain within the right-of-way at the Sand Road and Route 3 intersection. Due to NH DOT requirements and State law, the streetlight cannot be removed from the right of way and the developer is prohibited from angling its lights onto the roadway. Therefore, the applicant requests removal of outstanding condition #6 "Lighting – remove and do not replace the existing light at the intersection of Route 3 and Sand Road" (#11 as listed in the minutes of the November 22, 2005 Planning Board meeting).

At the request of Ms. Scott, Pembroke Town Planner, the town received an opinion from Jae Whitelaw, an attorney in Town Counsel's office, regarding the maintenance of Sand Road. Ms. Whitelaw stated that "Sand Road is a Class V town road, therefore the town, not private parties, has the responsibility to maintain the road. The Planning Board cannot lawfully require the applicant to pay for the continued maintenance of a town road. The specific statute that controls maintenance of town roads is NHRSA 231:3. While the Planning Board's intent regarding his client's responsibility for the striping and maintenance are unclear, NH law requires towns to maintain Class V roads. Therefore, the applicant requests removal of outstanding condition #5 "Maintenance agreement for Sand Road that is acceptable to Town Counsel and the Pembroke DPW Director" (#8 as listed in the minutes of the November 22, 2005 Planning Board meeting).

Mr. David Still noted on Sheet C2A the new public right-of-way portion of this property. Ms. Lewis recalled that it was a concern for her and Mr. Tufts at the time that a maintenance agreement be set up mainly for the striping. With the tractor trailer and Dunkin Donuts patron traffic, the striping will wear down very quickly. It was discussed that the applicant would be responsible for the original striping. Mr. Still noted that whether it was overall maintenance or just striping, it is not a liability that the applicant wants to take on. On average, the Town of Pembroke stripes the roads every three years. There are stop lines, turn arrows and lanes on site in the right-of-way that need to be kept clearly marked. It was discussed that as part of the cost of encouraging commercial development, the residents should encourage the Board of Selectmen to put more money in the Department of Public Works budget for striping.

Mr. Stills described how the applicant will be relocating the existing streetlight down a little, but cannot shift any site lighting to the intersection.

Chairman Bourque opened the public hearing at 8:57 p.m.

There being no further input, Chairman Bourque closed the public hearing at 8:58 p.m.

Motion: Mr. Topliff moved to remove the following conditions of the Planning Board's 11/22/05 approval of Case #05-102 10-16 at 10-16 Sheep Davis Road:

- Maintenance agreement for Sand Road and other site improvements, in a form acceptable to Town Counsel.
- Remove and do not replace the existing streetlight at the intersection of NH Route 3 and Sand Road.

Mr. Faith seconded.

VOTE: ROLAND – Y PAUL - Y CINDY- NO BILL - Y

LARRY - Y ALAN- Y BOB - NO

**TWO CONDITIONS OF 11/22/05 PLANNING BOARD APPROVAL FOR CASE #05-102
REMOVED ON A 5-2 VOTE**

- 2) **Major Site Plan Application.** Case #06-104. Map 561 Lot 14, located on Route 106 in the Commercial/Light Industrial (C1) Zoning District. The applicant, Jeff Coombs of A&B Lumber Company LLC, proposes to construct a drive-thru sales building, office building, and the expansion of an existing millwork building creating an additional 3,322 sq ft of retail/office and 23,765 sq ft of warehouse space. Mr. Coombs provided Holden Engineering with a notarized letter authorizing them to represent him in this matter.

Ms. Scott provided a memo dated June 14, 2006 listing incomplete items on this plan. Chief Cheney has no comments at this time on the proposed security measures in the plans. Pembroke Water Works provided comments dated June 16, 2006 noting that they require separate water lines to each building with individual curb stops, meters and meter horns purchased from Pembroke Water Works. A permit is also needed based on estimated water needs. KV Partners Inc. provided a three-page memo of review comments dated June 19, 2006. Plans prepared by Holder Engineering Company LLC dated 5/17/06 were provided for review. The second page of the plans shows existing conditions.

Peter Holden provided an overview of the proposed reorganization of the buildings at the A&B Lumber site. The applicant will remove several sheds and a barn. Mr. Holden stated that A&B Lumber plans to construct a drive through, pay at the end building, like Friend Lumber currently has in Massachusetts. There will be a new office area. The driveway will be relocated with the construction of the new building. Mr. Holden stated that he has addressed most of the comments from Technical Review Committee and will send revised plans. In response to Sewer Commission questions, there will be no employees added. In fact, the site will be able to operate with fewer employees with a more efficiently configured operation.

In response to Board questions about location of the sign, Mr. Holden indicated the existing sign would move to the end of the new driveway. The applicant is waiting for NH DOT driveway permit. The Planning Board noted that the existing sign was originally denied, and then approved with the condition that 'the message will change no more than ten times a day'. It was discussed that the sign now changes much more than that and operates in flashing mode. Mr. Holden will discuss the sign concern with the property owner.

Motion: Mr. Lemoine moved to continue consideration of Case 06-104 for completeness and any associated public hearing to July 25, 2006 pending revised plans incorporating Technical Review comments. Mr. Andrews seconded.

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

CASE #06-104 CONTINUED TO 7/25/06 ON A 7-0 VOTE

Other Business

- 1) Voluntary Merger Map 266 Lot 1 & Map VW Lot 129

Motion: Ms. Lewis moved to approve the lot merger of Mp 266 Lot 1 and Map VW Lot 129. Mr. Lemoine seconded.

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

LOT MERGER APPROVED AS PRESENTED ON A 7-0 VOTE

- 2) Planning Board Representative to attend court date for Thompson case (July 24, 2006 if not settled).

Planning Board consensus was that because Ms. Scott was present as the matter was heard, she would be the best person to attend representing the Planning Board, with authority to settle, if the hearing is held on 7/24/06.

- 3) Review and Adoption of Meeting Minutes for May 23, 2006 and June 13, 2006

Motion: Mr. Topliff moved to approved the minutes of May 23, 2006 as amended (town on page four, fourth paragraph, should be “Allentown” not “Pembroke) and with Ms. Scott’s changes. Mr. Bourque seconded.

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

MINUTES OF 5/23/06 APPROVED AS AMENDED ON A 7-0 VOTE

Motion: Mr. Topliff moved to approve the minutes of June 13, 2006 as amended with Ms. Scott’s changes. Mr. Andrews seconded.

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

MINUTES OF 6/13/06 APPROVED AS AMENDED ON A 7-0 VOTE

General Correspondence

Letters – Copy of letter from Ms. Scott to Matthew Allgeyer regarding expiration of conditional approval on June 23, 2006 since conditions of approval have not been met, Mr. Allgeyer sold one of the lots involved in the lot line adjustment, and the new property owner is unlikely to support the application.

Budget – Copy of Planning Department Budget Report as of June 2006.

Alternate Planning Board member – Mark Zydel, P.E., submitted a letter of interest to become an Alternate Planning Board member.

Motion: Mr. Topliff moved to request that the Board of Selectmen appoint Mark Zydel as an Alternate Planning Board member. Mr. Andrews seconded.

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

MOTION APPROVED ON A 7-0 VOTE

Potential Planning Board Alternate member – Todd Therrien attended the 6/13/06 and 6/27/06 Planning Board meetings and is interested in becoming an alternate member. Ms. Scott advised him to send a letter outlining his background and interest to her, to be forwarded to the Planning Board. . After reviewing his request, the Planning Board can move to ask the Board of Selectmen to appoint Mr. Therrien as an Alternate Planning Board member.

Planning Board meeting packages – Ms. Scott noted that Board packets are ready on the Wednesday before the meeting date. Members who are interested in picking up the packet at Town Hall could do so on Wednesday afternoon through the extended hours of the Town Clerk.

Committee to study sign ordinance – Troy Brown, Chester Martel, and Everett Stone met recently to discuss a committee to review the sign ordinance.

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.

Next Meeting – Planning Board work session on 7/11/06 at 7:00 p.m. and regular meeting 7/25/06.

ADJOURNMENT

At this point, Mr. Andrews made the following **MOTION: That the meeting is adjourned.** Mr. Topliff seconded the Motion and the Chair noted that the Board had **unanimously approved the Motion** by voice vote and he adjourned the meeting at 9:30 p.m.

Respectfully submitted,
Susan P. Gifford
Recording Secretary