

**Pembroke Planning Board
Approved Minutes of Meeting
Tuesday, August 14, 2007**

MEMBERS PRESENT: Roland Lemoine, Chairman; Robert Bourque, Vice Chairman;; Alan Topliff, Todd Terrien, and Kevin Foss, Cindy Lewis, Selectmen's Representative (arrived 7:48 p.m.)

ALTERNATES PRESENT: Kevin Krebs

EXCUSED: Alternate Members Dan Crean and Kathy Cruson; Members: Mark Zydel, Cindy Lewis, Selectmen's Representative (until 7:48 p.m.)

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

Chairman Lemoine opened the meeting at 7:00 p.m. He then appointed Kevin Krebs to vote in place of Mark Zydel.

July 24th Meeting Minutes – Review and Approve

MOTION: Vice Chairman Bourque moved to accept the minutes of July 24, 2007 as amended. Seconded by Member Topliff.

VOTE:	Alan T. – Y	Kevin Foss - Abstained	Roland L. – Abstained
	Robert B. – Y	Kevin K. – Y	Todd T. – Y

MOTION TO ACCEPT THE MINUTES OF JULY 24, 2007 AS AMENDED PASSED ON A 4-0 VOTE WITH TWO ABSTENTION.

Town Administrator 8/1/07 Memo

- Haleighs Court Street Acceptance

Ms. Scott indicated that the Board of Selectmen have asked for input on the acceptance of Haleighs Court and the Release of Haleighs Court and Rosedale Lane Letters of Credit. She has included copies of the plans and Letters of Credit in the member packet. She stated that upon her review of the site, she found (1) that Haleighs Court was a dead end road; (2) the “End of Built Frontage 2 Proposed Diamond Yellow Warning Signs” which were marked on the plan, were not present on the site. She noted that the pavement merely ends into a series of trees; and (3) there is a paved basketball court on one side of Haleighs Court that ties directly into the road. She said that the Highway Department thought it was a turnaround for their vehicles but there is no turnaround noted on the approved and recorded plans.

Chairman Lemoine indicated that the basketball court is in the Town's slope and drainage easement and must be addressed. He also said that the catch basins are full of silt and must also be cleaned.

Vice Chairman Bourque asked if the Board approved the plans as a dead end road. Ms. Scott said yes, to the best of her knowledge. The Board asked Ms. Scott to review the file notes and minutes of meeting to determine if there were discussions about a hammerhead or turnaround. The Board will discuss the findings on July 21, 2007

- Haleighs Court & Rosedale Lane Release of Financial Guarantee

MOTION: Vice Chairman Bourque moved to table the Haleighs Court Street Acceptance and the Haleighs Court & Rosedale Lane Release of Financial Guarantee until August 21, 2007. Seconded by Member Terrien.

VOTE: Alan T. – Y Kevin Foss - Y Roland L. – Abstained
Robert B. – Y Kevin K. – Y Todd T. – Y

MOTION TO TABLE THE HALEIGHS COURT STREET ACCEPTANCE AND THE HALEIGHS COURT & ROSEDALE LANE RELEASE OF FINANCIAL GUARANTEE UNTIL AUGUST 21, 2007 PASSED ON A 5-0 VOTE WITH ONE ABSTENTION.

Vice Chairman Bourque asked Chairman Lemoine why he abstains from voting. Chairman Lemoine said that past Chairmen have abstained from voting and it is his preference to also abstain unless there is a tie.

Review and Discuss List of Potential 2008 Town Meeting Items

Ms. Scott created a list of items that the Board indicated, in the past, should be researched and discussed. She pointed out that the Board would need to decide:

- (1) Whether or not the items listed are something to work on for the 2008 Town Meeting
- (2) Whether she is to work on drafting the changes to present to the Planning Board or if a subcommittee is to be established

She also asked if there were other items that the Board would like to add to this list. Her August 6, 2007 memo explains specific issues associated with each item. The items are listed as follows:

1. Home Businesses
 - a. §143-28 Minor Home Occupation
 - b. §143-29 Major Home Occupation
 - c. §143-30 Home Business
 - d. §143-70 Home Business Overlay District
2. §143-42 Commercial Kennels
3. Article VIII Signs

4. Article VIIIA Telecommunications Facility & Antenna Criteria
5. §143-67 Architectural Design District
6. Article X Cluster Subdivision Provisions
7. Article XVII Growth Management Ordinance
8. Water Protection Items
 - a. §143-71 Shoreland Protection District
 - b. §143-69 Floodplain Development District
9. Code Enforcement Officer/Building Inspector Items
 - a. Article XV Enforcement and Penalties
10. Zoning Board of Adjustment Items
 - a. §143-113 Special Exceptions
 - b. §143-116 Expiration of Approvals
11. Other items.

Ms. Scott further pointed out that the Home Business Ordinance was discussed last year. She and the building inspector, along with persons interested in having a home business noticed: (1) the regulations conflict each other, (2) the overlay district has no regulations to go along with it, and (3) the home business ordinance is the same as the home business occupation ordinance. She stated that only two ordinances may be necessary rather than four and that the language should be made clearer and more definitive.

Chairman Lemoine asked if the new Code Enforcement Officer/Building Inspector should review the ordinances.

Ms. Scott said that he would be focusing on building permit issues and, until he is comfortable with that, she did not think he would be doing code enforcement or Zoning Board yet. She would involve him, but does not feel that the Board could ask him to write an ordinance yet.

Chairman Lemoine suggested that the Code Enforcement Officer/Building Inspector read the ordinance and list any conflicts that he becomes aware of and then compare them to Ms. Scott's notes. She said that the Economic Development Committee would also be focusing on some items.

For time management sake, Vice Chairman Bourque suggested that each Board member choose an ordinance to research, and verbally present his or her findings to the Board at a meeting along with suggestions to improve the ordinance.

The Board agreed with Vice Chairman Bourque's suggestion but Ms. Scott pointed out that some of the ordinances would require more time than others. She also said that the Zoning Board could review zoning issues and the Water Department could review water issues and make presentations to the Planning Board.

Ms. Scott asked if it might be better for her to review the ordinances and make suggestions and present them to the Board? Chairman Lemoine said that, in his opinion, Vice Chairman Bourque's suggestion would force each committee member to become

more familiar with the specific ordinance. Ms. Scott said she would help the Board members in any way possible with their assignments, as some items are more difficult than others.

Chairman Lemoine stated that he thought Troy Brown had assigned Chester Martel to review the sign ordinance. Ms. Scott said that Mr. Martel pointed out flaws with the ordinance but that Chairman Lemoine, Selectmen's Rep. Lewis, and Building Inspector Everett Stone volunteered to review it last year, which did not happen.

Member Topliff asked if the Board would be better served to use someone else's ordinance and tailor it to Pembroke's needs rather than starting over. Ms. Scott said that that was an option. It would be up to the Board to decide.

Selectmen's Rep. Lewis arrived 7:48 p.m.

The following members, along with other departments if necessary, will work on the following Town Meeting items:

Vice Chairman Bourque:

Home Businesses

§143-28 Minor Home Occupation

§143-29 Major Home Occupation

§143-30 Home Business

§143-70 Home Business Overlay District

Chairman Lemoine: §143-42 Commercial Kennels

Member Foss, Ms. Scott, and Building Inspector/Code Enforcement Officer:

Article VIII Signs

Member Topliff: Article VIIIA Telecommunications Facility & Antenna Criteria

Selectman's Rep. Lewis: §143-67 Architectural Design District

Member Terrien, Alternate Member Krebs, (Ms. Scott will ask Member Zydel):

Article X Cluster Subdivision Provisions

Member Topliff, (Ms. Scott will ask Alternate Members Crean and Cruson): Article XVII Growth Management Ordinance

Ms. Scott, Water Department: Water Protection Items

§143-71 Shoreland Protection District

§143-69 Floodplain Development District

Ms. Scott, Code Enforcement Officer/Building Inspector, Zoning Board of Adjustment Code Enforcement Officer/Building Inspector Items

a. Article XV Enforcement and Penalties

Ms. Scott, Code Enforcement Officer/Building Inspector, Zoning Board of Adjustment Zoning Board of Adjustment Items

a. §143-113 Special Exceptions

b. §143-116 Expiration of Approvals

Ms. Scott will e-mail the list of items with the appropriate volunteer members and will also provide the members with any information that she might have pertaining to their specific ordinance.

The following schedule was established for ordinance presentations:

August 28, 2007	Ms. Scott - Water and Cell Towers
September 25, 2007	Chairman Lemoine - Commercial Kennels
	Vice Chairman Bourque – Home Businesses

Ms. Scott will prepare a timeline for all remaining ordinance reviews. She explained that any changes to the Zoning Ordinances must be completed by a set deadline in order to be presented at Town meeting. Subdivision regulations can be changed at any time during the year as long as public hearings are held.

Chickering Meadows Memo

Ms. Scott pointed out the correspondence to Chickering Builders, LLC from Jack Dever, Interim Code Enforcement Officer dated August 2, 2007. The topic was not discussed. Chairman Lemoine informed the Board that he would be stepping down when Chickering Meadows is discussed at a later date.

A discussion ensued regarding the difference between an amended site plan and an “as built”. Selectmen’s Rep. Lewis stressed the importance of the applicant approaching the Board before making any changes to an approved site plan because of issues such as abutter notification. Ms. Scott stated that minor changes can be “as built”, but major changes require an amended site plan. Vice Chairman Bourque said that sometimes it is difficult to anticipate problems with a site until the contractor breaks ground. Things can change because of conditions or because the owners want to make a change and there is a difference between the two reasons which would pertain to “as built” vs. amended site plans.

Selectmen’s Rep. Lewis pointed out that presently all plans must have elevations of buildings, quantity of landscaping, utilities, etc. and, realistically, it may be too early in the construction phase to be certain of all those specifics. The Board is asking for a great deal of information up front, and that more changes during construction will occur.

Ms. Scott asked Selectmen’s Rep. Lewis if she recalled the Haleighs Court project and questioned the fact that the road is a dead end. Selectmen’s Rep. Lewis said that her issue has always been that there was supposed to be a hammerhead and instead the hammerhead was being used as a basketball court. Ms. Scott said that the plans that Norm Provencher signed and recorded, while Planning Board Chair, do not contain a hammerhead.

Selectmen's Rep. Lewis asked if there was a signoff from engineering. Ms. Scott said KV Partners had been working on it but has been sending everything to Troy Brown so she has not seen the report. Selectmen's Rep. Lewis said there was an issue that the drainage area was filled with silt. Ms. Scott said that Jim Boisvert, Highway Department Director, is aware of it.

Chairman Lemoine asked if Pembroke 600 would be meeting with the Board of Selectmen. Selectmen's Rep. Lewis said nothing had been scheduled. Member Topliff asked who would represent Pembroke 600 in Troy Brown's absence. Mr. Lemoine said that the Selectmen would be discussing that. Selectmen's Rep. Lewis said that Pembroke 600 had canceled two meetings in a row.

Seeing two citizens in the audience, Chairman Lemoine asked if they had any comments. Jim Kowalik, 425 North Pembroke Road said he had no comment.

Non-public Session per RSA 91-A:3, II(a) – Staff Evaluation – postponed until the August 28th meeting. .

Meeting Reminders –

Ms. Scott pointed out a copy of the Agenda for the August 16th Water Works Commissioners meeting at 7 pm at Town Hall.

She also gave each member the packet for the August 21, 2007 meeting along with new pages to be inserted into the zoning section of each member's binders.

MOTION: Vice Chairman Bourque moved to adjourn. Member Topliff seconded.

The vote was unanimous in favor of the Motion.

The meeting adjourned at 8:25 p.m.

Respectfully submitted,

Jocelyn D. Carlucci
Recording Secretary