

**Pembroke Planning Board  
Tuesday, September 12, 2006  
7pm Pembroke Town Hall**

**ADOPTED MEETING MINUTES**

**PRESENT:** Bob Bourque, Chairman; Alan Topliff, Member; John Harrington, Member; Bill Faith, Member; Kevin Foss, Alternate; Cindy Lewis, Alternate; Todd Terrien, Alternate; Mark Zydel, Alternate.

**EXCUSED:** Paul Andrews, Roland Lemoine, Selectmen Larry Young.

**UNEXCUSED:**

**STAFF PRESENT:** Laura Scott, Planning Director, Catie Tirrell, Recording Secretary.

Chairman Bob Bourque brought the meeting to order at 7:00 pm.

Designated to vote for the absentees Kevin Foss for Roland Lemoine, Todd Terrien voting for Paul Andrews.

**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 amend the 8/22/06 Conditionally Approved Plan to reduce the total disturbed area to less than 100,000 sqft. The amended plan proposes to construct a drive-thru sales building (25,427 sqft), office building (3,510 sqft), relocate the property entrance, and associated site work.

Laura Scott explained to the Board that all the items asked of the applicant have been met. The only issue at this time is an outstanding bill from KV Partners which the Town has not received yet.

Daniel Genric of Holden engineering explained that the difference on the new plan is the office. The use is the same, drive thru style.

A motion was made to accept the application as complete by Alan and was seconded by Bill. The application was accepted a complete.

Public session was opened at 7:07 pm

Question was asked by Cindy Lewis if the fire department signed off.

The answer was yes the Fire Department has seen the plan and has no issues at the Planning board stage. They are working with the Building Inspector to make sure that any issue they have are addressed during construction.

Public session was closed at 7:08 pm

**Motion:** Alan Topliff motioned to accept the plan as presented. John Harrington seconded.

Todd Terrein- Y  
Kevin Foss- Y  
Bob Bourque- Y  
Bill Faith- Y  
Alan Topliff- Y  
John Harrington- Y

**Motion approved 6-0 vote.**

### **Map 634 Lot 48-1 Discussions**

Update on progress since the August 8, 2006 Planning Board action to consider the revocation of the Merrill/Dennison LLC Site Plan (Case #02-101)

Laura Scott advised the Board that this item was removed from the agenda.

Review of possible Site Plan Approval Violations of the Merrill/Dennison LLC Site Plan (Case #94-104)

Laura Scott explained while looking at the Merrill/Dennison site plan files for the other potential violations (case 02-101) she reviewed the prior site plan approval (#94-104) and the NHDES best management practices survey that was conducted. Ms. Scott wrote a letter August 18, 2006 to Merrill/Dennison and outlined what items NHDES had found onsite that she felt were contradictory to what was approved by the Planning Board in 1994. Merrill/Dennison replied August 25, 2006 and they presented that all the issues have been resolved. Ms. Scott wanted to present this to the Board to see if they felt it was necessary to bring Merrill/Dennison back in to discuss the site plan or if Code Enforcement should get involved.

Laura Scott stated that at the time of the survey, there were many items that were not registered with NHDES that are required to be. Since the survey, the tanks have been registered with NHDES. She pointed out that just because NHDES registers and approves of a storage tank does not mean that the Planning Board has to agree with it. The Board discussed several different approaches to dealing with the potential violations.

Alan Topliff asked if the violations are presenting an issue to the Aquifer.

Laura Scott read an insert from a letter from NHDES regarding what they had found on the Merrill/Dennison property during the inspection.

**Motion:** John Harrington motioned to send a letter to Merrill/Dennison that the Board believes that they are in violation and that we are requiring that they submit an amended site plan within 60-days.

A discussion took place on the motion John Harrington made. No second was made to the motion.

**Motion:** Alan Topliff motioned to table the issue for 30 days. Bill Faith seconded.

John Harrington-N  
Alan Topliff-Y  
Bill Faith-Y  
Kevin Foss-N  
Bob Bourque-Y  
Todd Terrein-N

**Motion failed with a tied vote 3-3**

Chairman Bourque briefed the Board on the different options the Board has.  
Chairman asked the Board to reconsider the voting to table the issue to give them more time to discuss the options.

**Motion:** Bob Bourque motioned to table the issue for 30 days. Alan Topliff seconded.

John Harrington-Y  
Alan Topliff-Y  
Bill Faith-Y  
Bob Bourque- Y  
Kevin Foss- N  
Todd Terrien- N

**Motion approved on 4-2 vote.**

### **Meeting Minutes**

Discussion on content, length, and use of audio tapes. A discussion took place on the detail necessary in the meeting minutes. Chairman Bourque asked that the procedure for minute taking remain the same at this time.

### **Planning Board CTAP Representative**

Selectmen Fred Kline has volunteered and Laura Scott was asking if anyone else was interested. Bill Faith & Todd Terrien both voiced interest. Laura will forward Bill and Todds names to Troy Brown to coordinate the appointment.

### **2007 Town Meeting**

**Items in Bold show changes.**

§143-11 (B) Zoning Map- **The map titled "Map Showing Saturated Thickness, Transmissivity, and Materials of Stratified- Drift Aquifiers in the Upper Merrimack River Basin, South-Central New Hampshire, Southwestern Part, Plate 5 and 6," which was prepared by the US Geological Survey in cooperation with the New Hampshire Department of Environmental Services Water Resources Division and dated 1996.**

§143-34 (C) Campgrounds- **Roads in a campground will be private roads and not maintained by the Town.**

§143-35 (A) Automotive Repair and Service  
Add side instead of ride in the current text

§143-39 (C) Temporary Office Trailer or Storage Trailer- The office or storage trailer shall

require permit from the **Code Enforcement Officer** for 12 months or less. **Periods longer than 12 months shall be permitted by The Planning Board.**

#### §143-25 Licensing

This needs to be researched further with the Health Officer, Fire Department, Building Inspector, and BOS

§143-32 Manufactured Housing Park- **All park roadways will be private roads and not maintained by the Town.**

§143-33 Manufactured Housing Subdivision - "**Manufactured Housing Subdivisions must follow the provisions outlined in Article X Cluster Subdivision Provisions**"

#### Article IXA - Soucook River Development District

§143-72.7 Baseline Dimensional Requirement- Minimum Open Space: 30%

§143-72.8(3) Incentive Bonuses- Open Space Requirements: May be reduced to 10% where: Land of equal or greater size as the required area is donated to the Town of Pembroke or an appropriate organization as outlined.

#### §143-68 Aquifer Conservation

§143-68 D Prohibited Uses- The following shall not be permitted within the Aquifer Conservation District: 1. Disposal of solid waste, **as defined in NH RSA 149-M:4, XXII**, 2. Outdoor unenclosed or uncovered storage of road salt and **sand/salt mixtures**. 3. Dumping of snow containing de-icing chemicals if it is brought from off-site. 4. Disposal, processing, **storage**, or recycling of hazardous materials, **as defined in NH RSA 147-A:2, VII**. 5.. Storage of **hazardous** material for resale or distribution.

§143-68 F (4) Special Exceptions- Prior to rendering a decision on an application for a special exception, the Zoning Noard of Adjustment shall request from the Conservation Commission, and the Health Officer opions as to whether the proposed use is consistent with the purpose of this section. **An opinion from the Planning Board is required when a Site Plan in not required.**

#### 143-21K Density and Dimensional Regulations

Delete reference to wetlands setback

§143-72 Wetlands Protection District- 1. No structire shall be located closer than 20 feet measured horizontally from any wetland. 2. Wetlands buffer markers shall be placed every 200 feet along the buffer.

#### §143-8 Definitions

Agriculture - **See NH RSA 21:34-a,II**

Farmers Market- **See NH RSA 21:34-a, V**

Farm- **See RSA 21:34-a, I**

Common Area- Add Manufactured housing park, and Condominium Development.

Hazardous or Toxic Materials and Waste- **See NH RSA 147-A:2, VII.**

### **General Correspondence**

Office of Energy Improvement Conference- Saturday 9/16 at Waterville Valley

### **The Board entered a Non-Public Session per RSA 91-A:3, II(a) at 10:28 pm**

Motion: Bob Bourque motioned to go into non-public session. Alan Topliff seconded.

John Harrington- Y

Alan Topliff- Y

Bill Faith- Y

Bob Bourque- Y

Kevin Foss- Y

Todd Terrien- Y

### **Non-public session minutes**

Discussed Town Planners performance evaluation. Bob Bourque made a motion to come out of non-public session. Todd Terrien seconded. Unanimous vote

Bob Bourque made a motion to adjourn at 10:41pm. Bill Faith seconded. Board adjourned at 10:41pm.

Respectfully submitted,

Catie Tirrell

Recording Secretary