

Pembroke Planning Board Minutes
Tuesday, October 24, 2006
7pm Pembroke Town Hall

Attendance

PRESENT: Bob Bourque, Chair; Roland Lemoine, Vice-Chair; John Harrington, Member; Bill Faith, Member; Kevin Foss, Alternate; Todd Terrein, Alternate; Larry Young, Selectmen (Tardy)

EXCUSED: Cindy Lewis, Alternate; Alan Topliff, Member.

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

Chairman Bourque opened the meeting at 7:00 pm.

Todd Terrein voting for Alan Topliff

Kevin Foss voting for Selectman Young until his arrival.

Roland Lemoine stepped down.

Continued Public Hearing - Revocation of Approved Site Plan

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

Laura Scott advised the Board that she did hear from GeoInsight and a soil sample as well as two water samples were taken and nothing was detected above state limits. She stated a report will be provided in the next few weeks. Laura Scott stated that all of the five issues regarding Plan # 16039 had been rectified. Storage trailers have been moved or registered, the building is only being used for storage of equipment now, and Venture Construction should be off the site at the end of October. The hazardous fuels and or materials that were stored on site are off the site and the water connection was stopped from the cold storage building.

Public hearing opened at 7:04 pm.

Mr. Guida representing Merrill/ Dennison LLC said they felt the five issues were cleared up. Mr. Guida asked the Board to not revoke the site plan

Public hearing closed at 7:06 pm.

Motion: Todd Terrein motioned to NOT revoke the site plan.

John Harrington asked who checks up on the site.

Laura Scott stated Code Enforcement

Bob Bourque asked Merrill Dennison if the Town had unlimited access to the site.

Mr. Guida stated any Town official may come on the site at anytime.

Bob Bourque asked Todd Terein to amend his motion to include in the Motion that the Code Enforcement Officer may check the site periodically as they would with any other business.

Motion: Todd Terrein motioned to NOT revoke the 2002 site plan and that the Town Code Enforcement officer may check the site periodically. Bill Faith seconded.

Todd Terrain- Y

Kevin Foss- Y

Bill Faith- Y

Bob Bourque- Y

John Harrington- Y

Motion approved 5-0 vote.

Roland Lemoine rejoined the Board.

Public Hearings – Old Business

Minor Subdivision and Lot Line Adjustment Application. Case #06-05. Map 563 Lots 110 and Lot 107, located on Beacon Hill Road, Third Range Road, and Fourth Range Road in the Medium Density Residential (R1) and Rural/Agricultural Residential (R3) Zoning Districts. The applicant, Barloe Properties, LLC, on behalf of the John F. Barksdale Revocable Trust of 1997 and the Richard L. Townsend Revocable Trust 5-10-04, proposes a lot line adjustment between Lots 110 and 107, with 11.55 acres being added to Lot 107 from Lot 110; and subdividing the remaining acreage of Lot 110 into 2 parcels.

Laura Scott stated in the packet there is a letter dated October 16, 2006, and the high intensity soil mapping.

The application has been accepted and the Public Session has been opened.

Ms. Scott, Planning Director, reminded the Board that this is a lot line adjustment adding 11 ½ acres to Lot 107 and the new lot is Lot 110-6.

Mr. Dumont of Barloe Properties stated that they have complied with the requests from the Board. 1 B on Laura Scotts memo has been complete.

The Highway department has the driveway permit ready to go it has not been formally issued.

Laura Scott stated that at the remaining items on her letter could be added for conditional approval.

The wells of the abutting properties were located as requested by the Board.

Public session opened at 7:22 pm.

Roland Lemoine asked if there was enough room to straighten out the lot like all the other lots.

Mr. Dumont stated no it was all going to be open space.

Public session closed at 7:22 pm

Motion: Bill Faith motioned to conditionally approve the plan with the following conditions: 1) Town of Pembroke Driveway Permit for Map 563 Lot 110-6, 2) All signatures and seal of surveyors, Wetlands scientist, and owners need to be originals, 3) Certification that Wetlands buffer markers have been placed on Lot 110-6, 4) Certification that the new bounds have been set. Todd Terrein seconded.

John Harrington- Y
Roland Lemoine- N
Bob Bourque- Y
Bill Faith- Y
Kevin Foss- Y
Todd Terrein- Y

Motion approved on 5-1 vote.

Public Hearings – New Business

Minor Site Plan Application. Case #06-106. Map 632 Lot 18-6, located on Riverwood Drive and NH Route 106 in the Commercial (C1) Zoning District. The applicant, Nation Power Sports Distributors, on behalf of Riverwood Warehouse, LLC., propose to change the use of the building to allow for the retail sales and associated service of motorcycles, ATV's, scooters, watercraft, and snowmobiles. Additional parking and landscaping improvements are also proposed.

Ms. Scott, Planning Director stated in your packet there was not a memo from her but there is one from National Power Sports about what they are proposing, a copy of the tax map, a notice of decision from the Zoning Board, there was a variance granted for this application.

Nathan Sanel- National Powersports Distributors spoke of his company, in Loudon at this time, is completely out of room. The nature of the business is primarily internet based. Mr. Sanel stated they planned to do over the landscaping. They are looking for a change of use permit.

Roland Lemoine stated he visited the current operation in Loudon and found it to be very clean and neat.

Mr. Bourque asked if the applicant was proposing to store chemicals.

Nathan Sanel stated that the Zoning Board asked them to supply information on all the chemicals/oils that were going to be onsite and they gave the ZBA all the information they requested.

Mr. Bourque asked if there were any other hazardous materials on site, Location of dumpsters outside

Mr. Sanel stated there will be no outside storage except the dumpster and at this time he does not know where the dumpster is.

Roland Lemoine stated if and when the company grows they want to increase the building they would then need a site plan.

John Harrington asked if there was any storage outside the building

Mr. Sasnel stated no

Larry Young rejoined the Board.

Kevin Foss voting for Paul Andrews
Todd Terrein still voting for Alan Topliff

Motion: John Harrington motioned to accept the plan as complete. Bill Faith seconded.

John Harrington- Y

Roland Lemoine- Y

Bob Bourque- Y

Larry Young- Y

Bill Faith- Y

Kevin Foss- Y

Todd Terrein- Y

Motion accepted on 7-0 vote

Public session opened at 7:32 pm

Public session closed at 7:33 pm

Motion: John Harrington motioned to accept the Plan as stated and an approved dumpster location. Roland Lemoine seconded.

John Harrington- Y

Roland Lemoine- Y
Bob Bourque- Y
Larry Young- Y
Bill Faith- Y
Kevin Foss- Y
Todd Terrein- Y
Motion accepted on 7-0 vote

Minor Subdivision Application. Case #06-06. Map 563 Lot 115-12, located at 352 Beacon Hill Road in the Rural/Agricultural-Residential (R3) Zoning District. The applicant, Donald Duval, on behalf of Steven & Kimberly Landry, propose to convert an existing duplex home into 2 condominium units.

Laura Scott stated that there is a waiver request, and the owner signature block is not signed, and the condo documents (bi-laws) have not been received. Ms. Scott stated there are no issues with the plan.

Donald Duval representing Steve Landry stated it is an existing duplex on Beacon Hill they are proposing the change it into a condo. There will be no physical changes to the site.

Ms. Scott stated there are no issues with the plan.

Motion: Bob Bourque motioned that the waivers be granted. Kevin Foss seconded.
Motion John Harrington motioned to accept the plan as complete. Kevin Foss seconded.

John- Y
Roland- Y
Bob- Y
Larry- Y
Bill- Y
Kevin- Y
Todd- Y

Public Session opened at 7:43 pm.

Public session closed at 7:44 pm.

Motion John Harrington motioned to accept the plan as complete. Kevin Foss seconded.

John Harrington- Y
Roland Lemoine- Y
Bob Bourque- Y
Larry Young- Y
Bill Faith- Y
Kevin Foss- Y
Todd Terrein- Y
Motion accepted on 7-0 vote

Public Session opened at 7:43 pm.

Public session closed at 7:44 pm.

Motion: Bob Bourque motioned to conditionally approve the plan with the following conditions 1) Signature Block 2) Condo Documents.
Todd Terrein seconded.

John Harrington- Y

Roland Lemoine- Y

Bob Bourque- Y

Larry Young- Y

Bill Faith- Y

Kevin Foss- Y

Todd Terrein- Y

Motion accepted on 7-0 vote

Meeting Minutes

September 26, 2006

Motion: Roland Lemoine motioned to accept the minutes. Bob Bourque seconded.
Unanimously approved.

October 10, 2006

Motion: Kevin Foss motioned to approve the minutes. Bob Bourque seconded.
Unanimously approved.

Larry Young stepped down.

2007 Meeting - Open Space Subdivision Ordinance

The Board discussed the new proposed open space subdivision.

The Board decided to send it to Town Meeting

General Correspondence

Upcoming meetings for Town Meeting stuff and applications

NHDOT meeting about fleet fueling facility at Pembroke Academy Monday October 30th

Law Lectures meetings starting next week Todd Terrein and Bill Faith are attending.

Bob Bourque asked the Board to consider having an additional meeting in December 19th for Town Meeting stuff.

Meeting adjourned unanimously at 8:34 pm

