

**PEMBROKE PLANNING BOARD  
NOTICE OF PUBLIC HEARINGS  
2007 Town Meeting Warrant Articles  
December 19, 2006**

Notice is hereby given that the Pembroke Planning Board will hold a public hearing on Tuesday December 19, 2006, beginning at 7pm in the Town Hall on the proposed amendments and additions to the Pembroke Zoning Ordinance (Chapter 143) for the 2007 Town Meeting.

Article X Cluster Subdivision

Proposal is to replace the current Article X Cluster Subdivision Provision with the proposed Article X Open Space Subdivision Ordinance. The following is a summary of provisions in the proposed Open Space Subdivision Ordinance.

- 1) Clearly define the purpose of the Ordinance
- 2) Does not allow for more residential units that would be allowed under a conventional development
- 3) Allows for flexibility on lot size, lot frontage, and front, side, and rear setbacks
- 4) Describes the requirements of the perimeter buffer and the conceptual long range development plan
- 5) Outlines the requirement for 40% of the parcel to be set aside for permanent open space, they type and location of the open space, and how it is to be managed.

§143-11(B) Zoning Map

Amend the ordinance to make the map reference consistent with what was adopted in the Aquifer Conservation District Ordinance at the 2006 Town Meeting

§143-35 (A) Automotive Repair and Service

Amendment is to fix a typo to say side lines instead of ride lines

§143-39 (C) Temporary Office Trailer or Storage Trailer

Amend the Ordinance to read that if the request for a trailer is less than 12 months in duration, the special use permit can be issued by the Code Enforcement Officer.

Article IXA - Soucook River Development District

§143-72.7 Baseline Dimensional Requirements - amend the ordinance to make the minimum open space consistent with changes in the Aquifer Conservation District which was approved at 2006 Town Meeting

§143-72.8(3) Open Space/Impervious Surface Requirements – amendment is to clarify amount of open space allowed.

§143-33 Manufactured Housing Subdivision

Amendment proposes to delete the entire section from the Zoning Ordinance

§143-32 Manufactured Housing Park

Amendment removes the requirement that the parcel of land be at least 10 times the minimum lot size for the zoning district it is located in; remove the requirement that the site plan show the manufactured home sites; and requires that parks must contain a minimum of at least 3 homes sites and they must have frontage along park roadways.

§143-68 Aquifer Conservation District

(D) Prohibited Uses - Amendment defines solid waste as NH RSA 149-M:4,XXII; does not allow the outdoor unenclosed or uncovered storage of sand/salt mixtures; does not allow the dumping of snow containing de-icing chemicals if it is from off-site; does not allow the storage of hazardous waste, which is defined as NH RSA 147-A:2,VII; and does not allow the storage of hazardous materials unless such material is pre-packaged for retail sale prior to storage on the site

(F) Special Exceptions (4) – Amendment requires Planning Board input only if subsequent action by the Planning Board is not required

§143-72 (D) Wetlands Protection District

Amendment would add a provision that no structure shall be located closer than 20' measured horizontally from any wetland and that wetlands buffer markers shall be placed every 75 feet along the perimeter of a delineated 20 foot wetland buffer

143-21 (K) Dimensional and Density Regulations

Remove the provision that no structure shall be located closer than 20' measured from any wetland

§143-8 Definitions

Amend the definition for **Agriculture** to be NHRSA 21:34-a,II; amend the definition of **Farmers Market** to be NH RSA 21:34-a;V; amend the definition of **Farm** to be NH RSA 21:34-a,I; amend the definition of **Hazardous or Toxic Materials and Waste** to NH RSA 147-A:2,VII; amend **Common Area** to include the language “open space subdivision, manufactured housing park, and condominium development”; amend the definition of **solid waste** to include reference to NH RSA 149-M:4,XXII; add a definition for **commercial greenhouses**; and rename cluster residential subdivision to open space subdivision, replace “bulk” with “dimensional”, “active” with “passive”, and remove the reference to cluster subdivision

§143-44 Agricultural Retail Outlets – (B) Farm Stand (Roadside Stand)

Amendment would remove the requirement for site plan review by the Planning Board and only require a Special Use Permit if they operate more than 4 months out of the year or they will be defined as a Temporary Agricultural Retail Outlet; changes the requirement that setbacks shall be set back 15 feet, not 30 feet, from abutting ROW lines; remove the restriction on the average yearly dollar of products purchased and resold; and amend the restriction that over 35% of the products sold must be grown on site

§143-38 Private Day Care, Preschool, or Kindergarten

Amendment removes the distinction of Private day care from other forms of day care; adds preschool to the ordinance; removes the outside play area space requirement; removes the requirement for parking areas to be screened; removes the reference to accessory use or principal use of a structure by a day care or kindergarten; removes the provision for signage; and clarifies that accessory uses shall follow §143-18 and only require a special exception and that principal uses require site plan review.

#### §143-19 Table of Dimensional Regulations

Community Facilities - Amendment removes from the Table of Dimensional Regulations (1) public parks, conservation area and open spaces, including areas for passive recreation and (2) town buildings, fire stations, police stations, public libraries, and town equipment garages because it is not necessary

Residential Use – Amendment removes (4) Planned Residential Development and (5) Rural Cluster Open Space Development from the Table of Dimensional Requirements and adds Open Space Subdivision as a permitted use in all districts except B2 and C1; adds (7) Manufactured Housing Parks as a permitted use in the R1 district; and (8) removes Manufactured Housing Subdivisions as an allowed use

Agricultural - Amendment allows agricultural retail outlets to be a permitted use in all Zoning Districts except B2; removes temporary agricultural retail outlets from the table of dimensional regulations; and allows by right the raising and/or keeping of livestock, horses, poultry, sheep, swine, or other farm animals for personal use in all districts except B2 and C1

Retail and Service – Amendment allow day care, preschools, and kindergarten as a permitted use, as opposed to a special exception, in all zoning districts except B1

#### § 143-25 Licensing

Amendment gives authority to issue licenses to the Code Enforcement Officer instead of the Board of Selectmen; adds a licensing requirement to preschools and kindergarten; removes the basis for the fees; and requires an annual inspection to be done by the Code Enforcement Officer for life safety and fire code compliance prior to issuance of the license.

Copies of all proposed 2007 Town Meeting Warrant Articles are available for review at the Pembroke Town Hall, on the Town of Pembroke web site [www.pembroke-nh.com](http://www.pembroke-nh.com), and will be available at the public hearing.