

**PEMBROKE PLANNING BOARD**  
**Minutes of Meeting**  
**February 12, 2008 Pending 2/17/08**

**MEMBERS PRESENT:** Robert Bourque, Vice Chair; Cindy Lewis, Selectmen's Representative; Kevin Foss, Alan Topliff, Todd Terrien

**ALTERNATE MEMBERS PRESENT:** Kathy Cruson, Kevin Krebs

**EXCUSED:** Roland Lemoine, Chair; Mark Zydel

**STAFF PRESENT:** Stephanie Alexander, Interim Planner; Susan Gifford, Recording Secretary

Vice Chairman Bourque called the meeting to order at 7:00 p.m. Selectmen's Representative Lewis explained that Linda Williams is preparing forms for appointment of current Alternate Members Kathy Cruson and Kevin Krebs as regular Planning Board members. Alternate Members Kevin Krebs and Kathy Cruson were designated to vote tonight for the missing members.

**PUBLIC HEARING**

Case #04-13, Map 634, Lot 47 located in the Soucook River Development District, Aquifer Conservation District, Shoreland Protection District, Floodplain Development District, Architectural Design/Home Business District, and Wetland Protection District.

Applicant(s):	Pembroke 600 Corporation
Property Owner(s):	same
Agent:	Attorney Donald Gartrell Gartrell, Callahan & Gartrell, PC 214 Main Street PO Box 1415 Concord, NH 03302-1415

Applicant requests an extension from the Planning Board of the subdivision approval that was granted on September 26, 2006. The applicant, Pembroke 600 Corporation, additionally requests an extension from the Sewer Commission of the permit approval for the capacity of 35,000 gallons per day that was granted in 2004. Sewer Commissioner Harold Thompson was present at the February 12, 2008 meeting.

Ms. Alexander confirmed that all abutters were notified and that cards were received back from most abutters.

Vice Chairman Bourque opened the public hearing at 7:02 p.m.

At the January 22, 2008 meeting, the Planning Board voted to grant Pembroke 600 Corporation an extension to the February 12, 2008 meeting. Vice Chairman Bourque stated that an individual from Pembroke 600 asked that the public hearing be postponed, as they would have to undertake a 3 hour trip from Vermont and back in inclement weather on 2/12/08.

There being no further input, Vice Chairman Bourque asked for a motion.

**MOTION:** Member Bourque moved to continue the public hearing on Pembroke 600 to the next regular Planning Board meeting February 26, 2008. Member Terrien seconded.

**VOTE:** Kathy C.- Y Todd T. - Y Cindy L. -Y  
Kevin K. -Y Bob B. - Y Alan T. - Y

**MOTION TO CONTINUE PUBLIC HEARING TO 2/26/08 GRANTED ON A 6-0 VOTE**

**MOTION:** Member Bourque moved to grant Pembroke 600 Corporation an extension of their conditional subdivision approval of Case #04-13, Map 634 Lot 47 to the next regular Planning Board meeting on February 26, 2008. Member Terrien seconded.

**VOTE:** Kathy C.- Y Todd T. - Y Cindy L. -Y  
Kevin K. -Y Bob B. - Y Alan T. - Y

**MOTION TO APPROVE EXTENSION OF SUBDIVISION APPROVAL TO 2/26/08 PASSED ON A 6-0 VOTE**

- 3. Discussion of Master Plan Implementation -** In the agenda packet, Ms. Alexander provided a worksheet as of June 2006 listing the status of Planning Board Master Implementation items where the Planning Board is the project leader. Vice Chairman Bourque recommended that the Planning Board select one or two items for the Planning Board to focus their work on during the next year. Member Topliff stated that the Planning Board should continue to work on open space regulations. Member Terrien suggested working on revision of the impact fee ordinance using data within the Demographics Chapter (page 2, fourth item down). Member Topliff suggested that the Planning Board work to review and revise the existing cluster development ordinance (page 3, fourth item down). Member Topliff also noted that on page 6, second item down, (if time permitted) it would be interesting to explore the feasibility of introducing village zoning in another area where folks could walk to services. Member Lewis stated that she agreed another village area would be interesting, but in the past, the difficulty of doing so with no sewer available has held up another proposed project. The proposal would have included 200 units of single-family, multi-family and elderly housing. If zoning were changed to require or encourage sewer in this area, village zoning could be accomplished. It was discussed that availability of sewer and village zoning could tie into revision of the existing cluster ordinance regulations. Growth management could have a phasing component to limit the number of new units created each year. The Town of Pembroke could hire a consultant to look at its growth management plan.

Ms. Alexander stated the CTAP funds are available in the amount of \$15,000 each year for FY07 and FY08 that could be used to analyze growth management ordinance and economic development. There are limits on what the funds can be used for. Geoff Ruggles stated that with a National Guard development proposed off Route 106, the Town may want to get some kind of economic development study on areas of town to focus on. Member Lewis stated that a request for a study of an alternate to the Route 3 corridor was turned down as a potential CTAP project. It was discussed that Pembroke could choose to combine its CTAP funds with City of Concord on the Aquifer Study. Ms. Alexander stated that CNHRPC is working on that aquifer study and has met with Pembroke Water Commissioners to discuss regional sharing of water, mutual aid if you will.

The consensus of the Planning Board was to use CTAP money to help write revised cluster subdivision regulations or revised impact fee regulations as priorities this year. Geoff Ruggles is researching grant money that may be available for housing and conservation planning, especially through a unified approach that Pembroke may want to pursue. The Planning Board would like to assist Selectman Fred Kline with the process. Member Topliff will meet with Selectman Kline and propose to help with writing a CTAP application for FY2008 with first and second choice projects, if selected for funding. For cluster/open space regulations, Ms. Carolyn Russell has a model ordinance and she works with each board to customize the ordinance to a town's needs. Because Ms. Russell works for State of NH, DES, CTAP funds cannot be used for funding a project with her. Geoff Ruggles will research whether a similar conflict would exist if Ms. Russell were hired using State of NH Office of Energy and Planning funding. There is also \$7,500 in the budget for consulting. The Planning Board supports trying to obtain both funding sources – CTAP and OEP.

#### **4. Review and Approve Meeting Minutes of January 22, 2008**

Amendments proposed were on page one, item 2, add "Planning Board recommendation was to" table discussion ..., page 4, motion on amendment 6 should read Seconded by "Alternate" Member Krebs; page 6, motion at bottom of page, add appointment of "Alternate Members" Kevin Krebs and Kathy Cruson. Also, same motion "Member Bourque seconded ." is missing. Again, bottom of page eight and top of page nine, it should read "Alternate" Member Krebs. Page 8, Heiser application page 8, will be on the agenda for February 26, not February 19, 2008 meeting.

**MOTION:** Member Topliff moved to accept the minutes of January 22, 2008 as amended. Seconded by Member Bourque.

**VOTE:** Kathy C. - Y Todd T. - Y Cindy L. -Y  
Kevin K. -Y Bob B. - Y Alan T. - Y

**MOTION TO ACCEPT THE MINUTES OF JANUARY 22, 2008 AS AMENDED PASSED ON A 6-0 VOTE**

#### **Correspondence –**

Ms. Alexander stated that the Planning Board received a lot of correspondence in the last two weeks. A free training workshop is being offered by CNHRPC on auto salvage, and another is offered on Natural Sustainable Landscaping. See Ms. Alexander, or read the details in the folder. Town of Hooksett invites Pembroke Planning Board testimony on a communication tower hearing tonight 2/12/08.

Ms. Alexander arranged a folder with general correspondence to be passed around to Board members for their perusal.

#### **Committee Reports –**

Alternate Member Krebs provided a report on the Conservation Commission, which met on 2/11/08. The Conservation Commission reviewed the Townsend minor subdivision plan coming to Planning Board on 2/26/08. The Conservation Commission has no comments regarding the upcoming lot line adjustment. Conservation Commission has no objection to a proposed voluntary merger.

The Conservation Commission discussed that PSNH has agreed to pay for a gate and install it on PSNH property at White Sands. PSNH will contact Vice Chairman Bourque regarding a new lock. The Town is expected to purchase a new lock and provide keys to PSNH and appropriate Town offices. There may be some other paperwork needed to finalize this project. Member Topliff suggested that a parking lot could be made on Conservation Commission land and a foot path provided to White Sands. Because a DES permit is needed to timber, and the Shoreline Protection regulations require a 150' setback, this is not feasible.

Member Topliff had hoped to go to the Hooksett Planning Board meeting, but instead called their planning office. The Hooksett Town Engineer is reviewing Manchester Sand's conceptual plan, and there will be further public hearings held.

Vice Chairman Bourque brought up a concern about a plan that was signed off by the Planning Board as complete when no town road was accepted by Pembroke, and the Conservation Commission does not have the easements listed in the conditional approval. How was final approval given, and does the Planning Board need to have plans come back to the full board for final approval? Selectmen's Representative Lewis explained that the paperwork for the subject easements are signed by the applicant, but are not signed by the Pembroke Board of Selectmen. The Board of Selectmen does not accept the road until it is 70% complete and the final pavement is laid. Should it be condition of final site plan approval that an easement be executed and held by the Conservation Commission if that is one of the conditions listed? Alternate Member Krebs stated that the subject property is now for sale. If the new owner wants to build one house in the middle of the lot, they could because the Conservation Commission does not hold the conservation easement. Once the

conditions of approval are met, whoever on town staff reviews the list, passes the plan to the Planning Board Chair to sign final approval. Vice Chairman Bourque suggested he would like to also see a list of the conditions of approval and documents proving they were met, signed by the staff that approved completion of that condition. Selectmen's Representative Lewis stated that the Board of Selectmen just accepted Ashleigh, Haley's Court and Alexander Drive (seven years old). Selectmen's Representative Lewis noted that when subdivisions come in, the deed describes the road, and the roads are generally built to town standards.

Discussion ensued on whether the condition on a conditional approval should read "applicant to provide Conservation Easement acceptable to the Town, Conservation Commission to hold easement and Board of Selectmen to decide whether or not to sign. The Conservation Commission does not have authority to sign on behalf of the Town. Currently, the applicant provides a signed easement to the Board of Selectmen, and the Board of Selectmen pass it on to the Conservation Commission once it is signed. It was discussed that plans need to come to the Planning Board as a conceptual *before* the Conservation Commission reviews a proposed plan. Submittal rules may need to be revised to include a checklist document on file with signature indicating each condition is complete.

Discussion ensued on whether applicants need to come back to the Planning Board after all conditions are met. The signed easement is in the files. Conservation easements decrease property value, as the area is not designated as current use if it is needed in the calculation of density. The conservation area in the instance under discussion included a large piece of land, as well as smaller pieces of land around the lot. If the land is already unbuildable, does it benefit the Town to own an easement? A change to the Site Plan/Subdivision procedures may be needed to determine if final approval needs a public hearing. The Planning Board Chair should review the file and conditions to see proof all conditions were met. Any new information, changes to conditions, or receiving input on status of conditions would not require a public hearing. The planning staff should update the Planning Board as the conditions are met and verified. Alternate Member Cruson stated that different Chairs of the Planning Board over the years do not typically notify the entire board when the conditions of approval are completed. It would be nice to have a report from the planner with the conditions documented as complete in an envelope, and the Mylar signed at the meeting that night.

**Other Business-**

**MOTION:** Member Terrien moved to adjourn. Member Bourque seconded.

The vote was unanimous in favor of the Motion.

The meeting adjourned at 8:15 p.m.

Respectfully submitted,

Susan Gifford  
Recording Secretary