

**Pembroke Planning Board  
Meeting Minutes  
(Adopted)  
Tuesday, March 23, 2010**

**MEMBERS PRESENT:** Robert Bourque, Chairman; Alan Topliff, Vice Chairman; Cindy Lewis, Selectmen's Representative; Kathy Cruson; Brian Seaworth; Kevin Krebs, Larry Young, Sr.

**ALTERNATES PRESENT:** Ron Nowe

**EXCUSED:**

**STAFF PRESENT:** Jeffrey Gaeta, Town Planner; David Jodoin, Town Administrator; Jocelyn Carlucci, Recording Secretary

Chairman Bourque called the meeting to order at 7:00 p.m.

**Old Business**

1. **Update on Site Plan Progress. Chickering Meadow. Case #03-104, #03-105, and #07-104.** Board to discuss progress on open items on Phases 1 and 2 from Town Engineer's 10-27-09 & 02-25-10 punchlists.

Present: Robert Pace, owner of Chickering Meadow Development, R. Jeffrey Burd, Engineer

Mr. Pace said that:

1. Mr. Gaeta witnessed the catch basins being cleaned. He felt that it would be a waste of money to hire Keach-Nordstrom Associates, Inc. to sign-off on the catch basin cleaning when Mr. Gaeta could do the same.
2. Harvard Management has coordinated a meeting on March 24, 2010 with the unit owner, Metroswift, and Chris Culberson of Pembroke Water Works to change the backflow valve.
3. The sewer testing report will not be released by Todd Smith until he is paid \$2500. Mr. Pace said he would consult with Windsor and Mr. Smith.
4. Phase 3 issues will be accomplished in the Spring.

The Board agreed to place the application on the agenda in 4 months so that Mr. Gaeta could give a progress report on the drainage issue.

2. **Major Subdivision. LTC Properties. Case #09-02.** Map 565, Lot 193-3 at 245 Pembroke Hill Road in the Medium-Density Residential (R1) District and the Wetlands Protection (WP) Overlay District. The applicant, LTC Properties Inc, proposes a five-lot residential subdivision on 14.595 acres which includes a new road and a detention pond. *Extension granted at last meeting to expire 3/23. Application and public hearing continued from previous meeting.*

No representatives of LTC Properties were present.

Mr. Gaeta said that the applicant asked for a continuance to the April 27, 2010 meeting and a 65-day extension to the 65-day review period.

**MOTION:** Vice Chairman Topliff moved to continue the application and public hearing of LTC Properties, Case #09-02, to the April 27, 2010 meeting, all abutters to be notified, and to grant the extension of the 65-day review period to May 25, 2010. Seconded by Member Young.

**VOTE:** R. Bourque - Y      A. Topliff – Y      C. Lewis – Y      B. Seaworth - Y  
K. Krebs – Y      K. Cruson – Y      L. Young - Y

**MOTION TO CONTINUE THE APPLICATION AND PUBLIC HEARING OF LTC PROPERTIES, CASE #09-02, TO THE APRIL 27, 2010 MEETING, ALL ABUTTERS TO BE NOTIFIED, AND TO GRANT THE EXTENSION OF THE 65-DAY REVIEW PERIOD TO MAY 25, 2010 PASSED ON A 7-0 VOTE.**

Chairman Bourque opened the public hearing at 7:08 p.m.

Mary Morse, 247 Pembroke Hill Road said that she spoke with Chief Paulsen about the movement of the fire hydrant. He told her that her home would have fire protection. Her concern was the increase in her homeowner's insurance premium because of the movement of the hydrant.

The following area residents contacted their insurance agencies and said that their premiums would also increase because of the movement of the fire hydrant: Anna and Robert Varsalone, 452 Deerpath Lane; John Duggan, 443 Deerpath Lane; John Hondrellis, 448 Deerpath Lane; Gary Seidner, 439 Deerpath Lane.

Member Young said that it was impossible to add another fire hydrant onto Pembroke Hill Road unless the entire water line from Route 3 was increased from a 6-inch pipe to an 8-inch pipe. It was his understanding that the applicant could not afford to create the development if the water line had to be moved and, therefore, the Board's compromise was to require residential sprinklers in the homes. He also felt that it was illogical to move a hydrant away from a development where the homes did not have sprinkler systems to a development where the homes would have residential sprinkler systems.

Chris Culberson, Superintendent of Pembroke Water Works concurred that the applicant was aware that in order to add a hydrant near his development, the water line would have to be increased to 8 inches. The cost would be very large because of the sewer, drainage, and gas lines that would be affected.

John Morse, 247 Deerpath Lane said that existing residents should not incur an increase in insurance premiums because a developer wished to construct a project.

To those attendees who were not abutters of the project, Chairman Bourque advised them to contact Town Hall or to check the Town's website for future hearing dates. Only the abutters will be formally notified.

After reading aloud Chief Paulsen's hydrant request, Selectmen's Rep. Lewis paraphrased that Chief Paulsen's policy is to place a hydrant at the intersection of a new road.

The Board agreed to ask Chief Paulsen to attend the April 27, 2010.

Mr. Gaeta will notify the applicant of the April 27, 2010 meeting and that the Board is considering not moving the fire hydrant.

There being no further comments or questions from the Board or the public, Chairman Bourque closed the public hearing at 7:29 p.m.

**Minutes**

**3. Review and Approve Meeting Minutes of January 26, 2010**

**MOTION:** Member Young moved to approve the meeting minutes of January 26, 2010 as presented.  
Seconded by Member Seaworth.

**VOTE:** R. Bourque - Y      A. Topliff – Y      C. Lewis – Y      B. Seaworth - Y  
K. Krebs – Y      K. Cruson – Y      L. Young - Y

**MOTION TO APPROVE THE MEETING MINUTES OF JANUARY 26, 2010 AS PRESENTED PASSED ON A 7-0 VOTE.**

#### **4. Review and Approve Meeting Minutes of February 9, 2010**

**MOTION:** Member Young moved to approve the meeting minutes of February 9, 2010 as amended.  
Seconded by Vice Chairman Topliff.

**VOTE:** R. Bourque - Abstained      A. Topliff – Y      C. Lewis – Y  
B. Seaworth – Abstained      K. Krebs – Y      K. Cruson – Y      L. Young - Y

**MOTION TO APPROVE THE MEETING MINUTES OF FEBRUARY 9, 2010 AS AMENDED PASSED ON A 7-0 VOTE.**

#### **5. Review and Approve Meeting Minutes of February 23, 2010**

**MOTION:** Member Seaworth moved to approve the meeting minutes of February 23, 2010 as amended.  
Seconded by Vice Chairman Topliff.

**VOTE:** R. Bourque - Abstained      A. Topliff – Y      C. Lewis – Y  
B. Seaworth - Y      K. Krebs – Y      K. Cruson – Y      L. Young - Y

**MOTION TO APPROVE THE MEETING MINUTES OF FEBRUARY 23, 2010 AS AMENDED PASSED ON A 7-0 VOTE.**

### **Miscellaneous**

#### **6. Correspondence**

Mr. Gaeta reported:

- Bow, NH abutter notification for Merrimack Station Clean Air Project.
- Public Service of NH Transmission Line Easement Encroachment Review Requirements. (Mr. Gaeta will review the documentation and report to the Board at a future time.)
- As built letters were sent to 12 people. Foy Insurance does not have the required landscaping done yet. He will call them to say that it should be done in the Spring.
- March 2010 issue of NH Town and City Magazine from LGC.
- A postcard from WSP Sales selling digital imagery and mapping.

#### **7. Committee Reports**

Roads Committee: Member Seaworth said that the Roads Committee will meet next month.

Conservation Commission: Member Krebs said that Sunday, April 11, 2010 at 9:00 am is Conservation Monitoring Day. Anyone interested may attend.

## **8. Other Business**

### **a. Planner Items**

- i.** Silver Hills Business Park condition of approval clarification - The Board agreed that response No. 6 on T. F. Bernier, Inc.'s letter dated March 9, 2010 adequately addresses Conditional Approval No. 6 of the Pembroke Planning Board Notice of Decision, Case #09-06.
- ii.** CNHRPC Traffic Counting Program – The Board agreed to traffic counts at the following locations: (1) Dearborn and Route 3; (2) Pleasant Street at Broadway; (3) Pine Street at Broadway; (4) Church Road - east of Cross Road; (5) North Pembroke Road at the Concord town line; (6) Buck Street – West of Wilkens Avenue; (7) Maple Street - at Broadway; (8) Academy Road – East of Cross Street; (9) Broadway - South of Route 3; (10) Pembroke Hill Road - East of US 3.
- iii.** PSNH Joint Use Agreement – Mr Gaeta anticipates that material will be submitted before the end of the week in preparation for the April 27, 2010 meeting. The applicant is submitting a new site plan because the use has changed. Mr. Gaeta said that the lot is in the Aquifer Protection District, Floodplain, Shoreland Protection District, and the Wetland Protection District but work will not be done in those areas. The consensus of the Board was that the applicant should submit a Special Use Permit Application for the Aquifer Protection District. The other Special Use Permit applications will be discussed at the next meeting.
- iv.** Green Mountain Communications - Victor Drouin of Green Mountain Communications would like to enlarge their parking area. Mr. Jodoin said that the applicant has brought all their vehicles to Pembroke. The Board agreed that it would be best for them to come for a conceptual consultation before preparing plans.
- v.** Conferences and Workshops – Members received registration forms for the NH DES Drinking Water Source Protection Workshop and the NH Office of Energy and Planning and Zoning Conference.
- vi.** Dale Robinson's Stream Issue: Mr. Gaeta spoke with NH Department of Environmental Services. Mr. Robinson has not replied to their correspondences and will be seeking harsher penalties.

In order to save paper, the Board agreed that Mr. Gaeta should provide: (1) Copies of only those pages that have changed on an applicant's plans; (2) A list of applicant's changes on a separate sheet of paper for easy reference; (3) A list of project comments from the Department Heads; (4) A summary of project activities and data; (5) A list of unresolved items per project; and (6) A summary of Legal Counsel's opinion.

The Board also agreed that any documentation that is received by the Planning Department after the Member packets have been mailed, should be eliminated. The Board finds it too difficult to read through and absorb all "last minute" documentation just prior to the beginning of a meeting. The exception to the rule would be if Mr. Gaeta felt that the information was critical to the Board's decisions that would have to be made at that evening's meeting.

**MOTION:** Vice Chairman Topliff moved to adjourn. Seconded by Member Cruson.

The vote was unanimous in favor of the Motion.

The meeting adjourned at 8:42 p.m.

Respectfully submitted,  
Jocelyn D. Carlucci, Recording Secretary