

**Pembroke Planning Board
Minutes of Meeting
(Adopted)
Tuesday, February 24, 2009**

MEMBERS PRESENT: Robert Bourque, Chairman; Kevin Krebs; Kathy Cruson; Todd Terrien; Mark Zydel

ALTERNATE PRESENT: Brian Seaworth

EXCUSED: Alan Topliff, Vice Chairman; Cindy Lewis, Selectmen's Representative; David Jodoin, Town Administrator,

STAFF PRESENT: Stephanie Alexander, Interim Town Planner, and Jocelyn Carlucci, Recording Secretary,

Chairman Bourque opened the meeting at 6:55 p.m. Alternate Member Seaworth will vote in place of Vice Chairman Topliff.

Old Business

- 1. Major Site Plan Extension. Knoll Crest. Case #07-101.** Map 632, Lot 18-5, located on Riverwood Drive in the Commercial/Light Industrial (C1) and the Aquifer Conservation (AC) Zoning Districts. The applicant, Gladstone Brothers Construction, on behalf of Bolton Holdings, Inc., is requesting an additional extension to the conditional approval of a four-building planned industrial development granted on April 24, 2007. The current extension expires on April 28, 2009. *Board directed applicant to return to Board on February 24, 2009 to display revised plans and to obtain Board feedback. This is not a public hearing. No action should be taken by Board.*

Present were: Kevin Leonard, of Northpoint Engineering LLC, and Dave Ledoux of Gladstone Brothers Construction.

Mr. Leonard stated that the outstanding items listed on the Summary of Outstanding Review & Comment Items for Applications at the February 24, 2009 Meeting will be completed before April 2009 and he would like final approval by April 2009.

Chairman Bourque reminded them that if they received final approval in April 2009, they would have one year to make significant improvements to the site.

Ms. Alexander referred Mr. Ledoux to the Site Plan Regulations, a copy of which could be obtained from the Planning Office to clarify the definition of "significant improvements". A public hearing will be necessary for April 28, 2009 to determine that all the required items have been completed.

Conceptual Consultation

- 2. Major Subdivision Open Space Residential Development. (LTC Properties). Case #09-02.** Map 565, Lot 193-3, located at 245 Pembroke Hill Road in the Medium Density Residential (R1) District and the Wetlands Protection (WP) District Overlay. The applicant, Holden Engineering & Surveying Inc., on behalf of owners LTC Properties, Inc., is requesting guidance for a five-lot open space residential subdivision on 14.6 acres.

Chairman Bourque asked that the record show that Mark Zydel recused himself.

Present were: Peter Holden and Jason Hill of Holden Engineering & Surveying, Inc.

Mr. Holden stated that:

- (1) Subdivision Approval was granted in the late 1980s for approximately 7 lots;
- (2) Applicant is downsizing the project to a 5-lot subdivision;
- (3) Applicant will apply to the Zoning Board of Adjustment for a variance to cross the wetland buffer located in 3 areas assuming that the new zoning ordinance passes at the March Town meeting;
- (4) Applicant has met with the Conservation Commission who did not express any concerns with the project.
- (5) Driveways over 300' long will be 18' wide. (The driveway to the east is 500' long and the driveway to the west is 600' long.)
- (6) The Road Agent has agreed to speak with the Fire Chief regarding the driveways.
- (7) The site will have municipal sewer with individual wells. (Water pressure does not allow for municipal water.)
- (8) Applicant has contacted the Sewer Commission and sewer is available.
- (9) There will be underground electric utilities. There will be 3 transformers. Wetland containment pads may be necessary.
- (10) The center of the cul-de-sac will be landscaped and owned by the association.
- (11) They anticipate that the road will be a Town road.
- (12) The development is not an open-space development.

Mr. Holden said that under the original approval, wetland filling was done. Mr. Holden has met with Joslyn Dagler of the State Wetlands Board to discuss a proposed driveway crossing over a filled area, removing the remainder of the previously filled areas, and restoring the wetlands that were previously filled. Ms. Dagler agreed with the proposal.

Mr. Hill stated that the contiguous buildable area is a minimum of 28,000 sq. ft. per lot. Each lot is a minimum of one acre. He will provide the Board with the exact calculations along with the drainage calculations.

Ms. Alexander said that the Town Administrator was concerned with length of driveways, specifically fire safety and means of egress. Mr. Holden said that all homes will have fire sprinklers. Ms. Alexander encouraged him to speak with the Fire Chief.

Ms. Alexander asked that the Applicant provide a lot data table which would include the lot area required, lot area provided, the buildable area of each parcel, as well as the contiguous buildable area (which must be 70% or greater), and the wetland area. Mr. Hill said that a conventional subdivision is the most efficient use of the land.

Mr. Hill stated that a single family housing unit on a lot must meet 40,000 sq. ft. of usable land, 70% must be contiguous which excludes slopes in excess of 15%, very poorly drained soils, and easements.

Ms. Alexander asked Mr. Hill to call her for clarification on the tax card characterization regarding the availability of both town water and sewer as it relates to contiguous buildable area.

Mr. Hill spoke with Chris Culberson, Superintendent of the Water Department, who agreed that Town water was not feasible in this area.

Mr. Holden agreed to:

- (1) Provide copies of the driveway applications
- (2) Easement deed for detention area
- (3) Drafts of Homeowners' Association documents
- (4) Drainage study
- (5) Copy of the formal review of the application by the Conservation Commission.

Chairman Bourque suggested that the Applicant consider installing a pad for the house in the center of the subdivision to be serviced from the house on the east. Mr. Holden said that they are also considering feeding the underground electrical line from the school driveway.

Member Krebs asked if the Applicant considered building a road into the subdivision from one side and exiting the subdivision on the other side and placing houses on both sides of the road? Mr. Holden said that there would be more wetland impact and a greater amount of road. Mr. Hill stated that the present road design standards made it impossible.

Chairman Bourque asked that the record show that Mark Zydel has returned to the Board.

3. Minor Site Plan Expansion and Change of Use. Therrien. Case #09-101. Map 634, Lot 36 located at 518 Pembroke Street in the Limited Office (LO) District, Architectural District (AD) Overlay, and Aquifer Conservation (AC) District Overlay. The applicant, E. Paquet Construction and Development, LLC., on behalf of owner Nicole Therrien, is requesting guidance for expansion, in a mixed-use building, of the existing commercial unit, formerly a hair salon in the 1970s, and for lease of the unit as office space.

Present were: Etienne Paquet and Nicole Therrien.

Mr. Paquet stated that he would like approval to construct a few interior walls, discontinue one door and include two presently unused rooms to the existing commercial space. No additional plumbing or electrical work will be performed. No exterior changes to the building will be made.

Ms. Alexander stated that the tax card indicates that the building is a single family home. Since the last known commercial use was in the 1970s, it may no longer be a mixed use. She said that they would need a change of use and possibly an expansion of use for the two rooms which are being added to the commercial area. A minor site plan would be sufficient.

Chairman Bourque recommended that Mr. Paquet complete a minor site plan application and obtain drawings of his project to be approved by Town departments. Once the site plan is approved, he will be able to obtain the necessary permits.

Minutes

4. Review and Approve Meeting Minutes of January 13, 2009

MOTION: Chairman Bourque moved to accept the Meeting Minutes of January 13, 2009 as presented. Seconded by Member Terrien.

VOTE: Robert B. – Y Brian S. – Y Mark Z. – Y
 Kevin K. – Y Kathy C. – Y Todd T. - Y

MOTION TO ACCEPT THE MEETING MINUTES OF JANUARY 13, 2009 AS PRESENTED PASSED ON A 6-0 VOTE.

5. Review and Approve Meeting Minutes of February 10, 2009

MOTION: Chairman Bourque moved to accept the Meeting Minutes of February 10, 2009 as presented.
Seconded by Member Terrien.

VOTE: Robert B. – Y Brian S. – Y Mark Z. – Abstained
 Kevin K. – Y Kathy C. – Y Todd T. - Y

MOTION TO ACCEPT THE MEETING MINUTES OF FEBRUARY 10, 2009 AS PRESENTED PASSED ON A 5-0 VOTE WITH ONE ABSTENTION.

Miscellaneous

6. Correspondence

- Annual Planning and Zoning Conference (OEP), Saturday, May 2, 2009, Radisson Hotel, Manchester.
- Letter to Thayer Corporation, written by Ms. Alexander, indicating that site plans are due March 31, 2009. No response has been received.
- Town and Country magazine.

7. Other Business

- a. Town Meeting Zoning Amendments – volunteers, etc.

Volunteers are needed for Tuesday, March 10, 2009 at the voting location to answer questions regarding the zoning changes. All members present are working.

- b. Zoning amendments.

The Board reviewed the proposed Zoning Amendments to be voted on March 10, 2009. The Board must decide if they will recommend the proposed changes.

Mr. Krebs clarified his thoughts on Amendment 2:

Because Amendment 2 may possibly change a dimensional requirement for minimum lot area, he felt that the change affects how the calculations are made in open space development. Prior to the amendment, the minimum lot was made up of usable area. Usable area is the same as buildable area. For example, a lot must have a minimum of 40,000 sq. ft. buildable area and, out of the 40,000 sq. ft. , 70% must be contiguous.

Amendment 2 proposes to change the requirement so that only 70% of the 40,000 sq. ft. lot (28,000 sq. ft.) needs to be contiguous buildable area, the remaining 30% of the lot does not need to be buildable area.

Mr. Krebs suggested:

- “A = Minimum Lot Area in Useable Land” be changed to “A = Minimum Lot Area in Buildable Area”.
- Do not remove “1) The minimum lot size shall be met by the use of useable land.”
- Change all instances of “useable land” to “buildable area”

Mr. Krebs asked that the Board NOT recommend passing Amendment 2 as proposed.

Chairman Bourque said that by not recommending Amendment 2, No. 13 would be eliminated which he felt was more important.

The Board discussed the importance of losing #13 of Amendment 2.

MOTION: Chairman Bourque moved to send Amendment 2 as proposed with the Planning Board’s approval to the Town for a vote. Seconded by Member Terrien.

VOTE: Robert B. – Y Brian S. – Y Mark Z. – N
 Kevin K. – N Kathy C. – Y Todd T. - Y

MOTION TO SEND AMENDMENT 2 AS PROPOSED WITH THE PLANNING BOARD’S APPROVAL TO THE TOWN FOR A VOTE PASSED ON A 4-2 VOTE.

c. March 10 Work Session Agenda – Steve Whitman, Open Space Ordinance

The Board agreed that Ms. Alexander should contact Mr. Whitman to see if he can meet with the Board on any of the following dates: March 3, 17, 24 and 31, 2009 from 6:30-8:30 p.m.

Ms. Alexander will not be available to attend the meetings on March 3 and March 17, 2009.

Board agreed to cancel the Planning Board meeting on March 10, 2009.

Adjournment

MOTION: Member Terrien moved to adjourn. Seconded by Member Krebs.

The vote was unanimous in favor of the Motion.

The meeting adjourned at 8:28 p.m.

Respectfully submitted,
Jocelyn D. Carlucci, Recording Secretary