

**Pembroke Planning Board  
Minutes of Meeting  
(Adopted)  
Tuesday, September 8, 2009**

**MEMBERS PRESENT:** Robert Bourque, Chairman; Alan Topliff, Vice Chairman; Brian Seaworth; Kathy Cruson

**ALTERNATES PRESENT:** Larry Young, Sr., Jeff White

**EXCUSED:** Cindy Lewis, Selectmen's Representative; Kevin Krebs; Mark Zydell

**STAFF PRESENT:** Stephanie Alexander, Interim Planner; Jocelyn Carlucci, Recording Secretary

Chairman Bourque called the meeting to order at 7:00 p.m. and noted that Selectmen's Rep. Lewis and Members Krebs and Zydell were absent. Alternate Member Young will vote in place of Member Krebs. Chairman Bourque said that he will ask Selectmen's Rep. Lewis to nominate someone to vote in her place when she is absent.

**Discussion**

**1. Checklist Revisions**

It was the consensus of the Board that the second sentence of the introductory paragraph on all Major and Minor Site Plan Checklists and all Major and Minor Subdivision Checklist shall read: "The Applicant is responsible for insuring that all (Subdivision Regulations, Section 205/Site Plan Regulations, Sections 203), are followed."

a. Minor Subdivision Review Checklist

The Board agreed to the following changes:

- The following sentence will be added to the introductory paragraph: "Board of Selectmen reserve the right to approve all street names."
- Part A - M, N, S, U, and W will remain on the checklist. (The Board felt that it was best to grant a waiver for those items, if necessary, than to eliminate them from the checklist.)
- Part A - P. and T. will be marked as "Reserved".
- Part A - J. will read as follows: "The plate must show the locations . . . easements, rights-of-way, bridges, paved areas, water courses, bodies of water, wetlands, . . ."

- Part A – Q. shall read: “The applicant must verify the classification of abutting roads.”

b. Special Use Permit (SUP) Checklist

The Board agreed to the following changes:

- Part A, E. shall read, “Submit three (3) 22 x 34” plans and twenty (20) 11 x 17” reduced plans . . .”
- Part B, E. shall read, “Submit three (3) 22 x 34” plans and twenty (20) 11 x 17” reduced plans . . .”
- Part C, D. shall read, “Submit three (3) 22 x 34” plans and twenty (20) 11 x 17” reduced plans . . .”
- Part D, first sentence shall indicate that the applicant must go to the Planning Board for a conceptual consultation prior to the Zoning Board of Adjustment or Conservation Commission.

Ms. Alexander will review the 30-day timeframe stated in Part C – Wetlands and consider changing it to either 45 or 60 days.

The Board reviewed Durham’s and Bow’s Conditional Use Permit language and preferred Bow’s standards over Durham’s because of its more general language.

They asked that Ms. Alexander prepare draft SUP criteria for the Board’s review at the October work session using the best criteria in both Bow and Durham’s standards. Chairman Bourque asked that the criteria states: (1) what areas require a SUP; and (2) what document will determine the areas requiring a SUP (tax map, etc.).

The Board discussed the possibility of setting funds aside to help finance future improvements on infrastructure that may be affected by development in areas that require a SUP. Ms. Alexander will research if funds can be collected for future off-site improvements which may be necessary due to the granting of specific activities and how much money, if any, can be collected. She will also create language for a potential zoning ordinance article.

c. Design Review Checklist

The Board agreed that the Design Review Checklist would only be required if the Planning Board deemed it appropriate. It would not be a standard course of action.

The Board said that the Conceptual Consultation should remain vague and include general discussions on what the applicant has envisioned with regard to the project and how they should proceed based on the Town’s regulations. A sketch by the applicant

would be recommended. The discussions are non-binding. The Board asked that Ms. Alexander create a Conceptual Review Checklist. Suggestions of items to be listed on a Site Context Map is (1) locations and names of existing streets; (2) boundaries and designations of zoning districts; and (3) an outline of the subject parcel and the proposed development.

A Design Review requires public and abutter notifications. The discussions are non-binding. The documents presented by the applicant would contain more details than the Conceptual Review documents.

Ms. Alexander will prepare a document which explains the discussion limits of both a Conceptual Design and Review Design.

## **2. Application Revisions**

- a. Special Use Permit Application - The Board agreed that no changes were necessary.
- b. Design Review Application - The Board did not discuss any changes.

## **3. Fee Schedule Revisions**

- a. Site Plan Fees

Ms. Alexander said that the suggested changes in the fee schedule were based on the amount of time that Town staff spends reviewing and processing the paperwork, meeting with applicants, posting public notices, monitoring applications/projects, etc.

After discussion, it was agreed that the lot line adjustment should continue to be included in the minor subdivision application/checklist but it should be made clear to the applicant that they can ask for a waiver.

It was also agreed that:

- The fees should not be increased by more than 50%.
- The flat fee associated with "Reuse of Existing Commercial/Business/Industrial" should be \$150.
- Remove "Reuse of Existing Developed Area (No Buildings)".
- New Wireless Tower fee should be \$300.
- The existing Engineering and Legal fees should remain the same and be paid in advance. Once the estimate is received, the difference between the existing fee and the estimate should be paid prior to Planning Board acceptance for review.

Chairman Bourque asked Ms. Alexander to research the square footage of Associated Grocers of New England's building for use as an example to calculate the present and proposed fee schedule for New Commercial/Business/Industrial applications.

b. Design Review Fees

The consensus of the Board was to charge 50% of the proposed application fees and review fees.

c. Conceptual Consultation for Open Space Residential Development

The Board clarified that the Notices would cost \$1 per abutter.

No other changes to the fees were necessary.

#### 4. Zoning Amendments

a. List of Potential Amendments

Revise the septic system placement requirements for nonconforming lots since they must be located in setback (give Code Enforcement Officer power to waive if needed).

Ms. Alexander said that the zoning regulations state that septic systems cannot be located in the setback, but non-conforming lots that are too small find that the septic systems may have to be located in the setback. The Code Enforcement Officer would like to have the power to waive the regulations.

The Board instructed Ms. Alexander to suggest that the waiver be handled by the Zoning Board of Adjustment through the use varying process.

Allow commercial greenhouses to be permitted in the C1.

The consensus of the Board was to allow commercial greenhouses to be permitted in the C1.

Require Water Works to sign off on Special Use Permits in the Aquifer Protection District.

The consensus of the Board was to require Water Works to sign off on Special Use Permits in the Aquifer Protection District.

Require a frontage measurement definition.

Ms. Alexander will clarify the definition requirement for discussion at the next work session.

### Phasing Ordinance.

Ms. Alexander submitted Phasing (for Zoning), and Phasing Guidelines (for Site Plan and Subdivision Regulations) to the Board, along with Town Counsel's opinion on phasing. They will be discussed at the next work session.

- b. Zoning and Regulation Definitions – The Board agreed to table the Definitions until the next work session.

## **5. CTAP 2010 Potential Projects**

- a. Examples are rewriting gravel excavation regulations, economic development plan, water resource study, land use department analysis, etc.

Ms. Alexander said that there is CTAP money available through May 2010 for a Land Use project. In the past, the Board discussed gravel excavation regulation provisions.

Alternate Member Young said that the concept of North Pembroke Road becoming commercially zoned had been discussed. There are a number of gravel pits in the area which, once mined, could result in commercial development. It was suggested that the gravel excavation regulations be rewritten (last revised in the 1980s) or possibly conduct a gravel study consisting of the gravel resources in the Pembroke area.

Ms. Alexander will ask CTAP about the possibility of using its money to rewrite the gravel excavation regulations.

## **Minutes**

### **6. Review and approve Minutes of August 25, 2009**

**MOTION:** Member Seaworth moved to approve the Minutes of August 25, 2009 as amended. Seconded by Chairman Bourque. Unanimously approved.

## **Miscellaneous**

### **7. Correspondence**

Ms. Alexander said that the Department of Transportation is performing an aerial "fly-over" and photographing Pembroke. For an additional cost ranging from \$5,000-

\$7,500, photographs can be taken at a lower height with improved resolution. The consensus of the Board was that it would not be necessary.

Concord Sand & Gravel has received an Alteration of Terrain Permit Amendment. They are changing the name from Levi Ladd to Concord Sand & Gravel. The plan change will be on file in the Planning Department.

Ms. Alexander sent a letter to Dale Robinson of 373 Fourth Range Road. The Code Enforcement Officer and the Police Chief walked the site and noticed that Mr. Robinson had relocated a stream. There was 2 to 4 acres of disturbance. The letter indicated that a Special Use Permit is required to be filed in the Planning Department no later than 4 p.m. October 27, 2009 meeting.

There is a workforce housing workshop on September 10, 2009 at 7 p.m. at the Chichester town Hall. Member Cruson was interested in attending but had prior commitments. No one else offered to attend.

## **8. Committee Reports**

Conservation Commission: Alternate Member White said that the Commission will meet next Monday.

Roads Committee: Member Seaworth reported that the Committee met with Tim Bernier regarding Silver Hill Development. The Roads Committee voted that they were in agreement with Mr. Bernier's proposal.

CIP: Member Seaworth said that the CIP public hearing is tomorrow.

## **9. Other Business**

Ms. Alexander reported that Red Rock, their attorney, and Public Service of New Hampshire has not reached an agreement on a revision of the Joint Use Agreement. The Board felt that it would be appropriate for Red Rock to update the Board on their progress at the September 22, 2009. Ms. Alexander will notify Red Rock

### **a. Board Member Items**

Chairman Bourque said that the Board received a letter from Ron Nowe of 875 Wellington Way. He would like to be considered for the Planning Board alternate position. He has lived in Town for 15 years. Chairman Bourque asked Ms. Alexander to invite Mr. Nowe to a Planning Board meeting.

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

The vote was unanimous in favor of the Motion.

The meeting adjourned at 10:08 p.m.

Respectfully submitted,  
Jocelyn D. Carlucci, Recording Secretary