

PEMBROKE PLANNING BOARD
Meeting Minutes
(ADOPTED)
March 19, 2019

MEMBERS PRESENT: Alan Topliff, Chairman; Brian Seaworth, Vice Chairman; Kathy Cruson; Brent Edmonds; Robert Bourque; Timothy Goldthwaite; Selectman's Rep. Ann Bond

ALTERNATES PRESENT:

EXCUSED:

STAFF PRESENT: Carolyn Cronin, Town Planner; Dana Pendergast, Code Enforcement Officer; Jocelyn Carlucci, Recording Secretary

GUESTS: Chief Harold Paulsen and Deputy Chief Paul Gagnon of the Pembroke Fire Department

Chairman Topliff called the meeting to order at 7:00 pm. Since Chief Paulsen and Deputy Chief Gagnon came specifically to talk about dead-end streets, it was the consensus of the Board to begin with that topic.

Dead-end Streets:

Ms. Cronin said that the subdivision regulations differentiate between a cul-de-sac (a road that ends specifically in a bulb terminus) and a temporary dead-end street. The regulations limit a cul-de-sac to a length of 600 ft. The subdivision regulations do not limit the length of a temporary dead-end street, although limiting the length is up to the Planning Board's discretion.

She said that over the years, developers have suggested different forms of cul-de-sacs and dead-end streets such as hammerheads. Other surrounding towns limit the length of cul-de-sacs and dead-end streets anywhere from 400 ft. to 3,000 ft. She said that she did not investigate other requirements that may have been attached to the dead-end/cul-de-sac street regulations of each town.

Chairman Topliff explained the difference between an open space subdivision and a conventional subdivision. The advantage for the developer to create an open space subdivision is that it may lower the infrastructure costs (utilities, roads, etc.), since the homes would be on smaller lots which create a more dense development. The advantage for the town is that the developer would provide conservation land (open space) to the town for public use.

Chairman Topliff said that the Board tries to encourage developers to minimize wetland disturbances. He pointed out that, sometimes, wetlands have no standing water but are made up of particular plants growing in a particular soil type which is still important to the ecosystem.

He said that one development recently before the Board has a number of wetland disturbances. The developer explained that the primary reason for the wetland crossings was primarily for new roads that had to be created in order to ensure that there are no dead-end streets. The Planning Board is interested in exploring a way to find a balance by allowing one or two dead-end streets of some length. Chairman Topliff said that at the present time the developer has not indicated that he would consider an open space subdivision but, in the meantime, the Planning Board was interested in discussing possible ways to meet Emergency Management Services' (EMS) goals and needs for future developments.

Chairman Topliff asked what source of mitigation measures that EMS would deem appropriate if the roads were extended over 600 ft.

With regard to wetland crossings, Chairman Topliff asked each member of the Board to give their thoughts.

Member Goldthwaite said that he was in favor of the Board combining reasonable dead-end road lengths that are acceptable to EMS and financially feasible for the developer.

Member Edmonds said that shared driveways have been offered as a means to reduce wetland impact vs. more wetland impact on individual driveway designs. Member Edmonds said that he did not care for shared driveway arrangements but would like to see other solutions to avoid wetland disturbance. If a little bit more freedom with dead-end roads would allow a reasonable solution, it would be worth exploring.

Vice Chairman Seaworth said that Mr. Monahan's comments in the letter from Central NH Regional Planning made him look at the plan differently. One stretch of wetland was crossed twice because of the inclusion of a road. Not having the road would be an improvement. With an open space development, perhaps the development could be concentrated in one corner of the lot which may result in not affecting the major wetland impact area. He also pointed out that it is up to the applicant to find a solution.

Ms. Cronin issued a reminder to speak in general terms about designs and not to speak specifically on any application. She said that many regulations do not lend themselves to design creativity and those properties with wetlands and steep slopes are especially tough to develop. The Board should work with the applicants to balance wetland conservation and development. Reassessing the subdivision and site plan regulations in order to provide more flexibility, while protecting the Town's goals, may be needed.

Member Cruson said that she is not fond of wetland crossings or shared driveways. Unless they involve family members, shared driveways usually, over time, result in problems. She asked if the Board owed maximum development on all land. She said that she would rather protect the land. If there was a piece of land and someone was able to develop it, then that would be fine. If a beautiful piece of land has a lot of steep slopes or water, she did not see how the Board owes the maximum development on that parcel.

Chairman Topliff said that the zoning regulations are very clear on what constitutes contiguous buildable area, which is the threshold that any developer has to meet, and it takes into accounts steep slopes and wetlands.

He said that shared driveways have been met with considerable consternation to date.

Member Bourque said that he is not in favor of cul-de-sacs or dead-end roads. He said that any development should have an interconnecting road leading to somewhere else. There have been some approved by the Board in the past where they could have connected to another road, which would then result in a second entrance and exit out of the development. He said that he does not agree with an applicant wanting to create a number of houses and not wanting to spend additional money to attach to another Class V road. The importance is safety for those living in the development. One entrance to a development is not a good idea.

With regard to shared driveways, Vice Chairman Seaworth said that there are driveways in developments, such as Chickering Meadows, where the whole development is made up of driveways, also considered private roads. Since the Town does not have regulations for private roads, roads are classified as either a Town road or a driveway. In some past cases, a driveway that served multiple houses, was considered a privately-maintained road which was encouraged because something about the road discouraged the Town from taking it over. In other cases, if the road was to town standards and the developer was responsible for the road's maintenance, the Board was fine with having a private road.

He continued to say that some Board members categorically do not want shared driveways but there are past cases where the Board has allowed shared driveways that are really just private streets.

Chief Paulsen said that he did not realize, until a particular project came before him, that the Fire Department was given the credit for making longer roads.

With regard to dead-end streets, the concern for the fire and police departments, and EMS is the ability to get to the site. He said that some things can be done to mitigate the situation such as good fire codes, smoke detectors, requiring fire sprinklers, etc. For the ambulance service it is more critical for them to get to the address that they are responding to. He spoke of the difficulty of getting down Wellington Way and having to carry what is needed to the site, only to find that other tools were needed which required them to return to the truck/ambulance.

Chief Paulsen said that if a home is more than 200 ft. from a Town road, sprinklers are now required.

He pointed out that if a firetruck is parked on a street, 200 ft. is the maximum that the fire hose can reach. They resolved this issue to some degree by carrying pre-connected lines if needed.

Deputy Chief Gagnon said that hammerheads are dangerous because it is difficult to position the fire trucks in such a way that can be moved around. With cul-de-sacs, emergency service vehicles can work around each other and maneuver better.

Mr. Pendergast said that he is not opposed to shared driveways in certain instances. The 911 standards say that a shared driveway with 3 or more homes has to be named and numbered accordingly. If a home is over 200 ft. from a main road, the homes have to be sprinklered.

With regard to hammerheads, Vice Chairman Seaworth reminded the Board that they are usually reserved for a temporary dead-end street with the expectation that the road would be extended in the future to create a through-street.

Mr. Pendergast said that if a hammerhead is a temporary situation, it may make sense, but many times no one knows when those other roads will be developed so it may be a long-term goal.

Member Bourque asked Chief Paulsen if he would prefer a cul-de-sac over a hammerhead. Chief Paulsen said no because the problem is getting in. He said that what is at the end of the road does not change the primary issue of getting into the road. For example, if the fire truck blocks the road when coming in, the trucks cannot get out or turn around.

Member Bourque said that, in some communities, cul-de-sacs are created at the end of a road knowing that it can be extended to another road, eventually eliminating the cul-de-sac.

Chief Paulsen said that Eley Lane was a cul-de-sac that was eventually extended.

Member Bourque said that a cul-de-sac gives more room to turn around but if emergency vehicles block the street, no one can get out.

He asked if Chief Paulsen still believed that 600 ft. should be the maximum cul-de-sac road length.

Chief Paulsen said that he was unaware that there was a 600 ft. maximum length in the regulations. He thought that the length was unlimited. He said that the longer the road is over 200 ft., the greater the potential problem. He said that he would rather not see any dead-end streets.

Member Bourque said that every applicant will say that it is too expensive to connect a road, but, in his opinion, creating a connection where it is possible, should be something that the Board seriously considers rather than a dead-end road or cul-de-sac with one entrance/exit.

Chairman Topliff said that the Board has to balance the likelihood of that happening against some of the other factors in an application.

Selectmen's Rep. Bond said that the Board of Selectmen are looking at no longer allowing dead-end roads because of the safety issues discussed with the Police and Fire Departments. She said that they have made some precedents that new residents open another road for safety reasons. More developments coming onto Route 3 will eventually make traveling from point A to point B time-consuming.

Chairman Topliff said that, from a Planning Board perspective, he is not aware of anything in the RSAs that would allow the Board to say no to a developer because of street congestion.

Selectmen's Rep. Bond said that the Selectmen are saying that one way in or one way out may no longer be safe.

Chief Paulsen said that when the Board discusses the length of shared driveways, he would like to be included in the discussion.

Vice Chairman Seaworth said, in his opinion, the Town does not want developments to be branching out into many dead-end roads whereas one exception to the rule may be a consideration.

New Business:

1. Discussion of Delayed Zoning Amendments
 - a. Corner Clearance

Ms. Cronin said that the topic of Corner Clearances relates to lots that are on a corner of two streets. She and Mr. Pendergast were looking at zoning to prohibit a triangular area at the corner of the lot from being obstructed. The concerns were driving and walking site distances. The worst offender is stockade fences on the property line. Other towns have established provisions that say if a resident puts up a stockade fence, new landscaping, or an ornamental rock wall that precludes public safety, the Town can require that the offending structure be removed.

Ms. Cronin said that one possibility was to restrict any obstruction in a 25 ft. area of an intersection which would be consistent with the parking regulations (not parking closer than 25 ft. from an intersection). She said that the Department of Public Works was in favor of this. This regulation would only apply to new obstructions from the time of adoption.

Mr. Pendergast said that the majority of his work comes from referrals such as neighbors complaining about a residence. The first thing he would do is to investigate and determine if there is a safety issue and then review the ordinance. He said that it is up to the homeowner to know what the rules are. As with any violation, the resident would be sent a letter stating the zoning regulations and ask them to remove the obstruction.

Member Bourque said that every road has a specific right-of-way width from the center of the road. Typically the right-of-way is approximately 8-10 ft. off the pavement on each side of the road. Anything in the right-of-way can be removed by the Town. In his opinion 25 ft is too much. He suggested that the Board take the off-road right-of-way figure for each

road at a specific intersection and draw a triangle. That would give the distance required for a less-obstructed corner.

Vice Chairman Seaworth suggested that once the Board agreed on a corner clearance, that it be added to the subdivision regulations in such a way that requires them to extend a Town right-of-way where necessary to increase site distance.

Mr. Pendergast said that the issue is enforcement. Right-of-way widths vary on every road and we don't always know what the right-of-way is. If an ordinance is adopted and the Town is consistent, enforcement will be much easier.

Ms. Cronin said that the proposal included a provision that no obstruction be taller than 3 ft. above the curb. The purpose is to not obstruct site distance. Shrubs or other items lower than 3 ft. would be acceptable.

Chairman Topliff suggested that Ms. Cronin and Mr. Pendergast create a layout of corner lots to see what 15, 20, and 25 ft. looks like.

b. Unsafe Structures

Ms. Cronin read the proposed language aloud:

“E. If any structure or portion of any structure in any zoning district is deemed unsafe due to fire, natural disaster, or other means of ruin, the owner shall within one (1) year commence removal or refilling the same to clear ground level or shall initiate repair of, or replacement of the structure.”

She said that this refers to hazard situations where the Town would have the authority to say that the owner must solve the public safety issue.

Mr. Pendergast said that the only one who has the authority to remove or deem a building “hazardous”, remove the occupants, and mitigate the hazard is the Fire Chief. It is in the RSAs. The proposed language would give the building official the ability to require that the owner fix or remove the hazard from a property. If they do not comply, the Town could have the hazard removed.

Member Bourque mentioned that there are situations where it may take longer than a year to resolve the situation because of insurance issues.

Mr. Pendergast said that the Fire Chief or the building official could give the owner an extension.

Chairman Topliff said that the ordinance mentions the commencement date of the mitigation but not the end date. He was concerned that a problem could linger for a number of years.

Mr. Pendergast said that the ordinance refers to the removal of a building, not the rebuilding of a building. An owner has up to one year to rebuild the structure in the same

footprint. If it exceeds the first year, they would lose the grandfathered regulations and would have to build per the ordinances. He reminded everyone that this could also pertain to a structure that is falling down or is damaged by fire or storms. Usually the clean up occurs quickly. The Town does not want the debris sitting around and becoming an environmental issue.

If additional time is needed by the owner, Mr. Pendergast said that they would work with them.

Chairman Topliff said that the following language could be added: **The Code Enforcement Officer has the discretion to extend deadlines as he or she sees fit.**

c. Commercial Greenhouse

Ms. Cronin said that the Town attorney recommended that Commercial Greenhouse Use be included with Commercial Agriculture Use, which is currently defined as horticulture, floriculture, agricultural retail outlets, except commercial greenhouses.

She said that in the present zoning regulations, Commercial Greenhouses are separated and treated differently from Commercial Agriculture. The State RSAs read that a greenhouse and an agricultural use need to be treated the same as all other commercial agricultural uses.

Presently, the difference is where the uses are allowed by right and by special exception. The Commercial Agriculture uses are permitted in all zones except B2. Commercial Greenhouses are a special exception in three zones where Commercial Agriculture is permitted - R1, B1, and LO.

The ordinance presently describes Commercial Greenhouse as:

COMMERCIAL GREENHOUSES - A structure in which plants, vegetables, flowers, and similar materials are grown for retail or whole sale/distribution.

She said that the above definition could describe any type of retail operation such as Nicole's Greenhouse where they do not grow plants from seeds but merely sell plants from a structure that looks like a greenhouse. It could also describe a greenhouse in someone's yard where the owner would sell, perhaps, 10 plants a year.

Ms. Cronin said that the Board should consider how Commercial Greenhouse is defined and how the use should be allowed and whether it differs from Commercial Agriculture.

Chairman Topliff asked Ms. Cronin if there is anything in the Town's Commercial Greenhouse definition that is not included in the State RSA under agriculture.

Ms. Cronin said that the RSA includes greenhouses for commercial use as a commercial/agricultural operation. Under the State, a commercial greenhouse is an

agricultural use. It is not a commercial use, therefore it is given the same protection as any other agricultural use.

Chairman Topliff asked if the RSA encompasses a commercial operation. He asked if the Town benefits by having Commercial Greenhouses and what would be the differences between being commercial or not commercial.

Ayn Whytemare of Borough Road asked if she could make a comment or at least distribute information to the Board.

Chairman Topliff said that the Board generally does not have conversations with the audience during the work sessions. There is an "Audience Comment" session reserved at the bottom of the agenda for such comments. With regard to the handouts, the Board does not normally allow documents to be given to them at a meeting because the Board has not had the appropriate amount of time to read through and give it due credit.

Ms. Cronin read aloud Town Counsel's letter and RSA 21:34. To summarize, Ms. Cronin said that the Town Attorney is of the opinion that Commercial Greenhouses should be included with Commercial Agriculture because they are seen by the State as the same use.

She said that she also reviewed greenhouse regulation in other Cities and Towns but found no consistencies.

Chairman Topliff said that he personally felt that it would be appropriate to limit zones in which commercial agricultural establishments are operated because there are some parts of Town that do not have sufficient space and parking to accommodate a commercial operation. If someone attempted to put in a commercial greenhouse operation in a heavy residential neighborhood such as Donna Drive, it would not fit well with the existing residential zone.

Member Cruson agreed that commercial greenhouses would be a problem in most residential areas because of traffic, parking, etc.

Ms. Cronin read that commercial agricultural uses in the Town's zoning ordinance, is defined as horticulture, floriculture, agricultural retail outlets except commercial greenhouses and items under No. 9 such as farm animals. All the commercial/agricultural uses are permitted in all zones except the village. The Commercial Greenhouses are a Special Exception in the R1, B1, and LO districts and permitted in the R3, and C1 districts.

Member Goldthwaite agreed that some residential areas would not be appropriate for a commercial greenhouse or agricultural endeavor.

Member Bourque said that the first step would be to define the difference between a commercial greenhouse and a regular agricultural greenhouse.

Chairman Topliff said that it might make sense to eliminate the term Commercial Greenhouse and tie it in with the State's RSA.

He did not see any issue with someone wanting a greenhouse in their back yard to start their garden but if people begin to stop and buy products, then it may be a different subject.

Selectmen's Rep. Bond said that the hard part is using the word "Commercial".

Member Bourque said that it is safe to say that N. E. Flower Farm is a commercial business. A small greenhouse in a backyard where they are growing for themselves is different. Once someone begins to sell products, they are running a business and would need a minor or major home business application approved by the Town. He continued to say that a farm stand in the front yard of a farm is different and is protected.

Mr. Pendergast said that there is no difference in growing a garden in a residential area or putting a glass building over it. By definition, a large building with grow lights is a greenhouse even if it is not made of glass. He said that singling out a glass structure is not helpful.

Vice Chairman Seaworth said that when talking about a commercial operation, the Board is thinking of problems that might come with it such as a retail operation. A commercial operation could also mean someone who grows plants and, once a week, delivers them somewhere in a pickup truck.

The way the ordinance regulates things such as parking, hours of operation, etc. are designated in the major or minor business application. It may not be appropriate to regulate the greenhouse as a building in zoning, but rather review the business in a residential zone.

Ms. Cronin said that it is not really greenhouses that give the Board trouble, it is the scale of operation. Just because a use is permitted in a zone does not mean that there are no controls over it. In her opinion, if someone is selling plants, it is important to know their business plan in order to fit them into the appropriate zoning category. If someone is inviting the public to their home or a property has a commercial operation, they must meet site plan regulations so that the Planning Board has control over lighting, parking, traffic, circulation, and other types of impacts. Knowing the scale of the agricultural operation is important.

Chairman Topliff suggested that the Board review the minor and major home business definition.

Member Cruson agreed that the size of the business is important because it could be infringing on neighbors and the neighborhood because of traffic flow.

Chairman Topliff asked that the Commercial Greenhouse topic remain on the agenda for the next session.

It was the consensus of the Board to discuss the remaining agenda items at the next session.

Minutes:

February 26, 2019

MOTION: MEMBER BOURQUE MOVED TO APPROVE THE FEBRUARY 26, 2019 MEETING MINUTES AS PRESENTED. SECONDED BY MEMBER GOLDTHWAITE. UNANIMOUSLY APPROVED.

Miscellaneous

1. Correspondence

Ms. Cronin shared an Article called Excellence in Local Government from "Town and City" magazine.

She said that a Planning Board Alternate was appointed, Andrew Githmark. He will attend the next meeting.

2. Committee Reports

Roads Committee: Member Goldthwaite said that the Committee awarded the crack and sealing bid for 2019 to Seal Coating Inc. of Braintree, Massachusetts. The road paving contract was awarded to Advanced Excavating. He said that Jim Boisvert said that the 4 Union Street parking lot will be paved in 2019.

There were two water line breaks on Bow Lane. There are very preliminary stages of discussions about gas line extensions by Liberty Utilities on Donna Drive, Nadine Road, and Whittemore Road. There has been no additional progress on the culvert inventory.

Vice Chairman Seaworth asked that the Board appoint Member Goldthwaite as the Roads Committee representative.

MOTION: VICE CHAIRMAN SEAWORTH MOVED TO REPLACE VICE CHAIRMAN SEAWORTH'S POSITION ON THE ROADS COMMITTEE WITH MEMBER GOLDTHWAITE. SECONDED BY MEMBER EDMONDS. UNANIMOUSLY APPROVED.

Board of Selectmen: Selectmen's Rep. Bond said that she was nominated to continue on the Planning Board.

They are working on language for light fixtures.

There will be a site walk on May 4, 2019 at 10 a.m. on the Flagg-Robinson Road project.

A resident approached her and indicated that there is a \$30,000 DES grant for an assessed management program. She will ask the resident to contact Ms. Cronin.

Conservation Commission: Member Edmonds said that the Committee discussed the application for bio solids on the Hillman Farm property. They learned that they must seek approval of the Conservation Trust that has management responsibilities on the property.

With regard to the Center Hill Road property, it is still a viable issue but the major follow-through rests with the Board of Selectmen.

Tri-Town EMS: Member Bourque said that they discussed new hires and current billing issues.

Legislature – Vice Chairman Seaworth said that, at the present time, towns and cities are treated differently with the way that they regulate people on multiple boards. A bill coming before the Legislature will require that towns and cities be treated the same. The language is less restrictive about people serving on more than one board, however, an amendment is proposed that would remove the ability to serve on both Zoning and Planning Boards at the same time.

3. Board Member Items

Chairman Topliff said that Dan Crean was interested in joining the Planning Board. He spoke with Mr. Crean and told him that the Board valued his willingness to serve the Town and his knowledge of the RSAs and how they pertain to Planning and Zoning. He said that one of the things that Chairman Topliff remembered when Mr. Crean last served on the Board that he and a few other members of the Board treated applicants with a sense of aggression and adversity which he was not comfortable with. He told Mr. Crean that he was rough on applicants and he did not feel that it was right. The Board is here to work with people and support their needs in working with their property. He said that the Board needs to be open-minded and fair. Mr. Crean said that the last time he was on the Board he butted heads with the Planner which caused friction.

Chairman Topliff said that he told Mr. Crean that for the last few years the Board has worked hard to change the atmosphere and be receptive to applicants by truthfully listening to their comments and being respectful. He also told Mr. Crean that that would be the expectation if he chose to return to the Board.

Mr. Crean said that he has since mellowed. He also told Chairman Topliff to instruct the Board to tell him if they feel that he is stepping out of line.

Chairman Topliff said that he did not know if Mr. Crean would submit an application to the Board of Selectmen, but if he does, the Board should give him a fair shot.

Member Cruson said that Mr. Crean has a lot of knowledge and background and could be very valuable to the Board.

Chairman Topliff said that he will not be at the next meeting and Vice Chairman Seaworth will chair the meeting. He suggested that the Board focus on Board Member items such as their thoughts, concerns, suggestions, and to ask questions. He said that the applicant may return with a preliminary open space layout. With regard to dead-end roads, he suggested that the Board remain open-minded but not lose site of the safety aspects.

Member Cruson asked if a point was brought up at a previous meeting if there would be any point in bringing it up again.

Chairman Topliff said no, unless she saw value in it.

Chairman Topliff suggested that the Board review Brian Mrazik's letter and the others that were submitted and pick out things that have merit.

Selectmen's Rep. Bond said that there will be a public hearing directly after the May 4, 2019 site walk.

Member Cruson said that there is a need to divert traffic from Route 3 and it would be helpful to the Town if some of Fourth Range Road could be expanded by a developer.

Vice Chairman Seaworth recalled that Fred Kline once said that if the Town does not open the range roads, it forces the developers to make new roads in parallel to the existing range roads which would be worse.

Selectmen's Rep. Bond said that the residents do not want the range roads opened. She said that the decision to open the road is the Board of Selectmen's decision.

At the site walk, some residents are offering parking in their driveways because of the danger in parking anywhere near a specific corner on Fourth Range Road.

4. Audience Items

Ayn Whytemare, a member of the Conservation Commission, said that, with regard to bio-solids on the Hillman property, they are Class A bio-solids. The applicant agreed to have a similar soil testing schedule as would be required for Class B bio-solids. The testing will give the Commission a reason to revisit the issue.

The Commission also weighed-in on the Robinson Farm development and the Commission was very concerned about the wetland development because wetlands are important ecologically and for cleaning drinking water.

The Commission is also concerned about the development of the range roads. They like the open space and do not like the increased traffic that it will bring. They also felt that the way that the water will be flowing in the neighborhood may cause other damage.

As the owner of Found Well Farm, Ms. Whytemare has a small greenhouse (588 sq. ft.) that was opened in 2007 to sell certified organic seedlings and native perennials, trees, and shrubs. She said that she is a "niche" nursery. The most cars that have been in her driveway at one time is 4, on Memorial Day weekend. That is the level of traffic and disturbance in her neighborhood.

She said that she was concerned at the direction that the Board's commercial greenhouse discussions has taken.

She read aloud an email from Sean Jasper:

“A town cannot redefine agricultural or prohibit an existing use. They may ban agriculture in certain zones but only as it applies to a proposed new farm. . . In New Hampshire we consider anybody who has a gross income of \$1,000 or more from the sale of products produced on their property to be a farm.”

Ms. Whytemare said that by the above definition, she does not believe that if one sells a dollars worth of plants that that person automatically becomes commercial. She believes that selling \$1,000 or more worth of products would fall under agricultural guidelines, not commercial guidelines.

She said that the RSA that defines agriculture is quite extensive. She asked that the Board have faith in the regulations that the State already has. She asked that rather than regulating traffic or lighting that may be caused by a business, that the Board allow the regulations that pertain to those issues to deal with it. She said that a commercial greenhouse cannot be pulled apart from an agricultural use. She urged the Board to not make a separate Commercial Greenhouse definition but rather to regulate retail establishments.

Ms. Whytemare also said that in the agricultural world there is no different definition between commercial greenhouse and agricultural greenhouse. She said that the agricultural reality is the difference between a permanent greenhouse and a movable greenhouse such as a hoop house. She said that hoop houses are considered a piece of equipment and not a structure. There is no such thing as a commercial greenhouse.

To regulate her business as a retail establishment on her Pembroke Street property would be acceptable, but to regulate how much of a greenhouse that she could have, in her opinion, is a separate issue. Also, since the property is in the R3 zone, she is not able to have greenhouses which, in her opinion, agriculture should be allowed in a rural district.

MOTION: Vice Chairman Seaworth moved to adjourn the meeting. Seconded by Member Bourque. Unanimously approved.

The meeting was adjourned at 9:20 p.m.

Respectfully submitted,
Jocelyn Carlucci, Recording Secretary