

**Pembroke Planning Board
Minutes of Meeting
(ADOPTED)
June 14, 2016**

MEMBERS PRESENT: Alan Topliff, Chairman; Brian Seaworth, Vice Chairman; Larry Young, Sr.; Robert Bourque; Brent Edmonds

ALTERNATES PRESENT:

EXCUSED: Kathy Cruson; Fred Kline, Selectmen's Rep.; Richard Bean **STAFF PRESENT:** Stephanie Verdile, Town Planner; David Jodoin, Town Administrator; Jocelyn Carlucci, Recording Secretary

Guest: Carol Ogilive of Central NH Regional Planning Commission.

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

Old Business –Carol Ogilive, Excavation Regulations
Brief Master Plan discussion

Ms. Verdile said she and Ms. Ogilive reviewed the Excavation Regulations along with comments from the Planning Board and the Town Engineer. Mr. Vignale was very supportive of removing the noise and blasting sections and was pleased with the new application.

Ms. Ogilive said the new version is quite different from the first revision presented to the Board. She said she made changes to the definitions and explained the following:

Page 7 of 22: She felt if a site were abandoned, by using the qualifier “may” it would be up to the Town to decide if they wanted to incur the cost of reclaiming a site at the Town's expense.

Pg. 8 of 22: With regard to nonconforming expansion, the decision would go to the ZBA.

Pg. 9 of 22: As suggested by Town Engineer, a new paragraph (known as 197:11B4) was added. “Stormwater flow from the site must not exceed pre-excavation conditions or be concentrated such that downstream erosion may occur.”

Ms. Ogilive said submission items were removed from the Application Requirements and, per Mr. Vignale, a new section (§197.18D) was created. (If an applicant has an AOT Application, they can use that information to satisfy any of the requirements.)

The permit is good for 15 years which was a local decision. There is no timeframe within State law. When the applicant renews its permit, they must follow the new application requirements.

Ms. Verdile said the application could cost \$400-500. She also said the noise requirement was eliminated because it was unmanageable.

Ms. Ogilive said the regulations reference the Town's noise ordinance.

Member Edmonds asked if there was anything in the regulations that may relate to material brought into town such as material borrowed or stockpiled. Ms. Ogilive said yes.

Ms. Verdile said she neglected to ask Town Attorney if an excavator would be responsible for protecting the local road. Ms. Verdile said she would ask the Town Attorney. Mr. Jodoin said the Town cannot require loggers to post a bond for a road because it is agriculture in nature.

She also said once she receives the revised copy of the new regulations from Ms. Ogilive, she would send it to the Town Attorney for approval and, hopefully, have a public hearing at the July work session.

Member Bourque asked who would be responsible for measuring the amount of material being removed (over 1,000 cu. yards). Ms. Verdile said the applicant has to file an Intent to excavate application and, for tax purposes, list the total amount of material being removed. She also said Mr. Vignale is willing to take care of enforcing and checking for the excavation regulations.

Chairman Topliff suggested that language be added that if there is uncertainty as to the amount of material excavated, the Town may require the property owner to hire an engineer to determine the amount. Mr. Jodoin agreed.

Ms. Ogilive also said if an existing pit has a pit permit and the owner sells the pit, the pit permit is not transferable without Planning Board permission.

Master Plan

Member Bourque reviewed the 2004 Master Plan. Chapter 674:2 of NH RSA for a Master Plan, requires only two sections: (1) Vision; and (2) Land Use.

He said when the 2004 Master Plan survey was sent out to the residents and returned, a senior group called the M&M's (Moving and Motivated) compiled all the information and produced the reports. The M&M's are no longer active. He said a new group of volunteers would have to be asked to take over the compilation duty.

Member Bourque also said the Planning Board must decide what will be included in the new survey.

He said each chapter in the existing Master Plan, has 3-5 maps which are very expensive to produce. He suggested the maps be placed on the Town's website for reference.

Member Bourque also said there are many chapters which he felt were unnecessary such as Chapter 3 "Historic and Cultural Resources" which is 50 pages long. There is also duplication of information such as the CIP Committee future Town purchases (Fire/Police Departments). He did not feel that Town demographics such as the number of children in the school system were pertinent to a Master Plan.

He said it is possible to shorten the new Master Plan to half its size if the Board removes some of the unnecessary chapters.

Member Young said the Master Plan should consist of the Town's long term goals for the community. The number of children in the school system would not affect the future goals and the school system would have the information if it was necessary.

Ms. Verdile said it would be important to foresee where the Town's commercial zone in the next 10-20 years could be and the Board should focus on the transitional zones.

Chairman Topliff said the Board, at the next work session, should consider which Master Plan chapters should be kept.

Ms. Verdile said she will have copies of the 2004 Master Plan survey available for the next meeting for the Board's review.

Member Bourque also suggested the maps could be made with overlays rather than printing numerous maps.

Mr. Jodoin said the historic aspect of the 2004 Master Plan could be included on the Town's website rather than in the new Master Plan.

Minutes- May 10, 2016 and May 24, 2016 Meetings

MOTION: Vice Chairman Seaworth moved to accept the May 10, 2016 Meeting Minutes as presented. Seconded by Member Bourque. Unanimously approved.

MOTION: Vice Chairman Seaworth moved to accept the May 24, 2016 Meeting Minutes as amended. Seconded by Member Bourque. Approved with one abstention – Member Bourque.

There was a discussion about whether an applicant should be required to go before the Technical Review Committee (TRC) prior to coming to the Planning Board.

Member Young said the Planner could have the discretion of requiring an applicant to go before the TRC. Ms. Verdile said she felt, with the exception of lot line adjustments, every application should go to TRC in order to gain input from the department heads. Vice Chairman Seaworth suggested that the requirement be included in the application.

Miscellaneous

1. Correspondence-

Ms. Verdile said that she received the Business NH Magazine.

2. Committee Reports-

Roads Committee: Vice Chairman Seaworth said that the Committee is preparing for the CIP process. They have not concluded the survey of the town roads.

With regard to the loop road, the Roads Committee noted a discrepancy on the road width. It was decided at the Board of Selectmen's meeting that the Alteration of Terrain Permits fit the current plan and it would be too difficult to revisit the entire process, therefore, the plan would remain as drafted. A bid has been awarded.

With regard to Nixon Road, there is a question as to its ownership (it may be a State road or privately owned.) The Town does not have any record of Nixon Road being deeded to the Town. A Roads Committee volunteer will research it at the Registry of Deeds.

Nixon Road is the one remaining dirt road in Town. The Roads Committee feels that it is better to tar roads because it causes less damage to Town vehicles (plows, etc.) and requires less maintenance.

Tri-Town Ambulance: Member Bourque adopted additional employee policies and voted to apply \$63,000 as a down-payment on a new ambulance. A new ambulance costs approximately \$253,000. The Town should receive the new ambulance in March 2017. There are presently 2 ambulances and the oldest will be traded or sold. The lifespan of an ambulance is 12 years.

Conservation Commission: Member Edmonds said that the Commission had a presentation from the Merrimack River Watershed Council. They also discussed a Planning Board application from Denison Cabinets and had no issues with it. They may recommend a vegetative buffer.

3. Planner Items- John's Wrecker Approval update, August 9 Worksession-Town Attorney and Master Plan discussion

John's Wrecker has attempted to drill a monitoring well. They have tried two locations and have only been able to drill 42 ft. before hitting ledge. There are ongoing discussions between the engineers. An update will be available later in the week.

Ms. Verdile said the Excavation Regulations will have the first public hearing at the July 12 Worksession as well as some Master Plan and Minor Site Plan discussion items. She reminded the Board the Town Attorney will join the Planning Board on August 9, 2016 regarding the Board's procedures on waivers and partial waivers and the sign ordinance regarding the US Supreme court case decision of Gilbert vs. Arizona.

Vice Chairman Seaworth said he reviewed the court document and he did not feel that the Town's ordinance was in danger of being struck down by a judge.

Chairman Topliff said he would like to discuss the Simple Site Plan Application at the July 12 work session.

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

The meeting was adjourned at 9:07 p.m.

Respectfully submitted,
Jocelyn Carlucci, Recording Secretary

