

**Pembroke Planning Board**  
**(ADOPTED)**  
**Minutes of Meeting**  
**May 10, 2016**

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

**ALTERNATES PRESENT:** Richard Bean

**EXCUSED:** Fred Kline, Selectmen's Rep.; Kathy Cruson

**STAFF PRESENT:** Stephanie Verdile, Town Planner; David Jodoin, Town Administrator; Everett Hodge, Code Enforcement Officer; Jocelyn Carlucci, Recording Secretary

Chairman Topliff called the meeting to order at 7:00 p.m. Alternate Member Bean agreed to vote in place of Member Cruson.

**New Business** – Energy Committee

Present: Dan Crean and Bob Samson

Mr. Crean is the Chairman of the Energy Committee. Mr. Samson is a member of the Committee. Mr. Crean said the Committee was instrumental in the LED light conversion on the decorative pole lights and the parking lot lights in the Village. The payoff period is 3-4 years.

The Committee is now focusing their attention on LED streetlight conversions throughout the Town. Mr. Crean said almost all the street lights in Town are on State highways. The Town maintains and pays for them at approximately \$44,000/yr. He said the Committee will be researching the issues associated with the conversion including tariffs.

Mr. Crean said the school is looking into installing solar power. The Committee is looking into the lighting around Town Hall. The Committee will be meeting with the Capital Improvement Plan Committee to provide input for energy conservation.

The Energy Committee would like to discuss the inclusion of an energy component to the revised Master Plan. Mr. Crean said it would be important when planning for the Town's future and its use of energy resources.

He also said the Town may consider incorporating some type of energy-related land-use control in the future. An energy component in the Master Plan may be helpful.

Mr. Crean also said the component may discuss where a community could develop, how development would occur i.e. possible density bonuses or other incentives to adding an energy component to a new development.

Mr. Crean said the Energy Committee is willing to help develop the writing of the Energy component of the Master Plan but has no intention of taking over. He said that there are grants available which they would be willing to identify.

The Office of Energy and Planning's annual conference will be held on June 4, 2016. There will be an energy component to their afternoon session which may be of interest to the Planning Board.

Smaller towns such as Hopkinton have developed energy plans. Concord's Energy Committee is very active and have done a lot with the municipal buildings and are interested in installing a solar field down by the Merrimack River.

Mr. Crean said the International Municipal Lawyer's Association annual conference presented an attorney with a great deal of experience with solar projects that are partnerships between the public and private sectors. Mr. Crean said that the attorney will be coming to New Hampshire for a presentation for municipal lawyers and local officials. He thought it would be of interest to the Energy Committee, Board of Selectmen and the Planning Board.

The Energy Committee has begun a speakers' program at the library. One of the presentations will be a "Button Up" workshop which will focus on what can be done to make a home more energy efficient at little or no cost.

The Committee has approached the school to discuss energy conservation but they have, to date, resisted the Committee's overtures to do so.

Mr. Crean said the Office of Energy and Planning has language to create a master plan energy component. The Energy Committee has set up an energy trust fund in anticipation of future energy-saving systems. To date there is approximately \$13,000 in the fund.

#### 2017 Zoning Amendment discussion Master Plan re-write information

Ms. Verdale said one amendment that will become law in June 2017 pertains to Accessory Dwelling Units ("ADU"). In order to comply with the State code, Mr. Hodge said that the size of dwelling units must be changed in the Town's ordinance, from 675 sq. ft. to 750 sq. ft. He also said that wherever single family dwellings are allowed, ADUs must be allowed. Three things that must be changed in the Town's zoning ordinance: (1) Size, (2) Allowed zones, and (3) Language that allows the accessory dwelling unit to be rented.

Chairman Topliff pointed out that, in the past, the Board has spent an inordinate amount of time discussing possible zoning ordinance changes. With the Master Plan update being a priority, the Board would have a difficult time doing both. He asked the Board if they had any suggestions.

The consensus of the Board was to make the minimum amount of required changes in order to comply with the state RSAs and focus on other topics such as the Master Plan.

Member Bourque suggested the Board require an ADU to place their front door in the rear of the existing building rather than having two front doors on the front of a building. He would also like to require the ADU parking to be in the rear of the building so that, esthetically, the building will continue to look like a single dwelling unit.

Ms. Verdile said the RSA mandates that ADUs can no longer be required to be rented only to family members.

Mr. Hodge said if a home has a 3-bedroom septic system and wants to add an ADU, a 4-bedroom septic system design is required. The system does not have to be installed until the existing septic system fails. The plan for the 4-bedroom septic system must be renewed every 4 years.

Ms. Verdile said a community can require the ADU to have parking only in the back, have the main door in the back, and no additional curb cut on the site.

Member Bourque asked if a free-standing ADU is allowed. Mr. Hodge said the NH Statute is not requiring the ADU to be detached. Mr. Hodge also added two lawyers have told him that the Town's zoning will stand – there cannot be 2 principal structures on the same lot and the Town does not have to allow the ADU to be detached. Mr. Hodge said the Town's zoning ordinance could stop an applicant from building a detached ADU. Mr. Hodge also added an applicant cannot use the ADU in the density calculation. For example, if an applicant wants to create a two-family home, the lot size and frontage size must be increased. With an attached ADU, lot and frontage sizes do not have to be increased.

Ms. Verdile said the Town can decide if they would only want the interior of the home to contain an ADU or if they would allow an ADU to be in an attached structure such as a garage.

Member Bourque asked if the Town could limit the number of people living in an ADU. Mr. Hodge said college towns are doing it. Chairman Topliff said the State does not dictate the number of people that live in an ADU but the Town can.

Ms. Verdile said the RSA dictated the minimum (750) square footage for an ADU but the Town can determine the maximum square footage of the unit so that the ADU does not dwarf the main single-family structure.

The Board's consensus was to make the minimum amount of changes to the codes in order to comply with the RSA. Ms. Verdile will work with Mr. Hodge and review the zoning ordinances that will need revision.

With regard to the Master Plan, Chairman Topliff thought the Board should identify those sections of the current Master Plan that would not need changing and identify those that need updating.

The following sections were mentioned as needing changes: (1) Traffic counts; (2) Desires of neighborhoods; (3) Demographics of schools; (4) Goals and Objectives.

Member Bourque recommended that the 2004 survey be revised for use in creating the new Master Plan. It is located in the 2004 Master Plan as Appendix B.

Vice Chairman Seaworth suggested creating subcommittees for each section.

The Board discussed the challenge of acquiring funding for the Master Plan project.

Ms. Verdile said the Conservation Commission just prepared a Natural Resources Inventory which could be adopted into the Natural Resource chapter of the new Master Plan.

Since the Town has spent money developing a Hazard Mitigation Plan, a Hazard Mitigation chapter could also be added to the new Master Plan.

Member Bourque said a number of volunteers offered to help with the 2004 Master Plan. Stephanie Alexander of the Central NH Regional Planning Commission played a key role in its development. He said once the current Master Plan is reviewed and a decision as to what chapters should be revised, then the Board can decide how much help will be needed.

Since Wolfeboro and Allenstown are presently working on their master plans, Ms. Verdile will speak to their Planners see how they went about the process, what part the consultants played, and what the cost has been.

Mr. Jodoin said that Central NH Regional Planning Commission can give limited assistance. He also suggested that the Energy Committee create a chapter. He said the costly portion will be the studies and analysis of impact fees and growth management. The average cost of doing a Master Plan is approximately \$15,000-\$25,000.

The Master Plan subcommittee will consist of Member Bourque, Alternate Member Bean, and Selectmen's Rep. Kline or Chairman Topliff. The Committee will review the 2004 Master Plan and report their findings to the Board at the August 9, 2016 work session.

#### **Old Business** – Public Hearing 2016 Amendments to Subdivision Regulations

Ms. Verdile reviewed the changes made to Proposed Amendment #3.

Chairman Topliff opened the public hearing on the three Amendments at 8:50 p.m.

There being no comments from the Board or the public, Chairman Topliff closed the public hearing at 8:51 p.m.

**MOTION:** Member Bourque moved to accept the language in Proposed Amendment #1 and amend The Subdivision Regulations, Chapter 205, Article II, Word Usage and Definitions, Section 205-8. Seconded by Vice Chairman Seaworth.

**VOTE:**           A. Topliff – Y                   B. Seaworth – Y                   L. Young – Y  
                  B. Edmonds – Y           B. Bourque – Y               R. Bean – Y

**THE MOTION TO ACCEPT THE LANGUAGE IN PROPOSED AMENDMENT #1 AND AMEND THE SUBDIVISION REGULATIONS, CHAPTER 205, ARTICLE II, WORD USAGE AND DEFINITIONS, SECTION 205-8 PASSED ON A 6-0 VOTE.**

**MOTION:** Member Bourque moved to accept the language in Proposed Amendment #2 and amend The Subdivision Regulations, Chapter 205, Article III-Jurisdiction and Subdivision Types, 205-10 Subdivision Types, Section 205-10.B. Seconded by Vice Chairman Seaworth.

**VOTE:**           A. Topliff – Y                   B. Seaworth – Y                   L. Young – Y  
                  B. Edmonds – Y           B. Bourque – Y               R. Bean – Y

**THE MOTION TO ACCEPT THE LANGUAGE IN PROPOSED AMENDMENT #2 AND AMEND THE SUBDIVISION REGULATIONS, CHAPTER 205, ARTICLE III- JURISDICTION AND SUBDIVISION TYPES, 205-10 SUBDIVISION TYPES, SECTION 205-10.B. WAS PASSED ON A 6-0 VOTE.**

**MOTION:** Member Bourque moved to accept the language in Proposed Amendment #3 and amend The Subdivision Regulations, Chapter 205, Article V-General Design Standards, Section 205-38. Seconded by Vice Chairman Seaworth.

**VOTE:**           A. Topliff – Y                   B. Seaworth – Y                   L. Young – Y  
                  B. Edmonds – Y           B. Bourque – Y               R. Bean – Y

**MOTION TO ACCEPT THE LANGUAGE IN PROPOSED AMENDMENT #3 AND AMEND THE SUBDIVISION REGULATIONS, CHAPTER 205, ARTICLE V-GENERAL DESIGN STANDARDS, SECTION 205-38. PASSED ON A 6-0 VOTE.**

**Minutes-** April 26, 2016 Business Meeting

**MOTION:** Member Young moved to accept the April 26, 2016 Minutes of Meeting as amended. Seconded by Alternate Member Bean. Unanimously approved.

### **Miscellaneous**

#### **1. Correspondence-**

Ms. Verdile received the Business NH Magazine. She said that Dick Anagnost was named Business Manager of the Year.

#### **2. Committee Reports-**

Roads Committee: Vice Chairman Seaworth reported that the Committee discussed ongoing projects and considered a 10-year CIP Plan.

Kimball and Noyes Streets are presently being worked on which were uncompleted 2015 projects.

The 2016 projects consist of Michol and Ross Roads, and Melissa Drive.

Jason Menard reviewed the Pembroke Loop Road Project Plan and found some things he had concerns about. Those concerns were passed onto Selectman Greco to discuss with the Board of Selectmen.

Mr. Menard also volunteered to look over all the roads in Pembroke and create a priority list. He rated the roads from 0 to 3. The lowest ranking roads were Eastview and East Meadows Drives. Mr. Menard only made notations of which roads had sidewalks.

The Roads Committee determined that it was very important to keep up the crack sealing.

TRC: Member Young reported that there was not a quorum at the last meeting so they did not vote on anything.

Conservation Commission: Member Edmonds said that the Commission discussed Northern Pass and voted to deny their acceptance for the wetland application. Member Edmonds asked if he, as the Planning Board representative, would be correct to vote at the Conservation Commission meetings.

Mr. Jodoin said that usually the Planning Board Representative only acts as liaison to the Board in order to eliminate any possible conflict of interest.

Ms. Verdile said that Committees and Commissions are advisory.

Member Edmonds also reported that the Conservation Commission voted in all 2015 officers for 2016.

### 3. Planner Items- Ric Brown Paving Proposal, Next Level Church NH DOT Letter

Ms. Verdile was approached by the Engineer for Ric Brown Storage Units. She submitted the plan to the Board for informational purposes. Mr. Vignale agreed with Ms. Verdile that the plan would be an amended site plan to the Board and that the applicant should be charged as a Major Site Plan Engineering Review.

Chairman Topliff and the Board agreed that the applicant will need to come before the Board because the changes relative to permeable vs. non-permeable surfaces and drainage will need to be discussed.

Ms. Verdile reported she received a letter from NHDOT for Next Level Church.

### 4. Board Member Items-

Member Bourque asked if there was a way that the Board could approve only a few of an applicant's waivers. Ms. Verdile asked Member Bourque to send her an e-mail on how the Board could work with an applicant to resolve this problem and then she would propose it to the Town Attorney.

With regard to St. Gobain, Member Bourque asked if the Board had enough protection to stop a chemical company from coming into Town. Ms. Verdile said that the Town Attorney will be attending the next meeting and he could pose the question at that time.

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

The meeting was adjourned at 9:55 p.m.

Respectfully submitted,  
Jocelyn Carlucci, Recording Secretary