

**Pembroke Planning Board
Minutes of Meeting
(ADOPTED)
June 28, 2016**

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

ALTERNATES PRESENT: Richard Bean

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

STAFF PRESENT: Stephanie Verdile, Town Planner; David Jodoin, Town Administrator; Jocelyn Carlucci, Recording Secretary

Chairman Topliff began the meeting at 7:05 p.m. Alternate Member Bean agreed to vote in place of Member Cruson.

New Business –

- 1. Special Use Permit Application SUP-AC #16-305, Tim Bernier, T. F. Bernier, Inc., for WSD Properties, LLC owners of Tax Map 559, Lot 12-4, located at 779 Silver Hills Drive, in the Rural/Agricultural-Residential (R3) and Commercial Industrial (C1) Zones and the Aquifer Conservation (AC) District.** The applicant Tim Bernier on behalf of property owner WSD Properties, LLC, requests a Special Use Permit from Article 143-68.E, Aquifer Conservation District, which is required for any activity taking place within the District. This permit is associated with the Major Site Plan Application Site #16-105.
- 2. Major Site Plan Application #16-105, Tim Bernier, T. F. Bernier, Inc., for WSD Properties, LLC owners of Tax Map 559, Lot 12-4, located at 779 Silver Hills Drive, in the Rural/Agricultural-Residential (R3) Zones and the Aquifer Conservation (AC) District.** The applicant Tim Bernier on behalf of property owner WSD Properties, LLC, proposes to construct a 40'x120' storage building with additional parking to an existing commercial facility.

Present: Tim Bernier of TF Bernier, Inc. and George Dennison of W. S. Dennison Properties, LLC

Contrary to what was originally thought, Ms. Verdile said Waiver No. 3 for Part B is not required. She supports all other waiver requests as they are either being supplied or not applicable.

MOTION: Member Bourque moved to approve the waivers as requested for Application #16-105 as follows: Part A Items: I, K, L, M, N, P; Part B Items: 7, 11, 16, 20, 21; and Part C Items B, C, and F of the Major Site Plan Review Checklist. Seconded by Vice Chairman Seaworth.

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

MOTION TO APPROVE THE WAIVERS AS REQUESTED FOR APPLICATION #16-105 AS FOLLOWS: PART A ITEMS: I, K, L, M, N, P; PART B ITEMS: 7, 11, 16, 20, 21; AND

**PART C ITEMS B, C, AND F OF THE MAJOR SITE PLAN REVIEW CHECKLIST
PASSED ON A 6-0 VOTE.**

Chairman Topliff said a waiver request for additional parking is separate from the checklist waiver requests and will be dealt with later in the meeting.

Ms. Verdile said nothing is affecting completeness of the application.

MOTION: Member Bourque moved to accept Major Site Plan Application #16-105 as complete. Seconded by Vice Chairman Seaworth.

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

**MOTION TO ACCEPT MAJOR SITE PLAN APPLICATION #16-105 AS COMPLETE
PASSED ON A 6-0 VOTE.**

Chairman Topliff opened the public hearing at 7:10 p.m.

Mr. Bernier said he is working with Mr. Dennison on the proposed addition to his facility known as Dennison Cabinets. The existing manufacturing facility was created 5 years ago. Woodworking and cabinet making is done in the existing building. Mr. Dennison would like to create a storage facility to be used for shipping and receiving of goods. Presently the cabinets are stored inside the existing building until they are shipped. He would like to build a building for storage of lumber and finished goods. All the staining materials will remain in the existing building.

Mr. Dennison would like to create a smaller facility than originally proposed. The building would shrink from 120' x 40' to 100' x 40'. The plans have not yet been changed. Mr. Bernier said that less parking will be needed with the smaller building. The decision to downsize the proposed building was financial and need-driven.

Mr. Bernier said that Mr. Dennison is trying to make the existing space more efficient and easier to use for the existing staff. Ms. Verdile informed Mr. Bernier that the Planning Board has the authority to waive the parking requirement, therefore, the Applicant is asking the Planning Board to do so. No additional staff will be needed. Although the site has enough space to add the parking associated with the new building, the Applicant asks that it be waived since Dennison Cabinets does not use all the parking spaces that they presently have.

Mr. Bernier said that the building is flat. There is a regulated buffer easement to French's Brook which will be preserved. The building runoff will run in the ditch at the rear of the existing building.

There is an existing dumpster pad. Turning movement for the box trucks has been verified at the 2 overhead doors that are currently used for receiving and shipping. The 3 doors on the face of the building on the proposed plan will be eliminated. There will be a door on either end of the building. There will be no docks. All the doors will be at door grade. The siding will be metal. The building

may be stick-built. There will be a few lights on the outside of the garage doors. Lighting will be down-facing, cutout fixtures.

The green areas shown on the plan are for additional gravel that will be needed for access to the 2 doors. Minor regrading and shimming of the existing gravel parking area at the front of the building will make sure that the grade drains away from the building.

Mr. Bernier said there will be no water or sewer in the building. There will only be electricity for inside and outside lighting. The building will be one story.

With regard to KV Partners' June 20, 2016 letter, Mr. Bernier said that revised plans were sent to KV Partners. Originally when they redesigned the roof drains, they did not delete the old roof drains. It was merely a typographical error. The swale in the back was extremely flat (less than ½%) so that the contours gave the appearance of ponding which was not their intent. Their intent was to maintain that area. After investigating aerial shots, they remedied the situation.

Mr. Bernier said that there will be no hazardous materials stored or handled at the proposed site.

The consensus of the Board was that they had no issues or concerns with the Applicant reducing the size of the proposed building to 100' x 40'.

Chairman Topliff said the pervious space at the original size building (120' x 40') would be 59%. Mr. Bernier said that the pervious space with the revised 100' x 40' building, would be approximately 61%.

Ms. Verdile clarified that the Applicant filled out the Special Use Permit section that did not relate to a site plan and that was why "N/A" was marked on certain areas of the Special Use Permit Checklist.

Ms. Verdile said the Building Inspector calculated an additional 8 spaces (for a total of 44 parking spaces) would be necessary for the additional building. Mr. Bernier said that they presently show all the necessary parking spaces on the plan.

Member Bourque suggested the proposed additional parking area be left on the plan so that, if the building is ever sold, the new owner could see that a parking area is available.

Mr. Bernier said they could leave the parking spaces on the plan. If the Planning Board granted the waiver, then they could add a note on the plan that the parking was not required to be built at this time.

Chairman Topliff asked how cabinets and lumber were loaded into the existing building. Mr. Dennison said that they use a forklift and, at times, they load trucks full of cabinets and then load them into the building. Mr. Bernier said that the driveway in front of the overhead doors is presently gravel and that they are proposing to leave it as such at the new facility.

Ms. Verdile read aloud the Conditions of Approval for the Major Site Plan Application. She would like to see an approval letter be received from KV Partners regarding the plan.

Member Edmonds said that the Conservation Commission discussed possibly adding vegetative screening at the back of the building toward the swale. No formal request was made.

Mr. Bernier said that the easement at the rear of the building is a natural forest and has never been cut. The area was never affected during any of the previous construction and will not be removed of the natural trees during the construction of the proposed building.

The consensus of the Board was not to require vegetation at the rear of the building.

Ms. Verdile suggested that an engineering confirmation letter from KV Partners be added as a condition of approval. She asked that the Applicant submit a revised site plan to be reviewed by KV Partners.

Ms. Verdile stated that the Code Enforcement Officer has the ability to alter parking requirements. The present waiver of the parking requirement is associated with the proposed use. Any future change of use in the proposed building must meet new parking requirements.

Vice Chairman Seaworth agreed that the already designed parking should be left on the plan with a note that the spaces are waived for this application. It is built to serve as a pictorial reminder that the area is available for future needs.

Chairman Topliff suggested the following revision to No. 7 of the drafted Conditions of Approval:

7. As a condition subsequent to the site plan sign off, as applicable, prior to the release of site restoration escrow, the applicant shall submit an As-built revised site plan that reflects any changes made during construction.

Ms. Verdile will also require an as-built plan.

There being no further questions or comments from the Board or the public, Chairman Topliff closed the public hearing at 7:52 p.m. If the application is not completed this evening it would be continued to a subsequent meeting and not renoticed. All interested parties should monitor the Board's agenda on the Town's website or contact the Planning Department.

MOTION: Member Bourque moved to approve the Special Use Permit Case #16-305-SUP-AC with the following conditions to be included as notes on the final site plan:

1. "Special Use Permit, Case #16-305-SUP-AC, for activity within the Aquifer Conservation District is granted conditionally under the related Case #16-105, Major Site Plan, WS Dennison LLC, to construct a 40' x 100' storage building with parking on an existing commercial site. This Special Use Permit becomes final for as long as Case #16-105, is approved. If at any time the related case is revoked or final approval is not received, this Special Use Permit becomes invalid.

2. "A Special Use Permit for activity within the Aquifer Conservation District was granted on June 28, 2016 by the Planning Board. The approval is contingent upon all provisions of the Town of Pembroke Zoning Chapter 143, Article 143-68.E, Aquifer Conservation District, being followed."

Seconded by Vice Chairman Seaworth.

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

MOTION TO APPROVE THE SPECIAL USE PERMIT CASE #16-305-SUP-AC WITH THE FOLLOWING CONDITIONS TO BE INCLUDED AS NOTES ON THE FINAL SITE PLAN:

1. **"SPECIAL USE PERMIT, CASE #16-305-SUP-AC, FOR ACTIVITY WITHIN THE AQUIFER CONSERVATION DISTRICT IS GRANTED CONDITIONALLY UNDER THE RELATED CASE #16-105, MAJOR SITE PLAN, WS DENNISON LLC, TO CONSTRUCT A 40'X 100' STORAGE BUILDING WITH PARKING ON AN EXISTING COMMERCIAL SITE. THIS SPECIAL USE PERMIT BECOMES FINAL FOR AS LONG AS CASE #16-105, IS APPROVED. IF AT ANY TIME THE RELATED CASE IS REVOKED OR FINAL APPROVAL IS NOT RECEIVED, THIS SPECIAL USE PERMIT BECOMES INVALID.**
2. **"A SPECIAL USE PERMIT FOR ACTIVITY WITHIN THE AQUIFER CONSERVATION DISTRICT WAS GRANTED ON JUNE 28, 2016 BY THE PLANNING BOARD. THE APPROVAL IS CONTINGENT UPON ALL PROVISIONS OF THE TOWN OF PEMBROKE ZONING CHAPTER 143, ARTICLE 143-68.E, AQUIFER CONSERVATION DISTRICT, BEING FOLLOWED."**

PASSED ON A 6-0 VOTE.

Ms. Verdile read aloud T. F. Bernier, Inc. letter dated June 23, 2016.

MOTION: Vice Chairman Seaworth moved to grant the waiver request for no additional parking and that a note be placed on the plan. Seconded by Member Edmonds.

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

MOTION TO GRANT THE WAIVER REQUEST FOR NO ADDITIONAL PARKING AND THAT A NOTE BE PLACED ON THE PLAN PASSED ON A 6-0 VOTE.

MOTION: Member Bourque moved to approve the Major Site Plan Application, Case #16-105, with the following conditions to be completed prior to the final plan being signed and the recording of the Notice of Decision:

1. The Checklist waivers that were granted shall be listed completely on the plan with the date granted.
2. Applicant is notified through this notice that no site work shall begin and town demolition and/or building permits will not be issued until the final plan is signed and the Notice of Decision is recorded.
3. Applicant is notified through this notice that stamped engineered plans shall be submitted for new construction per the Building Inspector's requirements as applicable for: building/structural/floor plans, electrical, plumbing, fire alarm and fire suppression system as part of the building permit application process.
4. After plan signature and Notice of Decision is recorded prior to issuance of building permits and/or site work the applicant shall coordinate with Town Planner, Code Enforcement Officer, and Town Engineer to arrange an on-site, pre-construction meeting.
5. The site plan will not be considered as having received final approval until all applicable conditions of approval are met, the final plan is signed, and the Notice of Decision is recorded.
6. Submit funds in escrow as recommended by KV Partners for engineering site inspections and site restoration.
7. As applicable, prior to the release of site restoration escrow, the applicant shall submit an As-built-revised site plan that reflects any changes made during construction.
8. Agent to meet with Town Planner to make administrative corrections to site plan prior to signature.
9. Provide the original signatures of all property owners and professionals on the final plat.
10. Applicant to submit revised plan to KV Partners for a final engineering sign-off. Engineering signoff is a condition of approval.
11. The parking waiver was granted on June 28, 2016 and shall be shown on the plan as reserved parking.

Seconded by Vice Chairman Seaworth.

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

MOTION TO APPROVE THE MAJOR SITE PLAN APPLICATION, CASE #16-105, WITH THE FOLLOWING CONDITIONS TO BE COMPLETED PRIOR TO THE FINAL PLAN BEING SIGNED AND THE RECORDING OF THE NOTICE OF DECISION:

- 1. THE CHECKLIST WAIVERS THAT WERE GRANTED SHALL BE LISTED COMPLETELY ON THE PLAN WITH THE DATE GRANTED.**
- 2. APPLICANT IS NOTIFIED THROUGH THIS NOTICE THAT NO SITE WORK SHALL BEGIN AND TOWN DEMOLITION AND/OR BUILDING PERMITS WILL NOT BE ISSUED UNTIL THE FINAL PLAN IS SIGNED AND THE NOTICE OF DECISION IS RECORDED.**
- 3. APPLICANT IS NOTIFIED THROUGH THIS NOTICE THAT STAMPED ENGINEERED PLANS SHALL BE SUBMITTED FOR NEW CONSTRUCTION**

PER THE BUILDING INSPECTOR'S REQUIREMENTS AS APPLICABLE FOR: BUILDING/STRUCTURAL/FLOOR PLANS, ELECTRICAL, PLUMBING, FIRE ALARM AND FIRE SUPPRESSION SYSTEM AS PART OF THE BUILDING PERMIT APPLICATION PROCESS.

- 4. AFTER PLAN SIGNATURE AND NOTICE OF DECISION IS RECORDED PRIOR TO ISSUANCE OF BUILDING PERMITS AND/OR SITE WORK THE APPLICANT SHALL COORDINATE WITH TOWN PLANNER, CODE ENFORCEMENT OFFICER, AND TOWN ENGINEER TO ARRANGE AN ON-SITE, PRE-CONSTRUCTION MEETING.**
 - 5. THE SITE PLAN WILL NOT BE CONSIDERED AS HAVING RECEIVED FINAL APPROVAL UNTIL ALL APPLICABLE CONDITIONS OF APPROVAL ARE MET, THE FINAL PLAN IS SIGNED, AND THE NOTICE OF DECISION IS RECORDED.**
 - 6. SUBMIT FUNDS IN ESCROW AS RECOMMENDED BY KV PARTNERS FOR ENGINEERING SITE INSPECTIONS AND SITE RESTORATION.**
 - 7. AS APPLICABLE, PRIOR TO THE RELEASE OF SITE RESTORATION ESCROW, THE APPLICANT SHALL SUBMIT AN AS- BUILT-REVISED SITE PLAN THAT REFLECTS ANY CHANGES MADE DURING CONSTRUCTION.**
 - 8. AGENT TO MEET WITH TOWN PLANNER TO MAKE ADMINISTRATIVE CORRECTIONS TO SITE PLAN PRIOR TO SIGNATURE.**
 - 9. PROVIDE THE ORIGINAL SIGNATURES OF ALL PROPERTY OWNERS AND PROFESSIONALS ON THE FINAL PLAT.**
 - 10. APPLICANT TO SUBMIT REVISED PLAN TO KV PARTNERS FOR A FINAL ENGINEERING SIGN-OFF. ENGINEERING SIGNOFF IS A CONDITION OF APPROVAL.**
 - 11. THE PARKING WAIVER WAS GRANTED ON JUNE 28, 2016 AND SHALL BE SHOWN ON THE PLAN AS RESERVED PARKING.**
- PASSED ON A 6-0 VOTE.**

Minutes- June 14, 2016

MOTION: MEMBER YOUNG MOVED TO APPROVE THE JUNE 14, 2016 MEETING MINUTES AS PRESENTED. SECONDED BY VICE CHAIRMAN SEAWORTH. APPROVED WITH ONE ABSTENTION: DAVID BEAN.

Miscellaneous

1. Planner Items-

Ms. Verdile reported that there has been no update on the monitoring well progress for Johns Wrecker Service. The Pembroke Water Works has been working with the Applicant's engineer.

Ms. Verdile said that the Sewer Department is installing a second stub at 55 Sheep Davis Road.

The Town Attorney has received the draft excavation regulations for his review.

The July Planning Board meeting will have one application for a boundary line adjustment.

Ms. Verdile was dismissed at 8:11 p.m.

2. Audience Items-

Mr. Jodoin reported that the TIF bond is for \$3.5 million. No trees can be cut until the end of July because of an endangered species of a brown bat. The SEDS grant for the TIF was sent out Monday morning. \$1.8 million was requested.

Someone from NH DOT contacted Mr. Jodoin and requested a traffic impact study. He explained that no construction is being done on the TIF site. Only a road is being built. Traffic studies are done when building construction occurs.

MOTION: Member Bourque moved to adjourn the meeting. Seconded by Alternate Member Bean. Unanimously approved.

The meeting was adjourned at 8:27 p.m.

Respectfully submitted,
Jocelyn Carlucci, Recording Secretary