

Pembroke Planning Board
Minutes of Meeting
(ADOPTED)
December 8, 2015

MEMBERS PRESENT: Alan Topliff, Chairman; Brian Seaworth, Vice Chairman; Kathy Cruson; Robert Bourque; Fred Kline, Selectmen's Rep.

ALTERNATES PRESENT: Brent Edmonds

EXCUSED: Larry Young, Sr.; Kevin Krebs

STAFF PRESENT: Stephanie Verdile, Town Planner; David Jodoin, Town Administrator; Matt Monahan, CNHRDC Circuit Rider; Everett Hodge, Code Enforcement Officer; Jocelyn Carlucci, Recording Secretary

GUEST: Stephen Whitley, Esquire (Town Counsel)

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

New Business – Public Hearing for 2016 Zoning Amendments.

Chairman Topliff said the Board asked Ms. Verdile to seek expert advice regarding proposed Zoning Amendments #4 and #5 and, therefore, Attorney Whitley was invited to attend the meeting.

Ms. Verdile began by mentioning that this evening is the official public hearing for Zoning Amendments #4 and #5.

Attorney Whitley said there are two ways to proceed: (1) in the public hearing on the record; and (2) as a non-meeting consultation with counsel. At a non-meeting consultation with counsel there are no minutes taken and the general public is excluded from those conversations and it is merely the Town speaking to its attorney and vice versa. Attorney Whitley said his recommendation would be the confidential communication i.e. non-meeting version at this time because the Board will be discussing the current version of the ordinance as well as what is proposed in the Amendments.

Attorney Whitley referred the Board to RSA 91-A:21(b) which speaks to the non-meeting. He continued to say once the Board had no further questions for Counsel, the Board would then resume its public meeting. The Board agreed.

MOTION: Member Bourque moved to go into non-meeting for consultation with legal counsel per NH RSA 91-A:21(b). Seconded by Vice Chairman Seaworth. Unanimously approved.

The Board began the non-meeting at 7:11 p.m.

Chairman Topliff reconvened the Planning Board meeting at 9:10 p.m.

Ms. Verdile said proposed Zoning Amendments #4 and #5 were noticed as they appear in the Staff Report. These were the same amendments that were discussed at the last meeting.

Chairman Topliff opened the public hearing on proposed Zoning Amendments #4 and #5 at 9:11 p.m.

Chairman Topliff said in his opinion, neither of these amendments is urgent. He said that #5 is a long-term project and #4 may take more time than the Board is willing to take at this meeting. The Board agreed.

The Board asked Ms. Verdile to add Notes 5 and 7 to Zoning Amendment #4 from the table on §143-21 and remove the 10 ft. setback from the property line in preparation for a public hearing on January 12, 2016.

There being no further comments or questions from the Board or the public, Chairman Topliff closed the public hearing on proposed Zoning Amendments #4 and #5 at 9:16 p.m.

MOTION: Member Bourque moved to continue Zoning Amendment #4 for a second public hearing to be held on January 12, 2016. Seconded by Member Cruson. Unanimously approved.

MOTION: Member Bourque moved to remove Zoning Amendment #5 from consideration in 2016. Seconded by Member Cruson. Unanimously approved.

Minutes - November 24, 2015

MOTION: Member Bourque moved to approve the November 24, 2015 Minutes of Meeting as presented. Seconded by Member Cruson. Unanimously approved.

Miscellaneous

1. Correspondence-

Ms. Verdile said she received the Business NH Magazine.

2. Committee Reports-

Roads Committee: Vice Chairman Seaworth said the Committee discussed the deferred bond payment for the Pembroke Hill Project. The Roads Committee asked the Board of Selectmen to encumber the remaining funds from the Town's paving line for next year's paving goals. He said that it was not clear how much money had been spent on regular road projects to date.

Board of Selectmen: Selectmen's Rep. Kline said the noise ordinance was the most important topic that was discussed.

TIF: Selectmen's Rep. Kline said they are 10 days away from hearing about the DOT permit. The grant was originally denied but the Grant Manager encouraged them to reapply.

Mr. Jodoin said he will send Town Counsel the proposed noise ordinance for his opinion and to work on it.

3. Planner Items- VLM AB Heiser II, LLC Buck St.

Ms. Verdile said she would like the Board to approve a lot merger of 560, 562, and 564 Buck Street which would become 552-566 Buck Street. There are no lot nonconformities.

MOTION: Selectmen's Rep. Kline moved to grant the lot merger. Seconded by Vice Chairman Seaworth. Unanimously approved.

MOTION: Selectmen's Rep. Kline moved to adjourn the meeting. Seconded Vice Chairman Seaworth. Unanimously approved.

The meeting was adjourned at 9:25 p.m.

Respectfully submitted,
Jocelyn Carlucci, Recording Secretary