

**MINUTES OF THE ANNUAL TOWN MEETING
TOWN OF PEMBROKE, NH
MARCH 8, 2016**

The meeting was opened by Moderator Thomas E. Petit at 11:00 a.m.

A motion was made to read and act on Articles #1 and #2 and to read and act on the remaining articles at the deliberative session on March 12, 2016 at the Pembroke Academy Auditorium.

MOVED: Fred Kline

SECONDED: Justine Courtemanche

VOTE: YES

MOTION PASSED

ARTICLE #1: To choose all necessary officers for the ensuing year.

*Denotes elected

Town Clerk for one year:
vote for not more than one
James F. Goff

*221

Water Commissioner for five years:
vote for not more than one
Chester R. Martel

*209

Moderator for 2 years:
Vote for not more than one
Thomas E. Petit

*220

Library Trustee for three years:
vote for not more than two
Ann Hasbany
Judy Mitchell

*191

*190

Treasurer for one year:
vote for not more than one
Charles L. Connor

*214

Trust Fund Trustee for three years:
vote for not more than one
Daniel D. Crean

*189

Selectman for three years:
vote for not more than two
David A. Sheldon, Jr.
Vincent E. Greco

*186

*182

Checklist Supervisor for six years
vote for not more than one
no one filed

Ann Bond write-in votes

3

Sewer Commissioner for three years:
vote for not more than one
Harold Thompson

*198

**Karen Yeaton write-in votes

*3

**Karen Yeaton won by tiebreaker

5095 voters on the Pembroke Checklist
229 ballots cast
4.5% voter turnout

ARTICLE 2 – AMEND ZONING ORDINANCE

Are you in favor of adopting the following amendments to the existing Zoning Ordinance of the Town of Pembroke.

Old language is crossed out, proposed language is bold and underlined.

Zoning Amendment #1

Are you in favor of the adoption of Amendment #1 as proposed by the Planning Board for the Town Zoning Ordinance as follows:

Article IXA, Soucook River Development (SR) District. Section 143-72-21.A.1-5 Environmental performance standards.

~~A. Noise.~~

- ~~(1) The Performance Standards governing noise are intended to ensure that the rights of property owners, as well as the overall health and general welfare of the District, are not diminished by unreasonable noise levels generated within the District.~~
- ~~(2) Maximum Permissible Sound Level:~~
 - ~~(a) The maximum permissible sound level produced by any continuous, regular, or frequent source of sound or noise, produced by any permitted use or activity within this District, shall be established by the time period listed below. Sound pressure levels shall be measured at all lot lines, at a height of at least four feet above the ground surface.~~
 - ~~(b) The levels specified may be exceeded by 10 decibels for a single period, no longer than 15 minutes, in any one day (sic).~~
- ~~(3) Sound or Noise Abatement: In order to comply with these maximum sound level requirements, sound or noise level abatement techniques may be used to mitigate levels of site generated sound or noise. To this end, modern acoustical technology may be applied to achieve compliance with these regulations.~~
- ~~(4) If the ambient level of noise exceeds that permitted in Table noted in Section B, the allowable noise exposure standard shall be the ambient noise level. The ambient level shall be measured when the alleged noise violation source is not operating.~~
- ~~(5) Activities and Devices Exempt from Noise Performance Standards: The follow activities and devices are exempt from the provisions of this section:~~
 - ~~(a) Warning devices necessary for the protection of public safety as for example police, fire, and ambulance sirens, and train horns.~~
 - ~~(b) Construction / demolition activities.~~
 - ~~(c) Stationary non-emergency signaling devices.~~
 - ~~(d) Emergency signaling devices.~~
 - ~~(e) Motor vehicles on public rights-of-way.~~

Replace with **“Reserved”**

YES 120 NO 82 Amendment #1 PASSED

Zoning Amendment #2

Are you in favor of the adoption of Amendment #2 as proposed by the Planning Board for the Town Zoning Ordinance as follows:

ARTICLE IV - Use Regulations (§ 143-14 — § 143-19) Section 143-19 Table of Use Regulations to remove Crematory as a permitted and allowed use in the B1 and LO Districts respectively.

		R1	R3	B1	B2	C1	LO	
9.	Crematory	-	-	P	-	P	S	§143-113

9.	Crematory	-	-	P	-	P	S	§143-113
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YES 139 NO 74 Amendment #2 PASSED

Zoning Amendment #3

Are you in favor of the adoption of Amendment #3 as proposed by the Planning Board for the Town Zoning Ordinance as follows:

Article XI, Section 143-31 Recreational Vehicle.

For the temporary occupancy of a recreational vehicle outside of a licensed campground, the following regulations shall apply:

- A. It shall be unlawful for any person to occupy a recreational vehicle on a temporary basis, who does not possess a permit from the Code Enforcement Officer. A permit is not required for the storing or parking of a recreational vehicle during periods of nonuse on the premises of the owner, or for a period of occupancy not to exceed 60 days per year; **[Amended on 3-11-14 by Amendment No. 1]**
- B. A property owner or lessee may accommodate one recreational vehicle of a nonpaying guest for a period not in excess of 60 days in any one year; and
- C. A recreational vehicle may be maintained as living quarters by a person employed in adjoining construction work or for whom a residence is being built, or as an office, storeroom or shop in connection with construction work, provided, that such is shown to be a temporary expedient, conforms to the provisions of § **143-21**, and also that the use will conform with the U.S. Department of Health, Education, and Welfare Publication manual of septic tank practice.
- D. Occupants of a recreational vehicle outside of a licensed campground must comply with applicable state health and sanitary disposal regulations, including but not limited to Title X, Public Health, Chapter 147 for the State of New Hampshire, as amended.**

YES 150 NO 63 Amendment #3 PASSED

Zoning Amendment #4

Are you in favor of the adoption of Amendment #4 as proposed by the Planning Board for the Town Zoning Ordinance as follows:

Article XIII Non-Conforming Uses, Structures, and Lots.

Section 143-103 Lot of Record

[Amended 3-15-2003 Town Meeting by Amendment No. 1]

[Amended 3-11-2014 Town Meeting by Amendment No. 11]

Any non-conforming lot of record, as defined in § **143-8**, may be built upon provided the following conditions are met:

- A. The lot of record complied with the minimum area, frontage, width, and depth requirements, if any, of the Zoning Ordinance then in effect at the time it was created; and
- B. **If no zoning ordinance were in effect at the time of the lot creation, the lot of record must meet the current zoning setback and height restrictions of the applicable zone.**
~~Any lot of record that does not comply with the current requirements in the applicable zone may be built upon provided that at least two of the applicable setbacks can be met; ; and~~

[Amended 3-11-2014 Town Meeting by Amendment No. 11]

- C. The lot of record has ~~the applicable frontage requirements on a Class V, or better, road.~~

YES 134 NO 84 Amendment #4 PASSED

**MINUTES OF THE ANNUAL TOWN MEETING
TOWN OF PEMBROKE, NH
DELIBERATIVE SESSION
MARCH 12, 2016**

Moderator Thomas E. Petit opens the meeting at 10:00 a.m. after the Pledge of Allegiance, an introduction of the Budget Committee members, Board of Selectmen and the Town Clerk. He then reads the results of the ballot vote taken on March 8, 2016.

There was a motion made to dispense with the reading of the full warrant and proceed with the meeting.

MOVED: Thomas Petit

SECONDED: Fred Kline

VOTE: YES

MOTION PASSED

ARTICLE 3 - To see if the Town will vote to raise and appropriate through sewer fees (bond/note will be paid for by users not through property taxes) the sum of \$800,000 for the replacement of the Bow Lane pumping station, and to authorize the issuance of not more than \$800,000 of bonds or notes under and in accordance with the provisions of the Municipal Finance Act (RSA 33) and to authorize the Selectmen to issue, negotiate, sell and deliver such bonds or notes and to determine the rate of interest thereon and the maturity and other terms thereof; and to apply for, obtain and accept any federal, state, or other aid, grants or additional funding which may be available for said project to help offset the cost of the bond or note and to comply with all laws applicable to said project; and to authorize the Selectmen to take any other action or to pass any other vote relative thereto. (2/3 ballot vote required)

Recommended by Board of Selectmen
Recommended by Budget Committee

MOVED: Paulette Malo

SECONDED: Peter Mehegan

Sewer Commissioner Paulette Malo gave an overview of Article #3.

The polls were opened for voting on Article #3 at 10:21 a.m. They are to remain open for one hour.

ARTICLE 4 – To see if the Town will vote to raise and appropriate the sum of \$321,500 to be deposited into the following Capital Reserve Funds established as indicated below:

Town Equipment Capital Reserve Fund	\$100,000
Police Cruiser Capital Reserve Fund	\$ 40,000
Municipal Facilities Capital Reserve Fund	\$ 50,000
Fire Major Equipment Capital Reserve Fund	\$ 75,000
Fire Small Equipment	\$ 20,000
Revaluation Capital Reserve Fund	\$ 16,500
Cemetery Capital Reserve Fund	<u>\$ 20,000</u>
	\$321,500

Recommended by Board of Selectmen
Recommended by Budget Committee

MOVED: Rob Farley

SECONDED: Chuck Schmidt

VOTE: YES

ARTICLE #4 PASSED

ARTICLE 5 – To see if the Town will vote to raise and appropriate the sum of \$20,000 for the necessary repairs and survey to the following cemeteries; Pembroke Street and Pembroke Hill and to authorize the withdrawal of a sum not to exceed \$20,000 from the Cemetery Improvements Capital Reserve Fund.

Recommended by Board of Selectmen
Recommended by Budget Committee

MOVE: Laurent Perron

SECONDED: David Sheldon

VOTE: YES

ARTICLE #5 PASSED

ARTICLE 6 – To see if the Town will vote to raise and appropriate the sum of \$175,000 to purchase a new plow truck with all the accessories and to authorize the withdrawal of a sum not to exceed \$175,000 from the Town Equipment Capital Reserve Fund.

Recommended by Board of Selectmen
Recommended by Budget Committee

MOVED: Laurent Perron

SECONDED: Justine Courtemanche

VOTE: YES

ARTICLE #6 PASSED

ARTICLE 7 - To see if the Town will vote to raise and appropriate the sum of \$18,100 for playground upgrades to comply with insurance regulations and to authorize the withdrawal of a sum not to exceed \$18,100 from the Recreation Capital Reserve Fund.

Recommended by Board of Selectmen
Recommended by Budget Committee

MOVED: Paulette Malo

SECONDED: Vincent Greco

VOTE: YES

ARTICLE #7 PASSED

ARTICLE 8 - To see if the Town will vote to raise and appropriate the sum of \$27,772 for the purpose of purchasing a new police cruiser and to authorize the withdrawal of a sum not to exceed \$27,772 from the Police Cruiser Replacement Capital Reserve Fund.

Recommended by Board of Selectmen
Recommended by Budget Committee

MOVED: Rob Farley

SECONDED: Michael Crockwell

VOTE: YES

ARTICLE #8 PASSED

ARTICLE 9 – To see if the Town will vote to raise and appropriate the Budget Committee's recommended amount of \$8,008,878 for the 2016 Municipal operating budget, not including appropriations by special warrant articles and other appropriations voted separately.

Recommended by Board of Selectmen
Recommended by Budget Committee

Budget Committee Chair, Mark LePage gave an overview of the budget process and thanked the Board of Selectmen, Budget Committee and especially Town Administrator David Jodoin for all the hard work they put in during the budget process.

MOVED: Mark LePage

SECONDED: Gerard Fleury

VOTE: YES

ARTICLE #9 PASSED

ARTICLE 10 - To transact any other business that may legally come before said meeting.

Moderator Petit swore in the following newly elected officials in 2015 to their respective offices.

James F. Goff	Town Clerk
Charles Connor	Treasurer
David A. Sheldon, Jr.	Selectman
Vincent Greco	Selectman
Harold Thompson	Sewer Commissioner
Daniel D. Crean	Trust Fund Trustee
Karen Yeaton	Checklist Supervisor

Town Clerk James F. Goff swore in Moderator Thomas E. Petit.

At 11:21 a.m., after the polls had been open for voting for one hour and all in attendance who wished to vote on Article #3 had done so, the moderator closed the polls.

The ballots were counted and the results are as follows:

YES 92	NO 7	WITH 92% PERCENT OF THE VOTES IN THE AFFIRMATIVE, ARTICLE #3 PASSED
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Don Girard asked for the status of the loop road off of Rte. 106 in the TIFF district.

Selectman Fred Kline stated that they are just finishing up the permitting process after delays because of endangered species and they are also in negotiations for \$1.8 million in grant money for the project.

Joann Dupuis of the Old Home Day Committee announced that Old Home Day will be on August 27th this year and they are welcoming new volunteers.

Tammy Bouchard stated that there has been a PA Bicentennial Committee established and they are looking for participation.

Sally Hyland asked for an update on the lawsuit filed by one of the churches on Pembroke Street

in reference to a sign.

Town Administrator David Jodoin explained that the town has spent about \$21,000 on the lawsuit and it has not gone to court yet.

There was a motion made to adjourn the 2016 Pembroke Town Meeting.

MOVED: Rob Farley SECONDED: Michael Crockwell

VOTE: YES MEETING ADJOURNED AT 11:29 a.m.

Respectfully submitted:

James F. Goff
Town Clerk
Pembroke, NH

March 12th, 2016

