

**MINUTES OF THE ANNUAL TOWN MEETING
TOWN OF PEMBROKE, NH
MARCH 13, 2018**

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 17, 2018 at the Pembroke Academy Auditorium.

MOVED: Bonnie Clark SECONDED: Vincent Greco

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	*505	Water Commissioner for five years vote for not more than one Christopher Culberson	*462
Moderator for 2 years: Vote for not more than one Thomas E. Petit	*482	Library Trustee for three years: vote for not more than one Shelley Fowler	*477
Treasurer for one year: vote for not more than one Shelley Fowler	*473	Trust Fund Trustee for three years: vote for not more than one Courtney Eschbach	*444
Selectman for three years: vote for not more than one Sandy Goulet. Ann Bond Bob Bourque	161 *219 112	Checklist Supervisor for six years vote for not more than one *no one filed ** Ann Bond had the most write-in votes with 4 ** Ann Bond is already a supervisor so she is Disqualified	
Sewer Commisioner for three years: vote for not more than one Jules Pellerin	*454		

5227 voters on the Pembroke Checklist
535 ballots cast
10% 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?

Proposed language is underlined and existing language is crossed out.

Proposed Zoning Amendment #1 Public Hearing completed on December 12, 2017

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

§ 143-18.1 Accessory dwelling units.

One Accessory Dwelling Unit (ADU) shall be permitted in accordance with the NH Planning and Land Use Regulations RSA 674:71, 674:72, 674:73 as amended. Further, one ADU shall be permitted in all zones that allow single Family Detached Dwelling Units by special exception from the zoning board of adjustment with the following stipulations.

- A. An accessory dwelling unit shall be clearly incidental to the primary use of the property for a single-family dwelling. Such accessory living space shall not exceed 750 square feet and all appropriate town building codes shall be followed.
- B. An accessory dwelling unit may be constructed either within or attached to the single-family dwelling.
- C. At least one interior connecting door or other access for persons to pass between the accessory dwelling unit and the single-family dwelling must be included.
- D. Septic system design/capacity shall be approved by the NH Department of Environmental Services and provided to the Town.
- E. **A minimum of** one off street parking space shall be provided for an accessory dwelling unit, however, no new curb cut from the street shall be constructed.
- F. Exterior construction and material shall be uniform and compatible with the single-family dwelling.
- G. There shall be only one electric, water, and sewer service for both units.
- H. This section of the ordinance does not preclude the applicant from having to comply with applicable sewer and water connection fees.

YES 368 NO 109 AMENDMENT #1 PASSED

Proposed Zoning Amendment #2 Public Hearing completed on November 14, 2017

Are you in favor of the adoption of Amendment #2 as proposed by the Planning Board for the

Town Zoning Ordinance as follows:

§ 143-68 Aquifer Conservation (AC) District.

F. Special Exceptions: For use which may be allowed by special exception in the underlying zoning district the Zoning Board of Adjustment must first find, in written findings of fact, that all of the following are true:

- (1) The proposed use will not have a detrimental effect on the quality of the groundwater contained in the aquifer by directly contributing to pollution or by increasing the long-term susceptibility of the aquifer to potential pollutants;
- (2) The proposed use will not cause a significant reduction in the long-term volume of water contained in the aquifer, or in the storage capacity of the aquifer;
- (3) The proposed use will discharge no wastewater on site other than that which is permitted under the provisions of this section; and
- (4) The proposed use complies with all other applicable sections of this section.

The Zoning Board of Adjustment may require that the applicant for a special exception provide data or reports prepared by a professional engineer or qualified groundwater consultant to assess any potential damage to the aquifer that may result from the proposed use. The Zoning Board of Adjustment may engage such professional assistance as it requires to adequately evaluate such reports and to evaluate, in general, the proposed use in light of the above criteria. Costs for any of the above-mentioned services shall be paid by the applicant.

Prior to rendering a decision on an application for a Special Exception, the Zoning Board of Adjustment shall request **input** from the Planning Department, the Conservation Commission, and the Health Officer as to whether the proposed use is consistent with the purpose of this section.
[Amended 3-13-2007 Town Meeting by Amendment No. 1]

Exemption: The provisions of this section shall not apply to special exceptions granted relating to one or two family residences and Accessory Dwelling Units.

YES 379 NO 96 AMENDMENT #2 PASSED

Proposed Zoning Amendment #3 Public Hearing completed on November 14, 2017

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

§ 143-42 Commercial kennels.

For commercial kennels the following special conditions shall apply:

A. (Reserved)

Editor's Note: Former Subsection A, which required compliance with licensing requirements, was repealed 3-13-2007 by Amendment No. 5.

B. A commercial kennel shall not be considered a home business.

[Added 3-11-2008 Town Meeting by Amendment No. 2]

C. A new commercial kennel shall be required to undergo site plan review process; **[Added 3-11-2008 Town Meeting by Amendment No. 2]**

D. No outdoor commercial kennel shall be located less than 400' from the front lot line and 200' from the rear and side lot lines;

[Amended 3-11-2008 Town Meeting by Amendment No. 2]

E. No indoor commercial kennel shall be located less than 100' from the front lot line and 50' from the rear and side lot lines;

[Added 3-11-2008 Town Meeting by Amendment No. 2]

F. One 12 square foot freestanding sign shall be permitted in accordance with **143-62 Dimensional Table of Signs**, or with dimensions compliant with **143-62 Dimensional Table of Signs**, whichever is more restrictive;

[Added 3-11-2008 Town Meeting by Amendment No. 2]

YES 391 NO 91 AMENDMENT #3 PASSED

Proposed Zoning Amendment #4 Public Hearing completed on November 14, 2017

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

§ 143-30.1 Office Conversions.

D. Specifically, the following special conditions must be met to the satisfaction of the Zoning Board of Adjustment as well as the conditions set forth in § 143-113 before a special exception can be granted. In granting a special exception, the Zoning Board of Adjustment may attach any reasonable conditions to the approval to insure the protection of the residential character of the neighborhood:

(5) There shall be no advertising on the premises other than as provided under § 143-62, Dimensional Table of Signs.

YES 380 NO 99 AMENDMENT #4 PASSED

Proposed Zoning Amendment #5 Public Hearing completed on November 28, 2017

Are you in favor of the adoption of Amendment #5 as proposed by the Planning Board to add a definition of an Accessory Dwelling Unit to the Town Zoning Ordinance as follows:

§ 143-18 Definitions.

Accessory Dwelling Unit (ADU)- A residential living unit no larger than 750 square feet that is within or attached to a single-family dwelling, and that provides independent living facilities for one or more persons, includes provisions for sleeping, eating, cooking, and sanitation on the same parcel of land as the principal dwelling unit it accompanies. Refer to 143-18.1.

YES 389 NO 107 AMENDMENT #5 PASSED

Zoning Amendment #6

Public Hearing held on December 12, 2017

Are you in favor of the adoption of Amendment #6 as proposed by the Planning Board as follows:

§ 143-46 Table of Off-Street Parking Requirements.

NOTES	
1)	Where one building or site is used for more than one use, parking requirements shall be computed for each use as if it were a principal use, except as provided for under Article XI.
2)	Where the computation of parking spaces results in a fractional number, the fraction shall be counted as one parking space.
3)	For any use other than one specifically mentioned in § 143-46, the parking requirements shall be as for the closest similar use as determined by the Code Enforcement Officer.
4)	In addition to the parking requirements <u>specifically mentioned in Table 143-46</u> additional spaces may be required by the Planning Board for visitor, employee, staff parking, and any other parking depending on the type of use.
5)	The Code Enforcement Officer shall assess the need for parking in addition to what is specified in Table 143-46 and make any recommendations to the Planning Board.

YES 362 NO 115 AMENDMENT #6 PASSED

Zoning Amendment #7

Public Hearing completed on December 12, 2017

Are you in favor of the adoption of Amendment #7 as proposed by the Planning Board for the

following section of the Town Zoning Ordinance as follows:

§ 143-8 Definitions.

CONTIGUOUS BUILDABLE AREA – A contiguous area on a single lot which consists of buildable area, unfragmented by non-buildable area. [Amended 3-12-2013 Town Meeting Amendment No.3]

Refer to note #13 Table 143-21 for additional information

LOT - A tract of land owned and recorded as the property of the same persons or controlled by a single entity. (Also parcel)**Refer to note #8 Table 143-21 for additional information**

LOT FRONTAGE - The length of the front lot line measured at the street right-of-way line
Refer to notes #2, #3, #6, #12 Table 143-21 for additional information

LOT, CORNER - A lot or parcel of land abutting upon two or more streets at their intersection or upon two parts of the same street form an interior angle of less than 135 degrees. **Refer to note #4 Table 143-21 for additional information**

LOT, THROUGH - A lot that fronts on two parallel streets or that fronts upon two streets that do not intersect at the boundaries of the lot.

Refer to note #9 Table 143-21 for additional information

SEPTIC SYSTEMS A wastewater disposal or treatment system that receives domestic sewage, other than a holding tank.

Refer to note #14 & #15 Table 143-21 for additional information

SETBACK (YARD DEPTH) MEASUREMENT – The setback (yard depth) of a parcel shall be measured from the lot line

Refer to note #5 & #14 Table 143-21 for additional information

YARD - A portion of a lot upon which a building is not situated, unobstructed artificially from the ground to the sky, except as otherwise provided herein.

Refer to note #10 Table 143-21 for additional information

§ 143-20 Applicability of dimensional and density regulations.

The regulations for each district pertaining to minimum lot area, minimum lot frontage, minimum lot depth, minimum front yard depth, minimum side yard depth, minimum rear yard depth, maximum height of buildings, and percent minimum pervious space shall be specified in this section and set forth in the Table of Dimensional and Density Regulations, and subject to the further provisions of this chapter. [Amended 3-10-2015 Town Meeting] **Refer to note #7 Table 143-21 for Additional information**

§ 143-76 Maximum Development Density.

[Amended 3-12-2013 Town Meeting Amendment No. 11]

Calculation of Buildable (useable) Area. The density requirement (number of dwelling units per unit of buildable area) for any open space development shall generally be the same as the underlying zoning district permits. The calculation of total buildable area shall only include the portions of the parcel that meet the minimum contiguous buildable area for that district. **Refer to**

note #8 Table 143-21 for additional information

YES 354 NO 113 AMENDMENT #7 PASSED

**MINUTES OF THE ANNUAL TOWN MEETING
TOWN OF PEMBROKE, NH
DELIBERATIVE SESSION
MARCH 17, 2018**

Moderator Thomas E. Petit opens the meeting at 10:18 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 13, 2018.

There was a motion made to dispense with the formal reading of the full warrant.

MOVED: Daniel Crean

SECONDED: Paulette Malo

VOTE: YES

MOTION PASSED

There was a motion made to accept the reports submitted in the 2017 Pembroke Town Report with one correction. The correction is the reference made to March Town Meeting Deliberative Session listed for the date of March 18th which should have been listed as March 17th.

MOVED: Vincent Greco

SECONDED: Tina Courtemanche

VOTE: YES

MOTION PASSED

ARTICLE 3 - To see if the Town will vote to raise and appropriate the sum of \$1,200,000 for the Roadway Improvement and reconstruction project for the following streets; Upper Beacon Hill; East Meadow and East View, and to authorize the issuance of not more than \$1,200,000 of bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA 33); to authorize the Selectmen to apply for, obtain and accept federal, state or other aid, if any, which may be available for said project and to comply with all laws applicable to said project; 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 authorize the Selectmen to take any other action or to pass any other vote relative thereto. (2/3 ballot vote required)

Recommended by the Board of Selectmen
Recommended by the Budget Committee

MOVED: Paulette Malo

SECONDED: Daniel Crean

The polls were open for ballot vote at 10:48am.

The polls remained open in excess of one hour and after all registered voters in attendance who wished to vote had done so, the polls were closed at 11:51 a.m.

The results are as follows:

YES 159 NO 12 ARTICLE #3 ADOPTED

ARTICLE 4 – To see if the Town will vote to allow the operation of KENO within the Town pursuant to the provisions of NH RSA 284:41 through 51.

MOVED: David Sheldon SECONDED: Robin Lounsbury

Selectperson Sandy Goulet explains this article.

This being a ballot article, the Moderator opens the polls for voting at 11:15 a.m.

After all registered voters in attendance who wished to vote on this article had done so, the Moderator closes the polls for voting at 11:28 a.m.

The ballots are counted and the results are as follows:

YES 147 NO 19 ARTICLE #4 ADOPTED

ARTICLE 5 - To see if the Town will vote to raise and appropriate the sum of \$466,000 to be deposited into the following Capital Reserve Funds established as indicated below:

Town Equipment Capital Reserve Fund	\$200,000
Police Cruiser Capital Reserve Fund	\$ 55,000
Municipal Facilities Capital Reserve Fund	\$ 10,000
Fire Major Equipment Capital Reserve Fund	\$135,000
Fire Small Equipment Capital Reserve Fund	\$ 10,000
Police Small Equipment Capital Reserve Fund	\$ 13,500
Revaluation Capital Reserve Fund	\$ 32,500
Cemetery Capital Reserve Fund	\$ 10,000
	<hr/>
	\$466,000

Recommended by the Board of Selectmen
Recommended by the Budget Committee

MOVED: David Sheldon SECONDED: Rob Farley

VOTE: YES ARTICLE #5 ADOPTED

ARTICLE 6 – To see if the Town will vote to raise and appropriate the sum of \$14,000 to purchase a new snow blower attachment for the Trackless machine (which is used to plow the sidewalks) and to authorize the withdrawal of a sum not to exceed \$14,000 from the Town

Equipment Capital Reserve Fund.

Recommended by the Board of Selectmen
Recommended by the Budget Committee

MOVED: David Sheldon

SECONDED: Tina Courtemanche

VOTE: YES

ARTICLE #6 ADOPTED

ARTICLE 7 – To see if the Town will vote to raise and appropriate the sum of \$4,709 to purchase a Box Plow attachment for Public Works and to authorize the withdrawal of a sum not to exceed \$4,709 from the Town Equipment Capital Reserve Fund.

Recommended by the Board of Selectmen
Recommended by the Budget Committee

MOVED: Tina Courtemanche

SECONDED: SANDY GOULET

VOTE: YES

ARTICLE #7 ADOPTED

ARTICLE 8 - To see if the Town will vote to raise and appropriate the sum of \$45,859 for the purpose of purchasing a new Police vehicle and related equipment and to authorize the withdrawal of a sum not to exceed \$45,859 from the Police Cruiser Replacement Capital Reserve Fund.

Recommended by the Board of Selectmen
Recommended by the Budget Committee

MOVED: Rob Farley

SECONDED: Dianne Schuett

There was a motion made to amend Article #8 as follows:

”Move that the Pembroke Police Department not patrol Route 3 and/or any other State highway for more than 15 minutes every four hours inasmuch as any fines generated by such patrols do not benefit the Town of Pembroke and if a court appearance is involved, actually cost the Town for the time spent by any officer attending the court hearing”.

MOVED: Don Girard

SECONDED: Joyce Colby

VOTE: NO

AMENDMENT TO ARTICLE #8 FAILED

VOTE ON ARTICLE #8 AS WRITTEN: YES

ARTICLE #8 ADOPTED

ARTICLE 9 – To see if the Town will vote to discontinue the Soucook River Tax Increment Financing District that was created by Town Meeting vote in March of 2005 per RSA 162-K. If approved all funding which is currently set at 35% of the tax revenues will now revert to the

Town General Fund. All future debt will now be the obligation of the Town and paid through its General Fund.

Recommended by the Board of Selectmen
Recommended by the Budget Committee

MOVED: Paulette Malo

SECONDED: Tina Courtemanche

VOTE: YES

ARTICLE #9 ADOPTED

ARTICLE 10 – To see if the Town will vote to require that the Board of Selectmen, before disposing of property that the Town has acquired by Tax Collector’s deed, first request a recommendation from the Conservation Commission whether the property should be presented to Town Meeting for consideration that it be retained for conservation purposes.

MOVED: Don Hill

SECONDED: Michael Crockwell

VOTE: YES

ARTICLE #10 ADOPTED

ARTICLE 11 – (By Petition) To see if the Town will vote to raise and appropriate the sum of Three Thousand Six Hundred Dollars (\$3,600) for the purpose of recording, live streaming, and keeping for historical record, on demand high definition video of public meetings to be made available to the residents for viewing on the internet and Town website.

Recommended by the Board of Selectmen
Recommended by the Budget Committee

MOVED: Tina Courtemanche

SECONDED: Brian Lemoine

There was a motion to amend Article 11 to read as follows:

“To see if the Town will vote to raise and appropriate the sum of six hundred dollars (\$600) for the purpose of recording, live streaming, and keeping for historical record, on high definition video of public meetings to be made available to residents for viewing on the internet and town website”.

MOVED: Steve Donovan

SECONDED: Daniel Crean

Steve Donovan explains that the same article was voted on and passed at the School District Meeting, so he felt that not as much money was needed as it would be a duplication of equipment.

After some discussion about the fact that there are two meeting rooms at the town hall and there are nights where both meeting rooms are in use, Steve Donovan pulls the amendment and changes it to read:

“To see if the Town will vote to raise and appropriate the sum of twelve hundred dollars (\$1,200) for the purpose of recording, live streaming, and keeping for historical record, on high definition video of public meetings to be made available to residents for viewing on the internet and town website”.

MOVED: Steve Donovan

SECONDED: Rick Fredrickson

After a lengthy discussion on the equipment needed, Gerard Fleury speaks against the amendment and for the article as written.

Steve Donovan asks to pull the amendment.

Moderator Petit states that if Rick Fredrickson agrees to pull the second the he will allow it.

Rick Fredrickson agrees to pull the second.

Discussion continues on Article #12 as written.

After a lengthy discussion about ease of use, off-site recording, responsibility of recording a motion is made to vote on the Article.

MOVED: David Sheldon

SECONDED: Robin Lounsbury

VOTE: YES

VOTE ON ARTICLE #11: YES

ARTICLE #11 ADOPTED AS WRITTEN

ARTICLE 12 – (By Petition) Shall the Town vote to instruct the Board of Selectmen to negotiate, as part of the Pembroke, NH franchise agreement with Comcast Corporation and at no cost to the taxpayer, the inclusion of one or more local television channels for Public, Education & Government (PEG) programming, equipment and costs required to produce and televise community and municipal programming, by and for the residents of Pembroke, NH.

MOVED: Chuck Schmidt

SECONDED: Rob Farley

There was a motion made to table Article 12.

MOVED: Daniel Crean

SECONDED: Gerard Fleury

VOTE TO TABLE ARTICLE 12: YES ARTICLE 12 TABLED

ARTICLE 13 – To see if the Town will vote to raise and appropriate the Budget Committee’s recommended amount of \$8,504,320 for the 2018 municipal operating budget, not including appropriations by special warrant articles and other appropriations voted separately.

Recommended by the Board of Selectmen
Recommended by the Budget Committee

Budget Committee Chair Mark Lepage gives a brief explanation of the budget and three factors that led to the unexpected increase in the 2017 Taxes, he then moves Article #13 as written.

MOVED: Mark Lepage

SECONDED: Gerard Fleury

VOTE: YES

ARTICLE #13 ADOPTED

ARTICLE 14 - To transact any other business that may legally come before said meeting.

Town Administrator David Jodoin and Selectman David Sheldon stated the town needs volunteers for the various board, committees and commissions.

There was a motion made to adjourn the 2018 Pembroke Town Meeting.

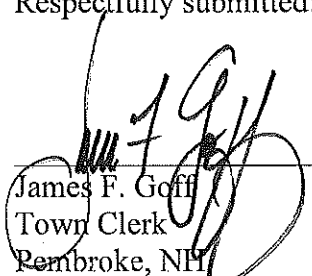
MOVED: Daniel Crean

SECONDED: Michael Crockwell

VOTE: YES

MEETING ADJOURNED AT 12:44 p.m.

Respectfully submitted:


James F. Goff
Town Clerk
Pembroke, NH

March 17th, 2018

