

**PEMBROKE PLANNING BOARD MINUTES
MONDAY, SEPTEMBER 14, 2015**

PRESENT: Daniel Taylor (Chairman), Rebecca Coletta (Vice-Chairman), Thomas Irving (Clerk), Brian VanRiper, Andrew Wandell, Atty. Robert Galvin, Peter Tamborella, Susan Teagan, Danielle Markol, Owen Kelley, Steve Meirs, Tony Chen, Atty. Mark Middleton and Marilyn Zechello.

PLANS:

Plan #0308- Stone Meadow Farm-Hanna-Review-Cancelled

Plan #0506-Equestrian Estates-Kelley-Review

Informal Site Plan That Bloomin Place-Atty. Galvin

Informal Site Plan #SP1-13-254 Church Street-Meirs

Old Business:

Minutes & Correspondence

Dock Permit for 43 Canoe Club Lane

Chairman Daniel Taylor opened the meeting by reading the Chairman's statement.

MINUTES: Mr. VanRiper moved, seconded by Mr. Wandell, "That the Planning Board minutes dated Monday, August 31, 2015 are accepted as printed." Voted unanimously

PLAN #0308-STONE MEADOW FARM: John Hanna called this afternoon to postpone his meeting with the Planning Board and will call to reschedule in October.

PLAN #0506-EQUESTRIAN ESTATES: Mr. Kelley came before the Board to discuss the removal of the tree in order to construct the sidewalk and curb radius as approved. He had marked the proposed curb line. The Board members all had looked at the area and felt the stump needs to go and to follow the approved plan and rebuild the wall in back of the sidewalk as it would look better for the entrance to the subdivision. Mr. Kelley stated that within the next few weeks the trees will be planted and the finish course of the road will be done. There is only one house to be built and it should be ready for road acceptance at the annual town meeting.

INFORMAL SITE PLAN FOR THAT BLOOMIN PLACE: Atty. Robert Galvin came before the Board representing his client Peter Tamborella. They have been going before the ZBA where we were discussing the enforcement order of cease and desist issued by the building inspector relative to the use of the driveway at the westerly portion of the property. It was a belief of the building inspector that his client opened up a non-existing driveway from the time the property was opened and began using that driveway. The ZBA originally granted site plan approval on October 4, 2001. He stated that they had appealed the cease and desist to the ZBA. When it became apparent that the ZBA wanted us to come before the Planning Board for a review, I asked that they hold off on a decision until we go before the Planning Board. I am here tonight before you to discuss if the changes that have been made are minor modification and do not require a new site plan or is this consider a major modification. Things are a little different and some changes have been made. We are here informally tonight and the ZBA has continued their hearing until after the Board has had a chance to review the changes that have been made. Since the time of the original decision, the state of the law has changed and this is exempt from zoning as this is considered horticultural use of the property. Horticultural use has been broaden but is not exempt from reasonable things like parking, height restrictions, yard areas and setbacks. We are asking for a finding and if you feel that this is a major change will go through that process with you. He has done some tree clearing and has also put is some vegetated plantings as a buffer and fenced the property line. There were two abutters attending and stated their concerns of the changes that have been made to the property. After a lengthy discussion, the Board felt that a site walk was needed and set a time for Sunday, September 20, 2015 at 11:30 a.m. to walk the property and will meet again on Monday, September 28, 2015 at 8:30 p.m. as to what will be required.

SITE PLAN #SP1-15-254 CHURCH STREET: Atty. Middleton came before the Board to represent the owner of 254 Church Street, Steve Meirs, asking for an extension to pave the parking lot as he is waiting for the bank commitment for the money for the paving. As a condition of approval, the drive-thru window for Gunther

Tooties has not been able to open until the parking lot is paved and striped. The Board wants the conditions of approval to be finished before the window can be used. The Board is asking for a letter of assurance from the bank and one from the paving company as to when this will be done. Mr. Meirs stated that he will not have the letter from the bank until October 1, 2015. The next meeting of the Board will be Monday, September 28, 2015 and he will try to have the letters of commitment by September 28th. The concern of the Board is the paving companies will be closing for the winter soon and it is a safety issue not to have the parking lot paved before winter. He will try to have a letter from both the bank and the paving company by September 28th.

CORRESPONDENCE:

A dock permit has been submitted by Merrill Corporation for 43 Canoe Club.

Mr. VanRiper moved, seconded by Mr. Wandell, "That the Board votes to have the Clerk sign the dock permit for 43 Canoe Club." Voted unanimously

The public hearing for the Zoning By-law changes has been set for Tuesday, October 6, 2015 at 7:30 p.m. in the Veteran's Hearing Room.

A motion was made and seconded that the Planning Board meeting be adjourned at 9:33 p.m.

The next regular meeting of the Planning Board will be held on Monday, September 28, 2015 at 7:30 p.m.

Respectfully Submitted,

Marilyn A. Zechello-Planning Board Assistant