

APPROVED

**TOWN OF PELHAM PLANNING BOARD
MEETING MINUTES
May 3, 2021**

Chairman Tim Doherty called the meeting to order at approximately 7:00 pm.

The following notice was read aloud “A Checklist to Ensure Meetings are Compliant with the Right-to-Know Law During the State of Emergency” (*regarding access to the meeting*)

Secretary Danielle Masse-Quinn called roll:

PRESENT ROLL CALL: Tim Doherty – present
James Bergeron – present
Danielle Masse-Quinn – present
Cindy Kirkpatrick – present
Alternate Bruce Bilapka – present
Alternate Samuel Thomas – present
Alternate Paddy Culbert – present
Selectmen Representative Kevin Cote – present
Planning Director Jeff Gowen – present

Via Telecommunication:

Roger Montbleau – present via Zoom; no one in the room
Paul Dadak – present via Zoon; no one in the room
Alternate Richard Olson – present via Zoom; no one in the room

ABSENT/

NOT PARTICIPATING: Alternate Selectmen Representative Hal Lynde
Alternate Mike Sherman – not participating

PLEDGE OF ALLEGIANCE

MINUTES

April 17, 2021

MOTION: (Cote/Montbleau) To accept the April 17, 2021 meeting minutes as written.

ROLL CALL VOTE: Mr. Dadak – yes
Ms. Kirkpatrick – yes
Mr. Cote – yes
Mr. Bergeron – yes
Ms. Masse-Quinn – yes
Mr. Montbleau – yes
Mr. Doherty – yes

(7-0-0) The motion carried.

OLD BUSINESS**Case #PL2021-00006****Map 22 Lot 8-117****SBJ Land Holdings – 13 Main Street – Site Plan Review for a Conditional Use Permit to construct proposed 4800 SF Mixed-Use Building and retail office and 6 Residential Housing Units.**

Mr. Bergeron recused himself from the case. Mr. Doherty appointed Mr. Thomas to vote in place of Mr. Bergeron.

Mr. Joe Maynard of Benchmark Engineering came forward to represent the applicant. He informed that they came before the Board about a month ago when this case was accepted for jurisdiction. He stated that it is about a 2.5-acre lot with frontage along Main Street and is also along a private driveway. He noted that it is a nice piece of property with sandy soils, no water tables, and no wetlands on the property. He informed that there is Pennichuck Water available along both Main Street and the private drive and that they would tie that water into both the retail and the residential buildings. He stated that there would be six residential units with two bedrooms each and each unit would have their own septic systems.

Mr. Maynard informed that they had completed the sewer loading calculations for this lot and that the lot could support 2,855 gallons per day. He noted that the retail portion of the property would be allotted 1,055 gallons per day, which would be enough to allow a number of commercial uses, including a small restaurant with up to 40 seats. He informed that the residential portion of the property would have a capacity of 1,800 gallons per day.

Mr. Maynard informed that there is a sidewalk along the private driveway. He explained that as part of their planned improvements, the commercial building would have a sidewalk that would extend out to that private driveway to allow connectivity to the sidewalks associated with the area.

Mr. Maynard then talked about the four waivers he requested and discussed at the previous meeting. He stated that the first waiver was for site-specific soil mapping, which Mr. Keach agreed with them that they could ask for a waiver on this. The second waiver was for the parking island requirement, which stated that when there are more than 20 parking spaces, there should be an internal island between them. He explained that since there are only 20 spaces with ten on each side of the lot, they wanted to ask for a waiver on this. He stated that the third waiver was for a landscape architect but explained that after the last meeting, he sent the plan out to a landscape architect, so he no longer needed this waiver. He informed that the last waiver was for the sewage disposal systems. He stated that Mr. Keach could not weigh in on the waiver but asked that they include the approval number on the notes on the plan set. Mr. Maynard noted that they could have the septic system approved before the plan is approved and signed.

Mr. Maynard then discussed a letter from Mr. Keach that outlined some outstanding issues with the plan that was submitted to the record. He noted that the comments are relatively minor. Mr. Gowan agreed with this, noting that this was short for a first review letter. Mr. Gowan noted that the detention system on the property would not be up to the Town to maintain, so he wanted to ensure that the owners could easily maintain the system.

Mr. Gowan then read the letter from the Highway Safety Committee into the record. The only requirement from the Highway Safety Committee was that the private driveway be named. The Prudhomme's suggested some names, as they felt that they should be the ones to name the driveway, as they are the ones who own it. They suggested Beaver Brook Way, which the Highway Safety Committee found to be in compliance

with the Town's naming guidelines and approved it. Mr. Gowan recommended making a condition of approval be that an agreement be reached and recorded between all parties relying on the private driveway that covers shared maintenance responsibilities.

Mr. Doherty asked where the 8" water line was. Mr. Maynard replied that it would be on the easterly side of the lot and run parallel to the private driveway so that they would not need to impede the private driveway. Mr. Doherty asked if there had been talk about a potential fire hydrant. Mr. Maynard responded that he did not think there was enough pressure for a fire hydrant. Mr. Gowan explained that this is why it would be good for the Fire Department to look at the plan outside of just Highway Safety. Mr. Maynard stated that it was his understanding that they needed to sprinkle the building, which means they would not need a fire hydrant.

Mr. Dadak stated that Mr. Keach highlighted all of the items he wanted to discuss and that it was a very well-written review.

Mr. Doherty was under the impression that they no longer required two waivers. Mr. Maynard clarified that he was only asking to remove one of the waivers on the landscape architect. He stated that he was asking not to put the sceptics in the plan approval because he needs to submit those to the State independently, as they would for a house septic system design. He noted that he could put the approval numbers on the plan set as opposed to adding another seven sheets to the plan set for the site work.

MOTION: (Cote/Montbleau) To approve the waiver for section 302-3.E(3)(a)(23): site-specific soils mapping.

ROLL CALL VOTE: Ms. Kirkpatrick – yes
Mr. Montbleau – yes
Ms. Masse-Quinn – yes
Mr. Thomas – yes
Mr. Dadak – yes
Mr. Cote – yes
Mr. Doherty – yes

(7-0-0) The motion carried.

MOTION: (Cote/Dadak) To approve the waiver for 303-2.A.4: parking island requirements.

ROLL CALL VOTE: Ms. Kirkpatrick – yes
Mr. Montbleau – yes
Ms. Masse-Quinn – yes
Mr. Thomas – yes
Mr. Dadak – yes
Mr. Cote – yes
Mr. Doherty – yes

(7-0-0) The motion carried.

Mr. Doherty asked if it was a normal event to have just the approval numbers for septic systems on the plan. Mr. Gowan replied that he was, and he did not think that it should be a problem. Mr. Doherty replied that he did not have a problem with it either.

Mr. Culbert stated that he wanted all of the septic system designs to be submitted with the plan. Mr. Gowan stated that he understood his point of view but felt it was important to stress that the approval numbers would be on the recordable plan before it was put before the Chair and Secretary to sign. He explained that if the septic system designs had been approved, then copies of those would be in the Planning Office.

Mr. Cote did not believe that Mr. Keach was in favor of the waiver for 303-5. Mr. Maynard replied that Mr. Keach recommended that the permits be received prior to or as a condition of site plan approval and that each resulting permit number be noted on the final site plan. Mr. Gowan added that if they put the approval numbers for all of the septic systems on the plan, then they have demonstrated that the property can support that septic loading.

MOTION: (Cote/Dadak) To accept the waiver for 303-5: for the subsurface sewage disposal (septic) system with the condition that each planned on-site subsurface sewer disposal septic system has these permits be received prior to or as a condition of the site plan approval and then each resulted permit number be noted on the final site plan.

ROLL CALL VOTE: Ms. Kirkpatrick – yes
Mr. Montbleau – yes
Ms. Masse-Quinn – yes
Mr. Thomas – yes
Mr. Dadak – yes
Mr. Cote – yes
Mr. Doherty – yes

(7-0-0) The motion carried.

Mr. Cote thought that the maple trees were possibly too close to the building and to the street. Mr. Maynard replied that he typically leaves that all up to the landscape architect. Mr. Cote stated that guys like himself typically go in to take those trees out after a few years because they become too big for the spot. Mr. Maynard stated that he could look into getting them changed to possibly a canopy pear.

Mr. Doherty opened the discussion to the Public.

Bryce Mikler, who did not state his address, stated that he thought it was a good idea about the canopy pear trees as the root structure of the maples trees over time would have been a concern. Mr. Doherty agreed with that and asked if Mr. Maynard could put something smaller and slower-growing in. Mr. Maynard replied that he would talk to the landscape architect about that.

The case was date specified to May 17, 2021.

NEW BUSINESS

Case #PL2021-00008

Map 17 Lot 12-181-1

DURAND, Derek & Amanda – 966 Bridge Street – Proposed Conditional Use Permit to allow a Detached Accessory Dwelling Unit with a one car garage to be constructed on a 3.6-acre property with existing 3 bedroom Single Family Home.

Ms. Masse-Quinn read the list of abutters aloud. There were no persons present who asserted standing in the case, who did not have their name read, or who had difficulty with notification.

Mr. Joe Maynard came forward to represent the applicants. He informed that the lot is about 3.6 acres in size with a wetland that exists on the eastern side of the property that has a CO buffer associated with it. He explained that the current 3-bedroom singly family home on the lot was constructed around 2005. He stated that they were looking to construct a detached dwelling unit for Ms. Durand's mother. The building would be constructed at the end of the existing driveway towards the eastern sideline. He stated that they were looking for a special exception under article 12. He informed that the proposed structure would be 923 square feet of living area with a one-car garage and porch. He noted that there was an existing well that would serve both the single-family home and the ADU, as it had plenty of capacity for what they were looking to do. He informed that they also have a permitted additional separate septic system for the ADU, primarily because they could not tie the plumbing into the existing system. Mr. Maynard stated that the property owner had the ADU designed to match the character of the existing home and that it has the appearance of a standalone single-family residence. He noted that they feel the proposed placement allows for connectivity to the site driveway, the ability for the proper placement of a septic system, and allows for the detached unit to be relatively close to where the connection is to the well.

Mr. Gowan stated that it was his opinion that the application was complete and worthy of acceptance for consideration. Mr. Doherty agreed with this.

MOTION: (Cote/Montbleau) To accept the plan for consideration.

ROLL CALL VOTE: Ms. Kirkpatrick – yes
 Mr. Montbleau – yes
 Ms. Masse-Quinn – yes
 Mr. Bergeron – yes
 Mr. Dadak – yes
 Mr. Cote – yes
 Mr. Doherty – yes

(7-0-0) The motion carried.

Mr. Doherty asked if this was the first application where a detached ADU was being proposed in a brand-new building. Mr. Gowan replied that there was another one before this. Mr. Bergeron added that the other was off of Mammoth Road, but it was not designed by Mr. Maynard. He added that it was nonconforming and came by way of the Zoning Board.

Mr. Doherty stated that the septic being separated was a nice approach. He asked Mr. Maynard how they were going to approach the well. Mr. Maynard replied that there is a tank in the existing house, and they would tie a line from the existing house to the new building using the same expansion tank. He stated that

they would need to frost protect the line, which would be about a 3/4-inch line running underground between the two dwellings.

Mr. Doherty asked if there would be separate electric meters or if they would both come off the main house. Mr. Maynard replied that he believed the power company would put a separate meter on the structure and believed that they did that with attached ADUs as well. Mr. Gowan replied that was correct. He stated that for both attached and detached ADUs, they typically would put in separate meters. He added that the electrical inspector is not crazy about it but believed that it was lawful to do it that way.

Mr. Bergeron asked if it was on Old Gage Hill Road or Bridge Street because one of the plots showed the lot on Bridge Street. Mr. Maynard replied that it is on Bridge Street but that it used to be 332 Old Gage Hill Road.

Mr. Gowan stated that there was a little bit of confusing wording in the zoning regarding ADUs. He then read aloud the definition of ADUs that he stated that Mr. Bergeron and himself worked on together. He noted that there is some question about the architecture of the structure because it looks like a full-blown second structure on the property as opposed to an outbuilding. He stated how he could see how the definition can be interpreted that way, but his recollection was that the detached dwelling was supposed to look like an accessory structure to the house like a garage or a carriage house or something else of that nature, but if the board is comfortable with the architecture, then that is their call.

Mr. Cote asked if there was a question on the appearance of the structures. Mr. Gowan explained that when they were writing the zoning changes, they tried to figure out how to create wording so that they would not wind up with neighborhoods with multiple houses on single lots. He did not think this would necessarily happen but thought that the Board could be setting a precedent if they approve a structure that looks like a standalone house. He noted that he had this conversation with the architect, but they decided to proceed anyway, which is their right to do. He stated that it was the Board's call if they wanted to make or suggest any changes to the structure or if they are happy with what it is now and noted that he respected the fact that these scenarios can be situational. He added that the dwelling is set back and somewhat buffered so that it might not invite the same kind of scrutiny or criticism from the public. He also noted that he was not criticizing the design because it looked nice but wanted to ensure the Board was comfortable with it.

Mr. Cote stated that he remembered part of the discussion of the detached ADU was that it was for people to create a space for their parents. He stated that a single-story basic entry-level dwelling would make sense for people who are getting older. It was his opinion that it looked great.

Ms. Kirkpatrick stated that one of the issues that she remembered being discussed was that if it was an attached ADU, it would continue to look like one home, and if it was a detached ADU, they wanted to make sure it looked like some kind of carriage house or give it an appearance so that it did not look like a separate home. She stated that based on what was written, it looked okay but did not think that it is what was intended when they wrote the ordinance.

Ms. Masse-Quinn stated that she would think that when constructing an ADU, it should match the original house. She thought it looked great the way it was.

Mr. Doherty asked which view they were looking at the house from on the plan. Mr. Maynard replied they saw it from the front. He stated that the structure would be about 300 feet back from the road. He noted that the structure is tucked behind the CO buffer and so it would be slightly visible from the street, but the architecture does match that of the main house.

Mr. Bergeron stated that this is the third detached ADU that the Board would be acting on. He believed that in each and every case like this, the Board should take an individual merit basis. To him, he thought this suited the definition of the detached ADU. He stated that based on the size of the lot, the distance from the road being situated behind the main dwelling, and that it could easily be buffered made this the best example of a detached ADU they had seen. He thought that it might be wise to revisit the language but did not have any problems with the current proposed plan and liked the way it sat on the lot. He also believed that having some open language in the ordinance could work to their benefit because if someone has a large property and builds a house towards the back property line, the only place for an ADU to go would be in front of the main house, which is what happened in the previous case of an ADU. Mr. Bergeron reiterated that this was the best example the Board had seen of a detached ADU so far. Mr. Cote agreed with him.

Mr. Gowan stated that there could be an opportunity to revisit the language and tweak it. He noted that, as with most zoning, multiple interpretations could come from the wording. He believed that the Board was taking the approach and looking at each case situationally in the context of the lot.

Mr. Doherty stated that the two houses look so similar to each other in a style that people may not be able to distinguish that they are two separate buildings when driving down Route 38.

Mr. Culbert asked if the water came from the same source, do the people living in the ADU pay their own bills when the house is sold. Mr. Maynard replied that the ADU cannot be sold separately from the main house and that it would all be under one ownership as part of the ADU rules. Mr. Culbert stated that there should be something in writing for the shared driveway to make sure maintenance is taken care of. Mr. Maynard replied that it would still be only one owner, so the owner of the property would need to live in one of the units and maintain the property.

Mr. Culbert stated that he was still hung up on the shared water source. Mr. Gowan stated that ADUs, attached or detached, have never had separate water sources. He noted that the owner of the ADU could rent it out to whomever they wished, which is required under the state statute. He noted that this helps with the housing issues in the region. Mr. Bergeron stated that this could also help work towards the end goal of working towards workforce housing. He agreed that this could help bring in additional affordable and workforce housing to the Town.

Mr. Doherty stated that as this is a conditional use permit, they have the leeway to adjust the location and appearance of the ADU if members of the Board felt it was necessary. He noted that he was not suggesting that there was anything wrong with it and actually liked it, but that was an option to ensure that the plan was the best for the Town if needed. Mr. Gowan replied that they also had the authority to determine that it should be an attached ADU and send it to the Zoning Board to do so.

Mr. Doherty opened the discussion up to the Public. No one from the Public came forward, so he closed the discussion to the Public and brought it back to the Board.

MOTION: (Bergeron/Masse-Quinn) To approve the permit as presented.

ROLL CALL VOTE: Ms. Kirkpatrick – yes
 Mr. Montbleau – yes
 Ms. Masse-Quinn – yes
 Mr. Bergeron – yes
 Mr. Dadak – yes
 Mr. Cote – yes
 Mr. Doherty – yes

(7-0-0) The motion carried.

The conditional use permit was approved. Mr. Doherty stated that they would need to work with the Planning and Fire Department, but they are clear to go.

DISCUSSIONS

Discussion of the Master Plan consultant selection process.

Mr. Thomas stated that at the previous meeting, the Board asked him to put together all of the elements of the Resilience and NRPC proposals. He stated that he provided the Board with two documents, the first of which was a pre-vote that essentially showed the scope of work in their requests of proposals. He informed that he tried to take the attributes from both the voting and nonvoting members' comments on both companies and assign numbers to those. He noted that he also put what he thought some criteria for consideration could be for selection, including cost and time to complete the study. He stated that Resilience would cost about \$80,000.00 and take about 14 months and that NRPC would cost about \$32,000.00 and take about 12 months. He urged the members to consider everything and not just the numbers when making their decisions. He asked them to think about what bringing in Resilience, who has never worked with the Town before, might mean, including bringing in some new fresh ideas. He asked them to also consider the personal interaction and ability to meet on-site to work with the community, Board, and Master Plan Committee.

Mr. Thomas stated that the second page he presented to the Board was an update on the "Gant" chart, with the only thing he added was the Planning Board needed to make a decision on which company sometime between May and June. He noted that he would like them to make a decision from a voting standpoint. He noted that they would need to ask the company they were working with for an updated quote, as the original quotes were formed under the assumption that it would start in 2021 rather than 2022, which will need to be tied back into the budget. He stated that they had a minor committee now with both Ms. Masse-Quinn and Ms. Kirkpatrick on it but would need to work on getting some more members come the summertime.

Mr. Thomas stated that while the Board asked for a breakdown for the line items for the cost of each company, only Resilience had a brief breakdown of their cost. He informed that NRPC only noted their final cost of \$42,000.00 with a \$10,000.00 discount, bringing the total to \$32,000.00. He reiterated that the next step would be for the Planning Board to make a decision on which company to go with.

Mr. Thomas stated that they would need some substantial arguments over which company they chose over the other. He asked Mr. Gowan what he thought they should do regarding the budgeting of the Master Plan, as he was a previous Chair of a Master Plan Committee. Mr. Gowan replied that he wanted to leave as little hanging for the Board as possible to deal with absent his tenure as the Planning Director as possible. He thought it would be wise for the Board to decide whom they wanted to go with and inform the companies of where they are in the decision process. Mr. Gowan informed that his department would be working on their budget soon, and the Board should decide if they wanted to create their own budget for the master plan or if they wanted to be included in the Planning Department budget. He noted that the Planning Board does zero-based budgeting, meaning that they have to focus on their contractual obligations and then convince the Budget Committee to allow any extra money for wish list items. He stated that if this comes in under the Planning Board budget, it would go in as a wish list item but thought that a very strong argument could be made about the importance of the master plan and how the statute talks about every five to ten years it should be updated, and they are now past 20 years. He asked the Board to try to reach a consensus on that soon so that they could plan for budgeting.

Mr. Thomas noted to the Board that one of the words he misspelled on his document presented to them was "objectivity." Mr. Doherty stated that it was good he pointed that out because his concern was that in one paragraph it showed a large discrepancy between NRPC and Resilience on objectivity. Mr. Thomas replied that his thoughts were that a new company coming in like Resilience could have a more fresh and open mind. He noted that these were the same numbers he presented to the Board at the April 19th meeting and that they were assigned based on the readings and analysis of the comments made by the members on each company. Mr. Thomas stated that one of the things that stood out to him about Resilience was that they have an opportunity to have a company that does not have a firm and has not worked in Pelham in the past, but has completed work in New Hampshire; meaning they could bring a different viewpoint to the Town.

Mr. Doherty asserted that he thought it was odd that there was such a discrepancy in numbers from one firm to the other on objectivity because the rest of the results were all so similar. He stated that NRPC knows Pelham like the back of their hand, has been working with the Town since they have been in existence and has worked on a previous master plan for the Town. He did not understand why their objectivity was rated so low compared to Resilience. Mr. Thomas stated that he thought they might know too much about the Town, and they might not be able to be as objective when looking at new opportunities. He thought that Resilience could bring a fresh set of ideas and look at things differently. He explained that his assessment was based on the numbers and that sometimes it is better to bring in fresh blood with new eyes and ideas. He compared this to a company in corporate America that had been doing things the same way for 40 years and then brought in a new person with all different viewpoints, enabling the company to expand and open doors they never even thought about before.

Mr. Cote informed that on August 3, 2021, the Planning Department Budget would be presented to the Board of Selectmen, and then on August 23, it would be presented to the Budget Committee. Mr. Thomas reiterated that they needed to decide which firm to go with and what to do about the budget for the master plan.

Mr. Bergeron asked Mr. Cote what his recommendation would be moving forward – if they should go within the Planning Department budget or if they should create their own budget. Mr. Cote stated that they could go either route, but if they decided to go with the Planning Department budget and for some reason, it gets taken out, they could put a warrant article in.

Mr. Bergeron stated that he expected there would be some changes in the budget with Mr. Gowan leaving. He stated that he was heavily leaning towards Resilience because of the independence and the reasons that Mr. Thomas outlined. He noted that everything NRPC has information-wise, Resilience would be at their disposal. He stated that Resilience would have a fresh, unbiased, objective perspective and thought that they would give them something very different than the surrounding communities. He highlighted how Pelham is not like the surrounding towns and wanted to ensure that the Town's uniqueness would be upheld in the next master plan. He believed that Resilience could achieve this, they could be more intimately involved with them in their discussion process with the master plan, and that they would give the Town the best of both worlds with a little more cost. He noted that if they had updated the plan when it was recommended to, they would have spent more money and that this would actually be a cheap comparison because they waited too long to update it. He asserted that it was really incumbent that the Budget Committee and Board of Selectmen realize that this is not something they can drag their feet on and that they need to move ahead in the best possible way.

Mr. Culbert asked if they could poll the board now to see which company they wanted to go with. Mr. Doherty replied that is what they were doing now.

Mr. Cote stated that they had six more meetings before the Budget Committee meeting and thought that it was important to make some decisions as time was starting to slip away.

Mr. Doherty stated that he had the opposite opinion of Mr. Bergeron. He stated that NRPC knew them better than anyone else. He did not see spending an additional forty to fifty thousand when they support NRPC on a variety of other things. He stated that he was leaning more towards NRPC.

Mr. Montbleau stated that he completely agreed with Mr. Bergeron. He felt that they needed an outside group to bring in new ideas. He noted that he was not talking down on NRPC, as they serve a great function and offer lots of support for Pelham. He asserted that he is fully behind working with Resilience. He believed that they would bring a new master plan to the Town that would serve the Town greatly. He noted that he thought that the added expenditure would be well worth it. He stated that they needed to make a decision and move forward with the process. Mr. Montbleau also stated that he believed that they should put the master plan in the Planning Department budget, and if something were to go awry, they could get it on a warrant article for a Town vote. He noted that Mr. Thomas had done a great job on everything. He stated that sometimes a "penny wise is a penny foolish" and that Resilience was the way to go.

Mr. Doherty stated that he was still waiting for someone to give him an example of how Resilience would be better. So far, he stated that he was only hearing a lot of people saying they like to spend more money but no real example of how they think they're going to be better.

Ms. Kirkpatrick stated that she was hung up on the two prices, but what Mr. Bergeron said about being overdue and how they would already be on their second master plan update – the cost does not concern her as much as it did before. She agreed that a fresh set of eyes on the Town would be refreshing and helpful.

Ms. Masse-Quinn stated that everything the other members had said was exactly what she wrote down. She stated that they needed something new and fresh. She noted that she wanted a place that would come into the Town and teach her thing about the Town that she never knew about. She thought that since they were 20 years overdue, then it was well worth it to go with Resilience.

Mr. Dadak stated that he was originally leaning towards NRPC, but after listening to members' comments, he thought a fresh set of eyes on Pelham would be good. He stated that knowing that Resilience has access to all the information that NRPC has makes him think that they could work well together. He asserted that he was leaning towards Resilience.

Mr. Cote state that he was leaning towards NRPC. He did not think a fresh set of eyes was worth the extra money. He thought that NRPC would have plenty of fresh eyes and that they have an intimate knowledge of the region's growth, which is important. He thought it was very important to understand Pelham's context within the region. He stated that the resources available to NRPC would make their cost a little more beneficial than Resilience. He stated that he had not heard an argument to go toward the extra money of Resilience.

Mr. Doherty understood that it was long overdue, but that if a family is overdue for a new car, they do not go towards a Mercedes; they go towards a Pontiac. He stated he is not hearing anything that is going to change his mind about staying with NRPC. He stated that unless someone could give him a concrete reason that Resilience was better, he was going to stick with NRPC.

Mr. Thomas asked why NRPC was so cheap even compared to other companies that were looked at. He noted that they were possibly subsidized by the State, so it is not an entirely fair comparison. Mr. Doherty replied that NRPC would still be less expensive to the Town. He stated that he was not going to tell a reason why and was not going to say it was because the Town pays them dues each year or that it was because they are subsidized by the State, but he does assume that they are getting State money and money from the

Towns. Mr. Doherty asked if they were saying that Resilience would do a better job because they were charging more.

Mr. Culbert stated that he liked Resilience and wanted to walk headlong into the future and thought that Resilience was going to give them that. Mr. Doherty replied that he was still waiting to see an example.

Mr. Bergeron asked Mr. Doherty why he liked NRPC over Resilience, besides the price point. Mr. Doherty replied that NRPC had completed the master plan for every town in the district besides Nashua. Mr. Bergeron asked Mr. Doherty if he liked what was happening in the other towns in the district and if their master plans were working out well for them. He stated that he believed Pelham was a unique Town in the State and did not want to amalgamate into the sameness of the rest of the surrounding Towns. He wants to maintain the uniqueness of Pelham and believed that Resilience could give them the independent directive that NRPC could not give. He stated that he had nothing against NRPC but did not think they were the best architect for the design of a master plan and that a better architect would be an independent company who isn't biased in any way by being a part of that regional amalgamation.

Mr. Montbleau completely agreed with Mr. Bergeron regarding wanting to keep the uniqueness of the Town. He believed that what they would get from NRPC is a boilerplate type of master plan like the rest of the region. He noted that they were very unique and at an important turning point. He thought that the old master plan worked well but that things have changed and they need something more innovative.

Ms. Kirkpatrick stated that she noticed that NRPC had some optional products for an additional cost that that was not included in their budget. She wondered if those things were included in the budget for Resilience and if that was where some of the cost differential was coming from. She wanted more clarity on what exactly they are getting for each company and what the cost would be for that as well as the cost for additional items. Mr. Gowan suggested that they could ask each company to come back.

Mr. Cote asked if Mr. Montbleau if when he worked on the master plan if they went out to bid or if NRPC was the only option. Mr. Gowan replied that he was the one who worked on the master plan with NRPC. He did not recall if they went out to bid, but that NRPC was there and that they already had a great working relationship with them. Mr. Montbleau added that they did not use NRPC when he was working on the master plan but that they followed a process very similar to this one. He stated that it was an eye-opener for him and a great experience that he was drawing on now to tell the Board that having an outside consultant come in to create the master plan could help them achieve a better product than the surrounding towns. He noted that he was not trying to spend more money, as that would only mean more taxes, which no one is a fan of, but stated that he was all for a good master plan for the right reasons like Mr. Bergeron was stating and for the people who are going to live in this Town to raise families. He noted that people get what they pay for. He stated that he was not happy with what was going on in Hudson and did not want to move towards that. He firmly believed that they should move forward with Resilience.

Mr. Thomas stated he could ask for a current copy of the master plan that each firm has written for them to review and ask them to come in and give a presentation to help them choose. Mr. Montbleau added that if they do that, they should also see if Resilience would be willing to negotiate their pricing.

Ms. Kirkpatrick stated she was still unclear on what product they would be getting when the project was completed. She wanted a more detailed description of what was included in these costs so that they could figure out if it was worth the extra money or not.

Mr. Bergeron stated that they had not gone with NRPC in the past for other things, so this was not a unique idea. He urged members to consider the quality of the product. He thought it would be a good idea to read copies of master plans from each company to compare them.

Mr. Doherty noted that if the Board were to go with Resilience and it were to get turned down, they could always fall back on NRPC.

Mr. Cote reminded the Board that the new school was just voted in to go on the budget and that other projects were also going into the budget. He stated that this would ultimately go to the Budget Committee. Mr. Gowan added that Department Heads usually try to get as much as they can into their operating budgets and that the Budget Committee is likely to suggest that this should be on a warrant article as opposed to an operating budget regardless of what they decide.

Mr. Culbert asked what was going to happen next. Mr. Thomas stated that he would ask both companies the questions that Ms. Kirkpatrick asked, ask for a current master plan from both companies in the price range of their quote, and ask them to come back to the Board to address why they should be chosen for the project.

Discussion of establishment of PB subcommittee to focus on Workforce Housing ordinance development potentially for Dec/Jan public meeting for 3/22 ballot.

Mr. Doherty informed that when they last met, they had a couple of members look to see what was out there for ordinances that they might be able to tailor for Pelham regarding workforce housing.

Mr. Cote informed that he had done a lot of research on the matter. He noted that there was so much wording that they could add-in. He stated that it was difficult to discuss it all in one meeting, as there was so much information on it. He noted that one thing they could do was to put limits on the percent of required workforce units in a development. Mr. Doherty replied that then builders could say they need a lower percentage of workforce units to make it worth it for the builders, so that could end up completely doubling or tripling the density in some areas. He thought it would be better to look at workforce housing district per district rather than a broad stroke across the whole Town.

Mr. Cote stated that there were numerous types of workforce housing development opportunities, from ADUs to five-story buildings. He stated that so many different things could be done based on the different sectors of the Town; it only depended on how intricate of an ordinance they wanted to make. He informed that one of the most common things he saw was inclusionary zoning. He then read aloud sample wording stating: *"at the Planning Board's discretion, the applicant may be required to submit project cost estimates including land development and construction costs, financing profit, and sales cost and other cost factors."* He noted that workforce housing units should be mixed in with the rest of the build to ensure that people would not know which units were the workforce housing units.

Mr. Doherty stated that he asked the Zoning Administrator if she would go on record to look into Article V Permitted Uses in the zoning. He stated that because of the way the ordinance was written, there was much to be interpreted. He thought it would be best to include the words "workforce housing" into the allowed uses table. He stated that he wanted to make sure they only allowed workforce housing in reasonable locations and would not want it to be allowed in the industrial zone. Mr. Gowan agreed with this and noted that the State statute required that workforce housing need to be allowed only in the majority of the residential housing districts. Mr. Doherty stated that it was his contention that, as of right now, workforce housing would be allowed in the industrial zone. He reiterated that he thought the words "workforce housing" should be on the table for next year, regardless of if they create a separate ordinance for it.

Mr. Gowan stated that he was a fan of the inclusionary zoning and thought that finding a good example on that would be a good start, but that it should not be a one-size-fits-all. He recommended that members

explore inclusionary zoning ordinances from different communities, as those have the most “wiggle room” for boards.

Mr. Doherty stated that all indications for inclusionary housing were leaning to the residential district, where there would most likely be a requirement of maximum units per acre. He noted that would not work in the other districts, as they are already at a much higher density. He stated that they needed to be able to have the words “workforce housing” as a permitted use in those other districts. He stressed the importance of needing an inclusionary zoning ordinance for the residential district again.

Mr. Gowan stated that the Board should look for language that is simple enough to give them wiggle room to adjust where necessary. He stated that it would be better off to find examples from communities that have had a few projects built under their ordinance, so they can ask those places what worked well for them. He noted that just starting with the wording is dangerous without looking at examples of what that wording might yield.

Mr. Doherty stated that another problem they had was the height restriction in Town that limited them in what they could build for workforce housing.

Mr. Cote informed the Board that he booked the Conference Room across from the Assessor's Office for Thursdays on May 27, June 10, June 24, July 15, and July 29 at 7:00. He noted that he would send an email to the Board with those dates. He added that if other people were interested in participating, they could get the word out to them. His intention was to not have anything in August and reconvene in September to have something to present in October to be ready for December.

Mr. Doherty asked Ms. Masse-Quinn if she had done any research. She stated that she had. She noted that she had mainly looked into inclusionary and innovative land use ordinances from numerous neighboring Towns. She noted that her top example was currently Londonderry’s ordinance, adding that it was one of the best towns to start with when looking for examples. She noted that she looked at a total of eight other towns, which all had very different ordinances, as Mr. Cote has mentioned. She stated that if they could pull a little bit of information from each town, it would be a good place to start. Mr. Cote agreed that Londonderry had a really good ordinance and that it would be good to look into several different ordinances to pull language from.

Discussion regarding changes to Land Use Regulations.

Mr. Gowan informed the Board that he went through the existing Land Use Regulations and suggested some language. He stated that he found it to be very much on point with a lot of what the Board had been talking about for a while with raising the bar for developers when it comes to stormwater in a way that will satisfy the EPA in terms of the regulations being touched up. He stated that he would stop a project immediately if they did not have any erosion controls in place. He added that this would give the Board and the Town much more “teeth” with regard to being sure that there are no unintended negative consequences with developments.

Mr. Gowan stated that he saw the two biggest issues with the regulations as the MS4 requirements and that they still had language referring to the old conservation subdivision. He stated that the MS4 needed to be done by June and that a public hearing had to be had on it. He asked if the Board could be ready to discuss the changes at the next meeting, then they could set up the public hearing. He stated that he took all of the language in reference to the old conservation subdivision regulations out and went back in to highlight some other topics. He noted that he also struck out any references to the seacoast, as they are not a seacoast town and did not think that it was appropriate to be included there.

Mr. Cote asked why agricultural and forestry practices were exempt from stormwater management requirements. Mr. Gowan replied that it was except under State statute but did not think that it meant that they had free reign.

Mr. Gowan asked if they could devote a chunk of time to the following meeting to discuss the changes to the Land Use Regulations. He stated that the public hearing rules for land use regulations are the same for zoning changes.

Mr. Doherty suggested that the Board accept the changes that Mr. Gowan proposed for pages 54 to 65 to initiate the process of a public hearing on that section so that they could remove the language of the conservation subdivision to match their current zoning. Mr. Gowan replied that they also need to get the MS4 updated on the books by June; otherwise, they would be in violation of year three of the stormwater permit, which would be an issue for the Town. He noted that he did not want to leave all of this for his successor and that the public hearing needed to be no later than the second meeting in June.

Mr. Cote asked if they could have a public hearing during the first meeting in June in regards to everything. Mr. Doherty replied that he was open to whatever the Board wanted to do. Mr. Gowan stated that this was urgent and asked the members to read through the changes and try for a first public hearing on the first meeting of June. He reminded that he would be leaving in June, but he could get everything set up for that public hearing. Mr. Cote stated that he did not think it was much to ask for members to be ready by the first meeting in June.

DATE SPECIFIED PLANS

May 17, 2021

Case #PL2021-00006 – Map 22 Lot 8-117 – SBJ Land Holdings – 13 Main Street

June 7, 2021

Case #PL2021-00005 - Map 30 Lots 11-157, 11-158, 11-162, & 11-163 – CROOKER, Kevin & Constance & TERRY, Angela – 2 & 4 Andover Street and 3 & 5 Methuen Street

First Public Hearing on the Land Use Regulations

ADJOURN

MOTION: (Montbleau/Dadak) To adjourn the meeting.

ROLL CALL VOTE: Mr. Cote – yes
 Ms. Masse-Quinn – yes
 Mr. Montbleau – yes
 Mr. Dadak – yes
 Ms. Kirkpatrick – yes
 Mr. Bergeron – yes
 Mr. Doherty – yes

(7-0-0) The motion carried.

The meeting was adjourned at approximately 10:27 pm.

Respectfully submitted,
Jordyn M. Isabelle
Recording Secretary