

APPROVED

**TOWN OF PELHAM PLANNING BOARD
MEETING MINUTES
November 15, 2021**

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

Ms. Masse-Quinn called roll call:

PRESENT ROLL CALL:

Tim Doherty – present
Roger Montbleau – present
Danielle Masse-Quinn – present
Bruce Bilapka – present
Cindy Kirkpatrick – present
Hal Lynde - present
James Bergeron – present
Jennifer Beauregard – present
Jennifer Castles - present

**ABSENT/
NOT PARTICIPATING:**

Kevin Cote
Paul Dadak
Paddy Culbert
Samuel Thomas

Mr. Doherty assigned Mr. Bilapka to vote.

PLEDGE OF ALLEGIANCE

Mr. Doherty announced and read a letter from Mr. Dadak, as to his resignation to the board. Mr. Montbleau spoke of Mr. Dadak's importance to the town and the board over the past 30 years. He thanked him, spoke highly of his work and that he will be missed. He asked if the board would entertain a motion to have Mr. Culbert step in as an active member until the March elections. Mr. Doherty read the RSA 673:12 regarding vacancies.

MOTION: (Mr. Montbleau/Mr. Bilapka) To appoint Mr. Culbert to the board until the next election.

VOTE: (7-0-0) The motion carried.
Mr. Culbert is now an official member of the board and no longer an alternate.

MEETING MINUTES

Ms. Masse-Quinn had the following change to the November 1, 2021 minutes: Line 134, add the word 'suggested' and delete the word 'change'. Mr. Lynde said on Line 60, to add the words 'letter from' before the initials SFC. Line 169, to add the word 'it' after the word 'put'.

MOTION: (Mr. Montbleau/Ms. Kirkpatrick) To approve the November 1, 2021 meeting minutes as amended.

VOTE: (7-0-0) The motion carried.

Case #PL2021-00028 – Map 39 Lot 1-103 – 4 Jones Road Realty Trust, Michael Farris, Trustee – 4 Jones Road

Ms. Masse-Quinn read the list of abutters. Mr. Carl Dubay introduced himself and Michael and Jennifer Farris introduced themselves. Mr. Dubay said this was an already approved two-lot subdivision that lapsed due to COVID. There was a variance on Sherburne Road with an old, unused driveway on it. Jones Road is a private road, but the town does maintain portions of the road. There is an existing house on this lot and they already have approval to subdivide the lot into two lots. They would take the driveway from Sherburne Road and move it over to Jones Road, as this is a safer solution. There is work being done by a WCD permit to remove a driveway stub and to put in a new one and to restore areas in the WCD. There were two waivers, one for an existing well for the radius over the lot line and the second was for the 15,000 s/f box that was in a setback.

MOTION: (Mr. Bergeron/Ms. Kirkpatrick) To accept this plan for consideration.

VOTE: (7-0-0) The motion carried.

Mr. Montbleau asked how long this plan lapsed for. Mr. Dubay said due to COVID things got delayed and they forgot all about it. He said the plans are the same and they are looking to reapply now. Mr. Dubay said there is an existing swale between the road, but it is not being impacted. Test pits have been witnessed by the town already. Mr. Doherty stated he had a page dated October 25, 2021, stating there are waivers requested and asked Ms. Beauregard if these are current. Ms. Beauregard said she's looked it over and said he did look up the current waiver numbers and the numbers would have to be corrected on the new plan.

MOTION: (Ms. Kirkpatrick/Ms. Masse-Quinn) To accept the following waiver for consideration: Section 203-1 (B.2) to allow for minor areas of the 15,000 s/f building envelope rectangles in the front setback and the WCD.

VOTE: (7-0-0) The motion is carried.

The well in question is an existing well and would reduce the impact of moving the well. The new well radius would not conflict with the existing lot.

MOTION: (Ms. Kirkpatrick/Ms. Masse-Quinn) To accept the waiver for consideration for: Section 203-1 (B.4) to allow for a well radius to extend beyond the property line.

VOTE: (7-0-0) The motion carried.

Mr. Lynde asked where the existing well was located and Mr. Doherty said page 3 of 9 shows the existing well and said the new lot shows a new well within the lot. Mr. Doherty opened it up to the public. No one spoke.

MOTION: (Ms. Kirkpatrick/Mr. Montbleau) To approve the waiver for Section 203-1 (B.2) to allow for minor areas of the 15,000 s/f building envelope rectangles in the front setback and the WCD.

VOTE: (7-0-0) The motion carried.

MOTION: (Mr. Montbleau/Ms. Masse-Quinn) To approve the waiver for Section 203-1 (B.4) to allow for a well radius to extend beyond the property line.

VOTE: (7-0-0) The motion carried.

Mr. Doherty talked about the overall plan and that it would also need a special permit. Mr. Dubay said on page 9, there is a detailed scale of the two WCD areas and there is no wetland impact. There is a removal of an old driveway on Sherburne Road, and they would restore that area. There is WCD impact for the new driveway and there is 14 feet of pavement. They moved the driveway further from the wetland already. Mr. Doherty asked Ms. Beauregard on 307:40, he asked if the conservation committee was involved on the original plan. Ms. Beauregard said it was prior to the board approving it the first time. Mr. Dubay said they already worked with them on approving these changes. Mr. Montbleau said he originally approved this before and said there were no new changes, so he would be okay with approving this tonight. Mr. Doherty asked him to change the dates on the plans and update the waiver numbers. Mr. Dubay said that he would revise them, redate and make notes of all those. Ms. Beauregard said the notice of decision would need to be on the recordable plans and that this would also need Board of Selectmen approval for approval of the driveway on the private road. Mr. Bergeron also recalled this plan and would have no problem with supporting the approval of the plan. Ms. Beauregard said to vote on the special permit separately prior to the plan. Mr. Doherty asked if they would suggest to the selectmen to approve the driveway on the private road. Mr. Bergeron said the board of adjustment unanimously voted to grant them waiver requests and gave him a two-year run if they had issues. He asked if the board would be willing to extend the timeframe as well.

MOTION: (Mr. Montbleau/Mr. Bilapka) To approve the special permit.

VOTE: (7-0-0) The motion carried.

MOTION: (Mr. Montbleau/Mr. Bilapka) To approve the plan with the date changes.

VOTE: (7-0-0) The motion carried.

MOTION: (Mr. Montbleau/Mr. Lynde) To recommend to the Board of Selectmen to accept the driveway location on the private road.

VOTE: (7-0-0) The motion carried. Mr. Lynde will notify the Selectmen of that.

MOTION: (Mr. Bergeron/Ms. Masse-Quinn) To extend their time frame from one to two years.

VOTE: (7-0-0) The motion carried.

Case #PL2021-00029 – Map 39 Lot 1-72 – 13 Jones Road

Ms. Masse-Quinn read the list of abutters. Mr. Carl Dubay introduced himself and Michael and Jennifer Farris introduced themselves. Mr. Dubay said this is an existing lot where the Farris's live and there is a smaller house on the water on this lot as well. They would like to rebuild this house and turn it into a detached ADU on the existing lot. He included a checklist on the plan. There is currently a single-family dwelling on the lot and there is an ADU conversion with the square foot conversion and they will keep this under 1000 s/f. They are finishing up with the state now regarding the shoreline permitting. They will obtain a new septic permit and it will pump away to an enlarged system that is on the right, upper side of the lot. The existing septic will be updated to accommodate this. The fifth item is the

characteristics, and they will discuss that. The lot is at least 1.5 acres of non-hydric soils and there are no slopes that exceed 20%. All setbacks defined are met, Section 307-12. This will improve the building that is currently there.

MOTION: (Mr. Montbleau/Ms. Masse-Quinn) To accept the plan for consideration.

VOTE: (7-0-0) The motion carried.

Mr. Montbleau asked what the existing structure there is now. Mr. Farris said it used to be a house, which isn't used as a house now, so it's just a wood-framed structure. He said it was owned by a couple that used it during the summer. He said it did have its own septic. Mr. Montbleau asked if he plans on pumping it to the new location. Mr. Farris said the plan is to have a pump station up to the existing system on his lot now. Mr. Montbleau asked if it will be two floors. Mr. Farris said it's currently one floor but wanted to go to two floors and it will stay on the existing footprint. Mr. Farris said he would put in a new foundation. Mr. Montbleau asked if he will use any of the old house. Mr. Farris said it is a tear down, so no. Mr. Dubay said there is a new septic design in the application. Mr. Montbleau asked where the pump will be. Mr. Dubay said it will be in the rear and the existing well will be removed and they would tie into the newer well and meet the DES criteria. Mr. Montbleau asked if all the water will go into this tank. Mr. Dubay said it will be a dual compartment, sealed tank and will be a 1,250-gallon size tank. It will go into an expanded leach field, and it is more than 250 feet from the lake. Mr. Dubay said it will comply with the shoreland protection. Mr. Dubay said he detailed the septic clearly on the new plans. Mr. Dubay said they won't need a 4K area, as it's not a subdivision, but they would need to meet the leach field criteria with a separate reserve area, per the town of Pelham. This would handle the two-bedroom ADU, plus the four bedrooms in the existing single-family residence. This would be for a six-bedroom system. Mr. Montbleau asked if the living space will be on top. Mr. Dubay said the living space will be on both floors and won't be more than 1000 s/f, excluding the garage which is not living space. The space over the garage will be cold storage and not finished square feet. There are large porch areas facing the lake. Mr. Dubay said there is about 960 s/f of living space. The garage would be used for storage for a boat and equipment. The first floor would have a kitchen and living area behind the garage and the second floor would have two bedrooms with a covered, wrap around porch. He said that the second floor should show two bedrooms and that the one bedroom on the plan is a typo. There is storage showed and this won't be heated and will be changed on the plan to show unfinished, storage area. Mr. Dubay said the town will inspect the plan before occupancy permit is issued, so it will meet all the criteria. This new plan matches the existing footprint of what is there now. Mr. Montbleau asked what the square footage of the storage room would be. Mr. Dubay said it is about 26x9, so about 230 s/f. Mr. Montbleau asked what the difference in elevation will be. Mr. Dubay said now there is a single-story cottage, and the new building height is about 32 feet. Mr. Dubay said there will be no storage above the second floor. Mr. Bilapka asked if the living square footage on the first floor is the same as on the second floor. Mr. Dubay said it's probably not. Mr. Bilapka said it comes up to about 1100 s/f with quick math and this would be over the 1000 s/f feet rule for an ADU. Mr. Farris said the living space was made to make the 1000 s/f rule. Mr. Dubay said if you look at the out dimensions, it shows under 1200 s/f, but the measured living space doesn't include the porches and garage. Mr. Bilapka said the square footage of what they are showing is over the 1000 s/f. Mr. Bergeron asked if the applicant said that the new structure will not exceed the footprint of the existing structure. Mr. Dubay said that was their intent. Mr. Bergeron said this will be scrutinized by shoreline protection very well. Mr. Farris said the living square footage on the first floor is 21x26 and the second is not the same, as it is 22x26. Mr. Dubay said they will abide by whatever the board and the town requires of them and also the shoreline protection will make them certify the house will not be larger than the current footprint. Ms. Beauregard said it is the actual inside walls that they go by, but will verify with the building inspector. Ms. Kirkpatrick asked about there being no driveway showed on the plan and asked if there will be any driving to this building. Mr. Dubay said if they did, they would have to go back to the board and go to shoreland protection to file

again. As of now, they did not intend of having another driveway. They would just make an extension off of their current, existing driveway. Ms. Beauregard asked if they've spoken to the fire department regarding them having access to this house. Mr. Farris said they could use the current driveway, as it's not that far. Mr. Dubay said that would be a first, as most ADU's don't have driveways and the regulations say that they need enough parking, which they would. Mr. Dubay said they would consult with the fire department upon obtaining a building permit. Mr. Bergeron asked if this would be year-round. Mr. Dubay said yes, it would be. Mr. Bergeron said that they need to look into the driveway materials that are used. Mr. Farris said that the fire department could use his brother's driveway for access to this new house. Mr. Bergeron asked if he would need to apply for a well radius easement for the 100-foot setback because of the uptick to six bedrooms. Mr. Dubay said it is showed on the septic design. Mr. Doherty opened it up to the public. Mr. Joseph Farris, 15 Jones Road, introduced himself as a brother to Richard Farris and is a direct neighbor. His driveway is only 30 feet from the house in question and thinks that the fire department could use that for access to the ADU. He is all for this plan, as the house that is there now is unsightly and he would be happy if it got approved. Mr. Bergeron said it's not always easy to get driveway easement's set but doesn't think there would be an issue getting to this property. Mr. Dubay said there could be a condition on the fire department requirements. Ms. Beauregard said this will also have to go to the Board of Selectmen for a new dwelling to be on a private road. Mr. Montbleau asked if the one bedroom was a typo. Mr. Dubay said yes, it will be a two bedroom, as everything was applied for as a two-bedroom. He will have that amended on the updated plan. Mr. Montbleau asked what the storage will be used for and will the storage be used as a bedroom. Mr. Farris said no and that he also discussed this with Roland Soucy, who is the building inspector for the town, and he said that it will be inspected. Mr. Farris said they want to build a house for their family to live there and spend time there. They want to repurpose this structure not to be excessive, but to be useful. Mr. Montbleau asked what they will store there. Mr. Farris said they need more storage. Mr. Montbleau said the town had upped the square footage to 1000 s/f to allow more space in the ADU's. Ms. Masse-Quinn liked the idea that this is for their family, as an affordable option. Mr. Lynde asked how far back this building is from the pond. Mr. Dubay said it is about 20-25 feet from the pond. Mr. Lynde asked if the existing septic would be used. Mr. Dubay said that is correct and there will be a new system. Mr. Lynde asked if the total living space is both on the first and second floor. Mr. Dubay said yes, it's about half of the first floor plus the second floor and does not include the porches, garages or storage. Mr. Dubay said the Farris family has been in Pelham for many years and do a nice job on their projects. He confirmed for Mr. Lynde the first floor is about 21x26. Mr. Lynde asked about the bedroom and including the storage and he said that shows about 1300 s/f and he asked how wide the storage is. Mr. Dubay said it's about 9 feet. Mr. Lynde asked him to take a look at that. Mr. Dubay said the plan will be cleaned up and recertified with their architect to make the dimensions clearer. Mr. Doherty commented on the building and appearance and said they did a great job with that and asked if it could be seen from Sherburne Road. Mr. Dubay said it will not be seen. Ms. Beauregard said she made notes that it would be subject to receipt of state permits including septic, well waiver and shoreland protection, fire department review and approval of access and building plans and confirmation by building inspector that the living area does not exceed 1000 s/f. Mr. Lynde wanted to make sure it did not exceed the 1000 s/f.

MOTION: (Ms. Masse-Quinn/Ms. Kirkpatrick) To conditionally approve the plan with the conditions stated by Ms. Beauregard.

VOTE: (7-0-0) The motion carried.

MOTION: (Ms. Masse-Quinn/Ms. Kirkpatrick) To recommend to the Selectmen for a new building to be permitted on a private road.

VOTE: (7-0-0) The motion carried.

ITEM #4 Presentation by Ryan Friedman, NRPC to present the buildout analysis.

Ryan introduced himself as the senior GIS planner with the Nashua NRPC. Back in August he presented the base scenario for building as much as the ordinance allowed by zone. There were mostly single-family homes in that analysis. He wanted to provide two more scenarios to the board. He said after conversations with Ms. Beauregard that they wanted to focus on senior housing. He said the current ordinance allowed a 10-acre scenario and he also showed a 20-acre scenario. So, he changed all the lots from single family housing to senior housing. The number he came up with for a development rule was four units per acre. He would keep the size and shapes of the parcels as they are, so wanted everyone to keep that in mind. He displayed the map to the board and showed examples. He showed that 40 units could be built on that parcel. He also showed where 70 units could fit on the parcel. He also showed maps of the 20-acre parcels for senior housing and how they became denser. He showed the 10-acre scenario as well. Currently he is working on compiling the results and requested more feedback from the town. He spoke about senior housing being different in the sense of if there were 2,800 new buildings equal 8,100 new people in town. The number is lower versus the number for single-family home population. If all the homes were single families, the number of students would increase. If the homes were senior housing, the student number would be lower. He asked if the board had other indicators that they want him to look at. He mentioned that police and fire calls are also affected by this. He said his report is due to the town by the end of the year and he wants to work quickly to have this finished. Mr. Doherty asked about the 10-acre parcel for senior housing and would this bring the most houses to town. Mr. Friedman said yes, assuming they are detached units. Mr. Doherty said the population would be less and would this be like a ghost town. Mr. Friedman said no, that it would be full vacancy. Mr. Friedman would look into how many calls there were to the fire department and collect that data. Mr. Doherty asked what the tax base would be on the senior housing versus non-senior housing. Mr. Friedman said he would ask for the current tax rate and check with the assessor to see the difference. Mr. Lynde asked if he'd taken into account that they have rescinded a zoning requirement for over 55 and over 62 housing and asked if he'd taken this into account in his data. Mr. Friedman said these are scenarios the town had asked him to work on. Mr. Lynde was surprised at the numbers, as he thought we were running out of space. Mr. Friedman showed all the land that was available. Mr. Montbleau asked about the student population dropping. Mr. Friedman said the numbers are added totals, not new, as he doesn't have the current enrollment. With senior housing, the number of children will go down. This isn't meant to be a prediction, only a scenario. Mr. Montbleau said that now that this isn't on the books, what would the buildout be for single family homes and or open space subdivisions. Mr. Friedman said he hoped we were entertaining it, because that's the scenario he worked on, as that's what he heard from the town. Mr. Doherty mentioned that we had asked to bring back the senior housing and asked how this would affect the town. He mentioned about how the town could counteract the workforce housing issue with the senior housing. Ms. Beauregard asked if he was getting enough information that he needed to follow through. Mr. Friedman said he would follow up with her. Ms. Kirkpatrick mentioned that she thought it would be helpful to look at other town buildouts. Ms. Masse-Quinn mentioned she had an issue with comparing other towns to our town, as they weren't really relevant. She mentioned she's talked to some town residents, and some said they would like to see the senior housing come back. Their concerns were their own aging parents and having to take care of them and wanted them to be close. Mr. Montbleau asked if anyone remembered why they got rid of the 55 and over community. Mr. Bergeron thought it was because it was considered discriminatory housing. Mr. Doherty mentioned it was because of a development that was built on the hill that was an eyesore. Mr. Bilapka asked if it was due to a lawsuit. Mr. Lynde said it was because of the Nashua Road development that was terrible looking. Mr. Lynde said they are losing school population and that young families can't afford to live here. Mr. Montbleau mentioned that out of town people were coming into the over 55 communities and that they needed a younger group coming into the town. Mr. Bergeron asked if Mr. Friedman knew what was happening in other communities with age restricted housing. Mr. Friedman did not know but said it would all be on the NRPC website. Mr. Montbleau said there was an imbalance in the housing market in the past. Mr. Doherty said he'd heard that with age restricted housing versus workforce housing, that if either or is

wanted, then you can't really have one or the other because younger families really can't afford to live here. He said that if building is going to continue, the developers can't build what they can't sell, so there really needs to be a mix. He'd like to see more opportunities for people to live in town and afford it. The senior housing was thought of as an offset to the workforce housing in town, due to the current lawsuit against the town. Mr. Lynde mentioned there are some nice age-restricted housing developments currently in town. Ms. Masse-Quinn said it is about the demand in the town now. She said workforce housing is meant to give housing to municipal workers and to young professionals. Pelham is much smaller than other towns, so it is difficult, because there is no demand to balance it out. Mr. Montbleau asked what the balance would be in a town like this. Mr. Friedman said it would be a matter of putting scenarios and assumptions into models to find a balance. He said what would help is that he could give the rate per type of building they are looking at and he would do that. Mr. Lynde mentioned that he did an analysis of increasing businesses in town and said we were better off with more people moving into the town. Mr. Doherty said that senior housing has to be done through an ordinance and workforce housing does not. He suggested that in the future to make certain parcels not to be developed if they are unsightly. The town needs to look closer at the models. Mr. Friedman will be in touch with Ms. Beauregard and turn something in by the end of the year.

ITEM #5, Discussion of potential changes to the Zoning Ordinances

Ms. Masse-Quinn asked about a question on page 6 to Ms. Beauregard. Ms. Beauregard said she was asking the question of, if they wanted wording similar to that of multifamily dwellings in regard to the additional 10,000 s/f for each bedroom in excess of 10. And that elderly housing had a minimum acreage of 10 with a minimum of 5 acres of contained contiguous non-wetland area. Is there a minimum area they'd like to establish. This was regarding workforce housing and there was 5 acres put there. Elderly and senior housing required a 10-acre minimum, so did they think that workforce housing should require that also and should there be a threshold for non-wetland areas as well. Ms. Kirkpatrick asked if they should remove the elderly housing wording. Ms. Beauregard said yes, it will be removed. Mr. Doherty thought it was a good idea. Ms. Beauregard said if they require an additional 10,000 s/f of land area for bedrooms in excess of 10 for multifamily dwellings then workforce housing should have a similar requirement. Ms. Beauregard said they should want some sort of usable area. Ms. Masse-Quinn was looking for what other towns use. Mr. Bergeron said to change the elderly out and the three asterisks below and leave it at 10,000 feet for every additional bedroom. Mr. Doherty said now the minimum lot size for workforce housing is lot is 217,800 s/f or 5 acres. This was already decided at a previous meeting. Mr. Bergeron asked what determines the number of units. Ms. Beauregard said they don't have that yet. Ms. Masse-Quinn had the report for Mason, NH and they had 10 acres listed. She said that most towns she looked at were either 5, 10 or 20 acres. Mr. Bergeron said it was the number of units on each acre. Most of the towns had one acre per unit and this wasn't very restrictive. Ms. Beauregard asked where to put that language. Mr. Bergeron said that Ms. Masse-Quinn has been researching this for the board. Mr. Doherty said we are trying to cover the law. Mr. Bergeron said it would be one unit per one acre and they need to know the minimum acreage to start from. Mr. Doherty said right now the table says 5 acres and asked if they wanted to increase that. Mr. Bergeron asked what could go wrong with the scenario of increasing the parcel. Mr. Doherty said the larger the parcel, the less pieces of land that are available in the town. Mr. Bergeron said if they allow senior housing on 10 acres, they could allow workforce housing on 10 acres. Ms. Masse-Quinn said most of the towns she's researched have started with a 10-acre parcel. Mr. Doherty wanted to know if the board would allow it to be 10 acres, which is 435,600 s/f. Ms. Beauregard said that is what they had for elderly housing. The board was in agreement to making it 10 acres. Mr. Doherty asked if they want to remove the words 'elderly housing' or change it to workforce housing. The sentence would read 'Workforce housing developments must have a least 10 acres that leaves 5 acres of contained contiguous non-wetland area'. The board was in agreement. Mr. Bergeron asked about the setbacks and reminded the board that the 100 feet setbacks came from the elderly housing. Mr. Bergeron asked if it would be reasonable to put 50 feet setbacks for the side and rear and 40 in the front. Mr. Doherty said on a 10-acre lot, this is three times the size of the multi family. Ms.

Beauregard said the multi family setbacks now are 40, 30 and 30 and this is the same as commercial. Ms. Kirkpatrick said she feels that 30 or 40 feet isn't very far from an abutter. She would be for more than that for a setback, such as 100 feet. Mr. Doherty said it would be more mathematically easier to develop if it was 100 for the front and 75 for the setbacks on the sides and the rear. Mr. Bergeron recommended they need to do some more math on this at the next meeting, before this has to be finalized. Mr. Doherty said there could be special permits involved with this also. Mr. Bergeron said that Mason, NH had the best language using common sense with room to work. Mr. Doherty said he wouldn't go much lower than 75 on the sides and the rear. Mr. Bergeron asked if Mr. Friedman would give them the graphs from the buildout analysis. Ms. Beauregard said that he would now that he had presented it. Mr. Doherty said it would be on a case-by-case basis and won't be a stand-alone ordinance and they just need this to cover the law. Mr. Doherty asked if the board wants to make the rear and side setbacks to 75 and the front at 100. Mr. Bilapka asked if it can be moved because it's innovative land use. Mr. Doherty said that yes, there is that ability. Mr. Bergeron said to leave it at 100 and he will do some math. Mr. Bergeron said that the development on Mammoth Road has 100-foot setbacks. Mr. Bergeron said at the next meeting, himself and Ms. Masse-Quinn will talk about the asterisks on the 100 feet after they read about other towns. Mr. Bergeron said there must be a minimum as well as a maximum on the setbacks. Mr. Doherty said it is not a standalone ordinance and they're not going to do that. Ms. Masse-Quinn said that the research they've been looking through at other town's zoning, that they reference workforce housing all throughout their zoning. They also do set the minimum setbacks and acre lots. Ms. Beauregard said they do need standards. Mr. Doherty said they will need to vote on this at a public hearing. Ms. Kirkpatrick suggested they give it one more meeting to do more research. Ms. Masse-Quinn will bring some materials in for the board to look at. Ms. Beauregard said that legal will have to review this before it goes to public hearing. Mr. Doherty said they are running out of time. Ms. Beauregard said she could send what they have up to this point. Mr. Doherty doesn't want to see nothing at all go on the ballot. Mr. Bergeron said that Ms. Beauregard should send it to legal now and not suggest anything and see what comes back. Mr. Doherty and the board agreed to do that. Mr. Doherty moved to the ADU by conditional use permit as discussed at the last meeting. He asked Mr. Bergeron if he read section 307.74. Mr. Doherty asked if they wanted this in their zoning as a matter of right to do ADU's instead of going to the ZBA. Mr. Doherty read the additions to the general requirements of the Accessory Dwelling Units per RSA 674:71-73. Ms. Beauregard got that from looking at language from other towns. Ms. Beauregard said now this is under Article 12, special exceptions, but doesn't know if it will need to be reorganized. Mr. Doherty asked what the process is now for an ADU. Ms. Beauregard said now there is criteria under special exceptions, the applicant comes into the planning board if it's detached. If it's attached, it goes to the zoning board. If it meets the criteria, they have to approve it, but if it doesn't, they can't approve it. The planning office makes sure before hand that they meet the criteria, so they aren't wasting their time. Once they get to the zoning board, it is just a formality. Ms. Beauregard said it makes sense for the planning board to designate a zoning administrator or the building inspector for what they see fit. The criteria would be the same under the proposed wording, but they would get the permit from the planning office instead of going to the zoning board. Mr. Doherty asked if the RSA allows this to be done. And could they just go into the planning department, and they could authorize the permit instead of going to the ZBA. Ms. Beauregard said now under the innovative land use ordinance, which is 674:21 II, it says the granting of conditional use or special use permits by the planning board, board of selectman, zoning board, or such other person or board as the ordinance may designate. So, the board may designate somebody other than them to issue the conditional use permit or special use permit. Mr. Doherty said right now it is the ZBA. Ms. Beauregard said right now it's under a special exception, not innovative land use. If it got changed then it goes under the planning board. Mr. Bergeron asked if they took page 11 and used ADU's and put 'P' across there and took out the 'S' then they could see that they meet the criteria and then issue a permit. Mr. Bergeron said it could be done quickly with the criteria that is there now and would be by permit. The way it is now, the planning board can say it is up to the building department. Mr. Bergeron asked if that would have to be done every year. Ms. Beauregard said no, once it's in your zoning it's there. She said to look at letter (G), as this deems who is responsible for issuing

the permit. Then they can make sure all of the criteria are listed on the permit and are all met. Ms. Masse-Quinn said that would alleviate zoning and go back to planning board. Ms. Beauregard said yes, or to the building inspector or the code enforcer. The building inspector would have to look at it, as they issue the permits. Mr. Bilapka said that would alleviate some caseloads for ZBA. Ms. Beauregard said the best way would be through a conditional use permit. Mr. Doherty said that if that language was added then the table would also get changed to 'P'. Ms. Beauregard said or 'C' or 'CUP' for conditional use permit. Mr. Bergeron said to get it out of the special exceptions. Mr. Doherty said that it would be permitted but would still want to add that language and asked when they talk to counsel, can they also show them this proposal. Mr. Doherty asked if anyone had any objections. Mr. Bergeron said that when he mentioned this at the zoning board, the chair had something to say, but he doesn't know what that was. He said that if it didn't meet the criteria it would have to come for a variance. Mr. Doherty said according to a chair of the ZBA, anybody can ask for any variance they want. Mr. Bergeron said not if it was put under new language, and it would work towards workforce housing. Ms. Beauregard wondered if when asking legal, is it a conditional use permit and would it still be innovative land use. She said they may have to come to the planning board. Mr. Bergeron would like to hear what legal would say. Mr. Doherty said that if the ADU's will be done under RSA 674:21, which is innovative land use, and the applicant is over the square footage, then we might have to allow that. Mr. Bergeron and Mr. Bilapka agreed that the case presented tonight was over the square footage allowed, like 11,000 s/f and the drawing wasn't very specific. Ms. Beauregard tried to clarify (F) and asked for any input. Mr. Doherty liked the addition. Ms. Beauregard wanted to clarify the look of the outside of the structure. Everyone agreed on sending this to legal. Mr. Doherty mentioned a gentleman in the public and welcomed him to come up. Scott Sawtelle from Pelham introduced himself and stated that he was interested in joining the planning board. Scott lives on Spring Street and has lived in Pelham for 15 years. He is interested in how the town works and thought this was a good place to start. Mr. Montbleau asked him about his background. Scott said he has been doing printing for most of his life and has some construction and flooring experience. Mr. Doherty stated he uses the trail systems in town. Scott said he has never been on any boards in the town. Mr. Bergeron asked if they were down three positions at this time. Mr. Doherty said the only alternates now are Mr. Bilapka and Mr. Thomas. Mr. Doherty said he needs to submit an application. Ms. Beauregard confirmed they have the position posted and the applications would go to her. Mr. Lynde asked how many years were left on Mr. Dadak's term. Mr. Doherty said it expired in 2023. Mr. Culbert was appointed until the next election and there will be three seats available at that time, two three-year terms and one one-year term. Mr. Doherty and Ms. Kirkpatrick's terms will be up then and then there will be a one-year continuation from Mr. Dadak. Mr. Bergeron said they will have to see what Mr. Culbert will decide to do. Mr. Doherty asked Scott if he would be able to make the meetings. Scott said yes, he would. Mr. Bergeron said there are some helpful courses that are offered that he could take. Mr. Doherty mentioned that this is a completely voluntary position and not to take anything from any applicants. Mr. Montbleau asked what the next steps would be for him. Mr. Doherty said he needs to submit an application and then the board would vote. Ms. Beauregard said there have been no applicants at this time. Ms. Beauregard said Mr. Cote emailed her saying Mr. Paul Grant will no longer be able to be the NRPC representative. He asked her to make it known and that they would be accepting applications for that position until November 26. Once that point is reached, they will have to nominate somebody to the Selectmen. Ms. Masse-Quinn asked if a planning board member can run for that. Ms. Beauregard did not know but could find out. Mr. Lynde said he is a NRPC representative, so yes, you can be.

ADJOURN:

MOTON: (Mr. Montbleau/Ms. Kirkpatrick) To adjourn the meeting.

VOTE: (7-0-0) The motion carried.

The meeting was adjourned at approximately 10:25 PM.

Respectfully submitted,
Jennifer Castles
Recording Secretary