

APPROVED
TOWN OF PELHAM PLANNING BOARD
MEETING MINUTES
January 3, 2022

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
Danielle Masse-Quinn – present
Bruce Bilapka – present
Kevin Cote – present
Hal Lynde – present
Scott Sawtelle – present
John Spottiswood - present
Samuel Thomas - present
James Bergeron – present
Kerry Zelonis – present
Jennifer Castles - present

**ABSENT/
NOT PARTICIPATING:**

Jennifer Beauregard
Roger Montbleau
Paddy Culbert
Cindy Kirkpatrick

Mr. Doherty appointed Mr. Thomas to vote for Mr. Culbert, Mr. Spottiswood to vote for Mr. Montbleau and Mr. Sawtelle to vote for Ms. Kirkpatrick.

PLEDGE OF ALLEGIANCE

MEETING MINUTES

Mr. Lynde had the following changes to the December 20, 2021, meeting minutes: Line 193 add an 's' to the word 'say'. Ms. Masse-Quinn had the following changes: change the meeting start time from 7:00 PM to 6:55 PM, Line 40 change the word 'committee' to 'board' and Line 45 to delete the words 'as' and 'and'.

MOTION: (Mr. Cote/Ms. Masse-Quinn) To approve the December 20, 2021, meeting minutes as amended.

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

PUBLIC HEARING

Notice is hereby given in accordance with RSA 675: 3 - 7, the Pelham Planning Board will hold a second public hearing to discuss zoning amendments proposed for the 2022 Town Meeting. This public hearing shall take place on January 3, 2022, at 7:00 pm at the Pelham Town Hall, 6 Village Green, Pelham, New Hampshire. The proposed amendments being discussed are described as follows:

- 1. Pelham Planning Board DRAFT zoning change to add language throughout the ordinance to show where Workforce Housing is permitted and to allow it by means of a Conditional Use Permit. Changes are proposed in *Article III, Section 307-12, Table I – Table of Dimensional Requirements; Article III, Section 307-13, A, Article V, Section 307-18, Article XII, Section 307-73 and Article XII, Section 307-74.***
- 2. Pelham Planning Board DRAFT zoning change to amend *Article XII, Special Exceptions to allow attached Accessory Dwelling Units to be allowed by means of a Conditional Use Permit issued by the Zoning Administrator rather than by a Special Exception obtained by the Zoning Board of Adjustment.***

Mr. Doherty read the legal notice that was sent out regarding this second public hearing. The first section is regarding adding workforce housing to our zoning ordinances and the second section is regarding special exceptions to accessory dwelling units. All of this information is available either at the Town Hall or online. There would be a vote tonight. If there would be a question on the ballot stating, “Are you in favor of the adoption of Amendment number (per Selectmen), as proposed by the Planning Board for the Town of Pelham to amend the Pelham Zoning Ordinance Article II, Section 307-6, Definitions; Article III, Section 307-12, Table 1 – Table of Dimensional Requirements; Article III, Section 307-13, A, Article V, Section 307-18, Table 2 – Principal Permitted Used by District; Article XII, Section 307-73; and Article XII, Section 307-74 to clarify that Workforce Housing is permitted in all districts in which residential dwellings are permitted with the exception of the Rural District as consistent with the requirements of RSA 674:59”. The second question would be “Are you in favor of the adoption of Amendment number (per Selectmen) as proposed by the Planning Board for the Town of Pelham to amend the Pelham Zoning Ordinance Article XII, Special Exceptions to allow attached Accessory Dwelling Units to be allowed by means of a Conditional Use Permit issued by the Zoning Administrator rather than by a Special Exception obtained by the Zoning Board of Adjustment.” Mr. Doherty said at the last meeting they adopted to have some of the things go through the way they were worded, and this second hearing is to talk about things that weren’t addressed and some potential changes that were discussed at the last meeting. Mr. Doherty noted the following changes that are being addressed and these changes are all highlighted in yellow on the ‘Draft Zoning changes for the 2nd Planning Board Public Hearing’ document. The first is to remove the sentence with the three asterisks for Elderly housing. In place of that, the following would be added ‘436,600 sq. ft. is the minimum total parent parcel size. Workforce Housing dwellings shall be single-family or duplex dwellings and have separation of 30’ (feet) minimum between buildings.’ Under Table 1, the following will be added under five asterisks ‘Workforce Housing Developments shall contain a minimum of 10,000 sq. ft. per bedroom.’ Under 307-13, removing the word ‘and’ in two spots. The following would be added: ‘Every new Workforce Housing Parent Lot in the residential district shall contain 217,800 contiguous square feet of non-wetlands’ and ‘and 217,800’ in two spots, after 55,000. In Article 5, Table 2, for Accessory Dwellings Units Attached would remove ‘S’ and add ‘CUP’ in its place under R, B (1-4), B (5) and Ru. CUP stands for Conditional Use Permit. For Workforce Housing ‘CUP’ would be added in the table in the Districts R, B (1-4) and B (5). Under Article 12, add the words ‘Conditional Use Permits &’. Under 307-73 General Requirements, the following would be added: ‘Conditional Use Permits. Unless otherwise specified, the Planning Board is hereby authorized to issue conditional use permits for an

innovative design that would require waiver or modification of the lot and yard standards of the zoning district(s) in which the proposal is located. The Board may allow waiver or modification subject to the following: 1. The proposal design or development is compatible with surrounding neighborhoods/area. 2. Strict conformity with standards poses an unnecessary hardship to the applicant and the waiver would not be contrary to the spirit and intent of the ordinance. 3. Specific circumstances relative to the proposal, or condition of the land on and around which the project is proposed, indicate that the waiver or modification will properly carry out the spirit and intent of the ordinance. 4. That the waivers or modifications requested are necessary to accomplish the purpose of the section.’ Section B. would have the words ‘Special Exceptions’ added, and the words ‘Zoning Board of Adjustment’ added. Under Section 307-74, remove the words ‘General Requirements’ and add the following: ‘Accessory dwelling units shall be permitted by conditional use permit anywhere the use requested is listed as being permitted by conditional use permit in Table 2 or elsewhere in this ordinance, for the district in which the use is requested. No accessory dwelling unit may be constructed within or added to any single-family dwelling (whether attached or detached) without a Conditional Use Permit having first been applied for and obtained from the Pelham Planning Board or its designee pursuant to RSA 674:21 and until a Building Permit therefor has been applied for and obtained and in compliance with the applicable provisions of Article XII of the Pelham Zoning Ordinance.’ The words ‘and NH RSA 674:59’ to be added. ‘and to provide “reasonable and realistic opportunities for the development of Workforce Housing” would be added. Under Definitions, remove ‘or attached to’ and add the following wording ‘attached, detached’ And add the following ‘Every accessory dwelling residence that meets the rental housing criteria of RSA 674:58, IV shall be deemed a residence of workforce housing for purposes of satisfying the municipality’s obligation under RSA 674:59. Under letter F, add the following ‘in the case of an attached ADU’ and ‘in the case of a detached ADU’. Under letter G, delete the words ‘shall be’ and ‘rather than by Special Exception’ and add the following ‘can be allowed by a Conditional Use Permit approved by the Zoning Administrator’. Under Article II, Definitions, 307-6, to add the following: 1. Affordable: As defined in RSA 674:58 (I) “Affordable” means housing with combined rental and utility costs or combined mortgage loan debt services, property taxes, and required insurance that do not exceed 30 percent of a household’s gross annual income. 2. Area Median Income (AMI): is the median income of the Metropolitan Area or County as set forth in either the HUD Metropolitan or Non-Metropolitan Fair Market Rent Area to which the Town of Pelham belongs, as is established and updated annually by the United States Department of Housing and Urban Development. 21. Multi-Family Dwellings: Multi-Family Dwelling Units means a building or structure containing three (3) or more dwelling units, each designed for occupancy by an individual household. 22. Multi-Family Workforce Housing Dwellings: As defined in NH RSA 674:58 (II) “Multi-Family housing” for the purpose of workforce housing developments, means a building or structure containing 5 or more dwelling units, each designed for occupancy by an individual household. 30. Workforce Housing: As defined in RSA 674:58 (IV), “Workforce housing” means housing which is intended for sale and which is affordable to a household with an income of no more than 100 percent of the median income for a 4-person household for the metropolitan area or county in which the housing is located as published annually by the United States Department of Housing and Urban Development. “Workforce Housing” also means rental housing which is affordable to a household with an income of no more than 60 percent of the median income for a 3-person household for the metropolitan area of county in which the housing is located as published annually by the United States Department of Housing and Urban Development. Housing developments that exclude minor children from more than 20 percent of the units, or in which more than 50 percent of the dwelling units have fewer than 2 bedrooms, shall not constitute workforce housing for the purposes of this subdivision.’

Mr. Cote noted that we would not be voting on the changes to Article II, as those were voted on at the last meeting. Mr. Doherty said he had just re-read all of the changes. Mr. Bergeron asked about Section 307-74 and Mr. Doherty re-read the changes, noting the word ‘therefore’ was the correct wording. Mr. Thomas noted the correct spelling of the word ‘therefore’ and there needed to be an ‘E’ added to the corrections. Mr. Doherty asked the board if they wanted to vote on these individually or the changes in

their entirety. Mr. Cote and the board agreed to vote on it as one item. Mr. Doherty opened it up to the public. No one spoke. Mr. Bergeron asked Mr. Doherty to tell the public why those changes were added and to explain this wording. Mr. Doherty explained that the Planning Board had been working on this for 6-9 months in order to meet the State RSA's that govern workforce housing. He said that the Town needs to prevent a builder's remedy because we didn't have the words 'workforce housing' due to it being removed two years ago by ballot petition. Now the wording has to be back in there, so we are in compliance with the Housing Appeals Board. He said they want to make sure the Planning Board stays involved. Mr. Bergeron commented that we are fortunate that we have two Selectmen that attend these meetings and mentioned they do a voter's informational ballot to inform the voters. He asked that they carefully explain to the voters that this is necessary language. Mr. Cote agreed and said the best way to approach it, is to have the Planning Board put wording together prior to voting and then send that out to the public. Mr. Lynde said that he would like the Planning Board's input of the wording and then they will go from there. Mr. Doherty asked for review and input from Mr. Thomas, Ms. Beauregard and Ms. Masse-Quinn.

MOTION: (Mr. Thomas/Mr. Cote) To approve the language to the zoning amendments for the ballot.

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

Mr. Doherty asked where the language goes that explains everything to the voters. Mr. Cote said that it all goes on the voter's guide and not on the warrant article. Mr. Doherty asked Ms. Masse-Quinn to get him an old voter's guide and she said she could get one to him. Mr. Lynde said Article II and III would be the warrant articles. Mr. Bergeron asked if this was a Planning Board approved warrant article and are the selectmen aware of any petition warrant articles. Mr. Cote said that deadline was mid-December, so that is closed, and he was not aware of any. Ms. Masse-Quinn asked about when the Selectmen present the warrant articles, if members of the Planning Board could be at that meeting and go up and explain it more. Mr. Lynde said he thought they should be allowed to do that. Mr. Cote agreed that would be the best way to do it, for the Planning Board members to submit the language and then the Selectmen can submit that wording to the board. Mr. Doherty mentioned that these are Selectmen representatives to this board, and they can't really answer for the Selectmen. Mr. Cote agreed, but also said as representatives they will take the language that the Planning Board recommends and present it to the Selectmen. Mr. Bergeron asked if they thought it was wise for Planning Board members to be at that annual town meeting. Mr. Lynde said they are welcome to attend and should be there, as they are all part of the town. Mr. Doherty said he felt very comfortable with Mr. Lynde and Mr. Cote fielding any questions that may come up, as they have been a big part of this process. Mr. Cote asked Mr. Bergeron what forum he is asking about. Mr. Bergeron said the town meeting. Mr. Lynde said the first meeting is public, where things are discussed, and people can ask questions. The jobs of the Selectmen are to answer questions and if they have to refer to Planning Board members, then they will. That is called a deliberative session. Mr. Cote said his experience was that those sessions go very quickly, and it is mostly an opportunity for budget reconsideration. He said at that point, the warrant articles are already written, as well as the voter's guide had already been sent out. He said tonight's meeting was the forum for that discussion. Mr. Bergeron just made a point that this is very critical, and he thought everyone should be well aware of these changes. Mr. Lynde said the way it works is the moderator runs the meeting, then note the Articles, then appoints someone to talk about it. Mr. Cote said either himself or Mr. Lynde can speak to those issues and wasn't sure if a member of the planning board can get up and speak. Mr. Doherty had never seen that happen and said maybe they can get up as a member of the public and speak. Mr. Doherty said people can contact the planning department if they have any questions.

MASTER PLAN UPDATE by: Mr. Thomas and Ms. Masse-Quinn

Mr. Thomas thanked everyone for the opportunity to present an update on the Master Plan. He said this started in November of 2020 and members of the CIP decided it was time to take a look at the plan. They noted it was 19 years past due for an update. He said he is the chair and Ms. Masse-Quinn is the vice-chair. They chose the company, Resilience to do this plan for the town. They are trying to give visibility and transparency to what the Master Plan is to the community. The members of the planning board on this sub-committee are himself, Ms. Masse-Quinn, Mr. Bergeron and Mr. Montbleau. They are going to present this to every committee and to every board and/or facility in town. He passed around a packet to the board members. He said currently they have nine applicants, not including the current four members. Ms. Masse-Quinn read off the importance and what a Master Plan is for a town. She said it is a vision for the town and a strategic plan for the town's next ten years. It talks about the town's growth, addresses the needs of the town, identify opportunities in the town and to identify challenges and risks. It also provides the legal basis for ordinances, site plan review regulations and innovative land uses. The court system relies on a town's master plan when making decisions. The NH RSA 674 sets forth the statutory outline for the Master Plan. The NH RSA 674:1 states the duties and regulatory powers lies within the planning board to create and or update the Master Plan. The NH RSA 674:2 states a Master Plan must include 2 mandatory sections (a vision and a land use section). The NH RSA 674:3 paragraph 2, states revisions to the Master Plan are recommended every 5-10 years and ours was 19 years overdue. Pelham's Master Plan history showed that there were ones created in 1966, 1981, 1992 and 2002. In September 2021, the rewrite of the Pelham Master Plan was endorsed by the Board of Selectmen and the Budget Committee. On August 2, 2021, the Planning Board voted in favor of hiring Resilience Planning and Development, LLC to create a new Master Plan. In September 2021, the Planning board voted in favor of the formation of a Master Plan sub-committee. Mr. Thomas said the Master Plan had been approved and is part of the planning board's budget. This has been approved also by the Board of Selectmen and the budget committee. It will go before the town vote in April and he doesn't know yet how it will be written, but it will be contained within the planning department. He went over the key elements of the plan and how they will work with Resilience on those once the process begins. The project will not start until April, once they get the vote from the town. Resilience was the company that everyone agreed on, out of the five companies they looked into. The choice came down to them and NRPC. They've since had a call with Resilience, who will prepare a Gant chart showing a time activity and the plan itself, which will take 14 months. It will start in April of 2022 and be complete in June of 2023. Mr. Thomas said they are a very professional organization with experience in NH and he is very confident they will deliver what we are looking for. He said the sub-committee will most likely meet with Resilience twice a month. They will give us weekly updates and then the updates will go to bi-weekly and then monthly. He is hoping the sub-committee will be diverse enough and will have experts in all the areas and he noted that this will be an 'advisory' committee. The Master Plan will be written by Resilience and the sub-committee will make sure all objectives are understood. Timelines will be created and reviews will be done. He said that the sub-committee will update all the other committees during the entire process to relay all the information to them. Ms. Masse-Quinn added that our old Master Plan lacked many of the facilities in town, such as the Hobbs Center and American Legion and others. They will make sure that this new plan will be all inclusive and get everyone in the community involved. Mr. Thomas said they will review their task lists and once they give us a final report, they will make sure it is readable and understood by the public. He said they are going to meet with the school board and try and recruit two or three students for this committee. They are doing this because children really are the future of this town. He said the committee will consists of about 8-10 core members, but more are welcome as a peer group review. The sub-committee will review all of the applications submitted. There will be some meetings in February and March to prepare before the town meeting. He suggested to Ms. Beauregard to draft up a contract for Resilience to look at and agree upon prior to them signing. He envisions the meetings will be at least twice a month or maybe one per week, but he isn't sure. He said they are trying to create enthusiasm for members to join and become involved. He said on January 10th they are meeting with the Hobbs Center, on January 12 they are meeting with the Conservation Committee, on January 18 they are meeting with

the Board of Selectmen and on February 16th they are meeting with the school board. They are also reaching out to the VFW and American Legion, the ZBA and will try to hold a public meeting as well. Mr. Bergeron asked if they have reached out to other schools, other than the public schools. Ms. Masse-Quinn said she has already reached out to Crossroads school and the home-schooling families (which there are 365 home schoolers currently in town). Mr. Bergeron asked if the Pentecostal school is for high school or younger age children only. Ms. Masse-Quinn said she is looking into that. Mr. Doherty mentioned that there is a student at the Crossroads school that has been before this board and was very impressive and said he would be an ideal candidate. Mr. Bergeron said he would try and talk to the director from Crossroads and try to get at least one or two students from that school. Mr. Cote mentioned that instead of going to all of these committees and/or commissions to maybe encourage one person from all of those committees to come to these sub-committee meetings and then report back to their committees. Ms. Masse-Quinn said that is their ultimate goal and they are trying to get at least one person involved to report back to their own commission. She said that they want every commission to be a part of this, because they are all so important to the town. Mr. Cote mentioned maybe they should reach out to the utility companies, such as Pennichuck, to give reports on what the future may look like. Ms. Masse-Quinn said they will be a part of it. Mr. Bergeron said he hoped that Resilience will really look into that as well. Mr. Lynde said they've done a great job with this so far. He also mentioned they can ask the committee members as to what they see within their own committee of what the future looks like. Example, like the forestry committee and then have them give the sub-committee that input. Mr. Thomas said they are hoping that each committee will do a SWAT analysis within their own internal groups. Mr. Lynde mentioned the group, Pelham Community Spirit, and said they should be on the list. Ms. Masse-Quinn said they are on the list as well as the library, transfer station and that she has a long list of others to sit down with. Mr. Cote asked if they intend to hold this in a public forum. Mr. Thomas said yes, they would. Mr. Doherty commented about the current inflation and asked if they are prepared for an increase in pricing for this plan. Mr. Thomas said that they have in writing with Resilience that there will be no price change or increase and they will have it completed within 14 months. The contract will be signed after the town vote.

ADJOURN

MOTION: (Mr. Cote/Mr. Spottiswood) To adjourn the meeting.

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

The meeting was adjourned at approximately 8:22 PM.

Respectfully submitted,
Jennifer Castles
Recording Secretary