

APPROVED

**TOWN OF PELHAM PLANNING BOARD
MEETING MINUTES
September 12, 2022**

Chairman Tim Doherty called the meeting to order at approximately 7:05 PM.

Ms. Masse-Quinn called the roll:

PRESENT ROLL CALL:

Tim Doherty – present
Jim Bergeron - present
Roger Montbleau – present
Danielle Masse-Quinn – present
Paddy Culbert - present
John Spottiswood – present
Bruce Bilapka - present
Hal Lynde – present
Samuel Thomas – present
Joe Passamonte – present
Scott Sawtelle - present
Jenn Beauregard – present
Jennifer Castles – present

ABSENT/

NOT PARTICIPATING:

Kevin Cote
Jaie Bergeron

PLEDGE OF ALLEGIANCE

NEW BUSINESS

Case #PL2022-00028 Old Bridge Street – Per RSA 231:158 Liberty Utilities is requesting approval for a vegetation maintenance project along Old Bridge Street, which is designated as a “Scenic Road”.

Heather Green from Liberty Utilities introduced herself. She is the vegetation manager for Liberty Utilities, and she said they do cycle work every 4-5 years for safety and reliability for their customers. She said the PUC 307-10 sets the guidelines for what the clearance should be and the RSA 231:158 is regarding the scenic road discussion and approval. She said they come through and the PUC requires them to do their best to obtain 15-feet over the primary conductor, 8-feet to the side and 15-feet below. Best practice is to flat cut so they can have minimal work in the future. She said they write the work up in the conductors and then they contact the property owners for their permission. She said the actual permission for the work happens at a property

level. She said today she is here for the ‘scenic road’ portion and any tree that is 5 inches or greater is something they would call a removal and identify. Anything that is less than 5 inches in diameter is considered brush and would be flat cut. She presented a list of work and there are no proposed removals at this time, it is only pruning and flat cutting. She said she looked at the work before she came and there are some good, young, 6-inch trees that would be good removal in the future, but not necessary at this cycle. If the funding and scope of the work is there in 5 years, she will present that then. She is looking for approval to continue this work.

Mr. Doherty asked if it was customary for her to approach the individual homeowners for their opinions on what to do with the trees? She said there is state law that requires them to obtain the consent of all customers prior to work. She said they use door hangers, phone calls and mailers. She said they work with the customers to minimize and adjust the work that is planned as long as it’s safe and reliable. She said the customers point out their concerns as well.

Mr. Jim Bergeron asked about their asking of the abutters? She said it is in process and there is a 45-day consent, and that timing should be coming up soon with these abutters. She said they are in the middle of that process now.

Mr. Thomas asked if Liberty has a program to plant new trees if large trees are taken out? Ms. Green said they are not removing trees in this project on Old Bridge Street. She said they don’t have a removal/replacement type of program here, but last year they did the energy saving trees with Pelham and they gave out 100 trees to the customers of Pelham. She said they hope to do that again. She said they are looking into that and education for appropriate vegetation that would be sustainable and not conflict with the wires. Mr. Thomas asked if they cleared an acre of property and took trees out and put new trees in, what percent is determined for that process? She asked if he was asking if that was in the context of general land management or adjacent to the conductors? Mr. Thomas asked if she was involved with that? She said it depends on the site conditions and what their goals are. She said if anyone has any questions with vegetation near their conductors, she encourages them to contact her company. Mr. Thomas asked who that contact was? She said it is the customer contact number and she can get that number for us.

Mr. Doherty asked Ms. Beauregard to explain why this is a case on the board tonight. Ms. Beauregard said the statute requires that they obtain written consent of the Planning Board, or any other entity deemed appropriate. It is because it is a ‘scenic road’ and because of the Abbott Bridge as well. Ms. Beauregard said she would write a letter on Mr. Doherty’s and the board’s behalf and send it to Liberty Utilities with our approval.

MOTION: (Mr. Montbleau/Mr. Bilapka) To allow the Planning Director to sign on behalf of the Planning Board.

VOTE: (6-0-0) The motion carried.

MEETING MINUTES

Ms. Masse-Quinn had one change to the August 15, 2022 meeting minutes. Line 148, to replace ‘these’ with ‘that’ and to remove ‘that’ after the word residents.

MOTION: (Mr. Montbleau/Mr. Bilapka) To approve the August 15, 2022 meeting minutes as amended.

VOTE: (6-0-0) The motion carried.

Mr. Doherty reiterated to Mr. Jim Bergeron and the board that all the votes tonight will be 6-0-0 votes, as they are missing a Selectmen's representative.

Case #PL2022-00009 Map(s) 7 & 8 Lot(s) 9-94 & 9-95, 9-96, 9-153-3 MENDES, David – 51 Hayden Road – Seeking approval to consolidate 4-lots and then to re-subdivide into 15 single-family lots.

Mr. Doherty said that they just received an updated plan that Mr. Gendron handed out. Mr. Shayne Gendron introduced himself with Hebert Associates, representing David Mendes. Mr. Gendron said they are taking five lots, combining them and then subdividing them into 15 single-family lots. There is 1,400 feet of linear roadway, 24 feet wide with closed drainage. He said they've been working through Mr. Keach's comments and have gotten to a point where Mr. Keach is satisfied before he came back to the board. He said they are asking for a special permit because they have about 10,456 s/f of temporary impact for some detention area and wet pond for the drainage. Originally, they were trying to use a more innovative approach for drainage with less impact to the WCD, but it was maintenance hungry that would've gotten handed off to the town at some point.

Mr. Gendron said it would be onerous for the town to maintain what they were proposing, so they came up with something more robust and with less maintenance.

Mr. Gendron said they are now proposing a wet pond component in the drainage that will treat the stormwater for sedimentation. For that wet pond, they are looking for the 10,456 s/f of temporary WCD impact. He said they did submit a special permit for this but was unable to go in front of the conservation commission prior to this meeting. He said they can go in front of them and get comments from them. He said if the board would consider a conditional approval, then they will go to conservation to take care of any issue they may have with the special permit. He said this is a common approach to drainage.

Mr. Gendron said they will be using Pennichuck Water for this subdivision, and this is from Monticello Drive, which is off of Mammoth Road. The water line was extended from there, down Simpson Road to Wildwood Estates and then into this development. There will be no individual wells. There will be individual septic systems on each lot. He said he is guaranteed water and that will help with the fire suppression as well.

Mr. Gendron said he presented this project to the Highway Safety committee and the road will be named Haystack Circle. He said there were no major concerns with the project from the fire department.

Mr. Gendron said there are waivers for this project. He said they are trying to be low impact and as far as the drainage is concerned, they will design each lot at the time of building permit. He said he will incorporate innovative design for storm water. He said on sheet 16, there are infiltration trenches along the driveway and drip-edge details to take care of water on the lots. He said that will most likely be the approach they will use but will do this on a lot-by-lot basis. He said that Mr. Keach would be reviewing all of these on a lot-by-lot basis.

Mr. Doherty opened it up to the public. No one spoke. He closed it to the public.

Ms. Masse-Quinn said the only waiver she had that was accepted for consideration was Section 203-1B.2 for a building envelope. Mr. Gendron said that is still on the table.

Mr. Gendron read the following waivers: Section 203-1.C of the land use regulations to allow Lot 9-96-1 to be configured as a double frontage lot. He said this is an existing duplex on Hayden Road. He said Mr. Mendes worked with one neighbor to extend the road up so eventually the road can extend for future development. That lot has frontage now on Hayden Road and will have frontage on Haystack Circle and will require the 2-acres. Section 203-5.B3, to allow less than 3 feet of cover for the length of pipe at the beginning of the road between CB1 and CB2. He said they used 15-inch ADS between all of the basins except these basins in drain manhole 1, where he went to a 15-inch RCP. He said the design engineer went over this with Mr. Keach and didn't have any issues with it. Section 203-1B.2, deals with the 15K building envelop on Lot 9-94-10. This lot is on a curve and that abuts the powerline easement. The lot is 1.9 acres and the building envelop is narrow and not typical in shape. There is room for a septic/4K and a house, but it's not a typical lot shape.

Mr. Keach introduced himself as the town engineer and mentioned his letter dated September 8, that is contained in the file. He read as follows:

Comment #1: page 1, there is a single state permit required for this application, that is DES subdivision approval that has been received.

Comment #2: page 2, the applicant proposes to serve new lots with Pennichuck Water. He wants a clarification note on the plan to show the existing farmhouse on the 8-9 parcel and that the duplex lot is and will continue to be on private wells. He would like that shown on the plans.

Comment #3, he recommends bonding.

Comment #4, single zoning matter that was raised by Mr. Gendron. Mr. Keach said the road drains now in a northerly direction from the cul-de-sac at the southerly end of Haystack Circle to an area near an intersection between the new subdivision road and Hayden Road. An earlier design had it running parallel with Hayden Road after going through a hydro dynamic separator, which is an innovative storm management measure. He said this is good at removing particulate matter and some hydrocarbon from the stormwater stream. He said that requires a tremendous amount of maintenance and even a contract with a supplier and this would be onerous for the town to maintain, as it's a public road. He has asked for a more traditional form of drainage that doesn't require that type of maintenance and expense for the town. He said there is an intermittent stream that flows under Hayden Road and the new proposal is to pipe the accumulated stormwater from the closed drainage system to a stormwater area. He showed this on the map to the board. He showed where the stormwater management basin would be and that it is a typical basin with a four bay treatment component and stormwater treatment system. This will go back to the stream and ultimately go under Hayden Road. This is a standard practice and there are many in the town. They are less expensive to maintain. He said in his comments from May 11, 2022, this would necessitate a request for a special permit that wasn't part of the original proposal. He said that is why Mr. Gendron hasn't approached the conservation commission yet about this. This needs a special permit for the WCD impacts.

Mr. Keach said under planning and design there is nothing spectacular. He said this is a good set of plans. Comment #3, with a quarter of the water coming in from Wildwood, it is possible for the land surveyor to devise easements for Pennichuck to install and maintain their systems. He said those are shown graphically on the plans and he asked for those to be defined by meets and bounds. He said on top of page 3, this refers to a waiver per Section 203-1B2 requires each lot to have a 15,000 s/f building envelope with qualifying land with not less than 75-feet of a

horizontal dimension at any location. Sheet 14 for lot 9-94-10 has an irregular geometry per Mr. Gendron's earlier comments. This is also due to the adjacent high tension power lines. Sheet 14 shows the conceptual lay out and it also shows an improved septic system and appears reasonable, and he agrees that the applicant be granted a waiver for this lot. Sheet 14 shows a very ordinary, larger lot in the division and all land on that lot is flat and usable. He said in order for the applicant to meet the horizontal requirement for the new street, this lot got pinched. The 15K on the lot is all usable land and this lot, septic and design meet the spirit and intent and is a very buildable lot.

Mr. Keach's remark #7, has a waiver with the double frontage lot. This lot is a lot of record that is affected by this subdivision. There is a dwelling on the lot with frontage on Hayden Road. The back of the lot will also have frontage on the cul-de-sac on Haystack Circle and would derive no benefit from that. He didn't use the word waiver, because as the regulation is written, it discourages that. He said a waiver is stronger than what is actually needed.

Mr. Montbleau asked if he was looking to come off Hayden Road for that lot? Mr. Keach said there is already a dwelling on that lot and showed the board this lot on the map. Mr. Keach said the existing home is out near Hayden Road with its driveway on Hayden Road.

Mr. Keach said his 8th remark deals with the lots he just spoke of, and the one immediately to the north of it. He said Mr. Mendes took the lots in the middle out about six or seven years ago and when he did that, some of the existing historical right of way on Hayden Road enjoyed less than 25 feet from the occupied center line on the westerly side of the road. He said Hayden Road is an older road in town. He said Mr. Mendes granted the Town of Pelham a general highway easement. He said the south easterly corner two lots on the site were not part of the subdivision and therefore did not benefit from that easement. He has recommended Mr. Mendes provides similar treatment for those two lots so they can enjoy 25 feet of right of way to the west of center line for the future. This is consistent with Section 203-1G of the regulations.

Mr. Doherty asked if he was talking about 9-95 and 9-96-1? Mr. Keach said correct. Mr. Doherty asked if there were part of this subdivision? Mr. Keach said they are. Mr. Doherty asked if Mr. Mendes was willing to give up a little bit of the frontage of that to the town? Mr. Keach said yes.

Mr. Keach said his Comment #9 deals with stormwater. There is a waiver request for this to allow less than 3 feet of soil cover about the crown of a segment of storm drain that runs parallel with Hayden Road at the intersection. The reason the 3 feet of cover isn't available at that location, there are two catch basins on the flair of the two roads connecting. He said there is only slightly over 2 feet of cover available there. He said this land is very flat. He said to mitigate that, the engineer, Steve Height has specified a special treatment for that segment of pipe. This won't be the high-density polyethylene ADS pipe, although it could be. He said for enhanced coverage and strength, he specified a Class 3 reinforced concrete pipe and special bedding accommodations, so they are not frost susceptible. He said normally they have a 6-inch envelope of stone on all sides of the pipe trench and Mr. Height has gone to a heavier section there so it would be more frost resistant, and the pipe is stronger. Mr. Keach said he has no problem with that because the grades are controlling this.

Mr. Keach said the third bullet under remark #9, is consistent with the updated stormwater regulations in recognition of the federal MS4 program, the concept of low impact developments are front and center. He said it is part of the design, Mr. Height embraced that, and this is a fantastic piece of land, and they want to take advantage of that. Mr. Keach said Mr. Height has come up with a design for each lot for stormwater runoff. He said that will be site specific

designed once it is determined what is being built there. Mr. Keach said sheets 16 and 17 capture the drip-edge details intended on each driveway on each lot. There are also details for a rain garden and Mr. Height recommends notes be added to each plan regarding grading and site-specific drainage plans prior to issuing building permits. He also said those same lots will be subject to a covenant requiring installation and compulsory long-term maintenance of drip-edges and drainage improvements. Mr. Keach said for these low impact developments these do need to be maintained. He said Mr. Height has submitted an operation and maintenance manual and he wants that to be captured in a covenant. He said it will remain the lot owner's burden and not the towns. He said this is consistent with the recently updated stormwater regulations.

Mr. Keach's last remark, #10 are for the roadway design. The fifth bullet on the drawing shows the final water system layout. Pennichuck will be designing the system and he wants those on the final construction plans. He said on sheets 18-23, the design engineer has prepared a series of driveway site distance profiles that are more than sufficient to satisfy our requirements. He said it's obvious at Hayden Road there is more than 400 feet of sight distance, but he would like a certification to that effect on the plan. He thought the engineer has done a decent job on the plan since May.

Mr. Thomas stated that his experience with using concrete piping was that it was used back in the 50's and 60's and most pipes put in today have gone away from that. He said those pipes can corrode and erupt. He cited an example of Washington in 1999 where they lost 25 miles of pipe and that area got flooded due to this. He recommends, if he is not looking to use HDPE, he may want to consider using ductile iron pipe.

Mr. Keach said RCP, reinforced concrete pipe is a recognized material by the DOT. He said it is constructed with welded wire fabric and has cathodic protection on it. Mr. Thomas said it doesn't have cathodic protection and you have to apply this to it. Mr. Keach said it is coated before it's poured. Mr. Thomas said it's concrete and is porous and he was just giving a suggestion. Mr. Keach understood, and he likes to use materials that meet DOT specifications and he said he doesn't really care if they use the high-density polyethylene pipe because the bedding the design engineer has proposed is enhanced. Mr. Keach said he is concerned with pipes and the speed bump effect due to frost. Mr. Keach said they won't have loads necessary to damage these pipes. Mr. Keach said they do have frost, but to overcome that the engineer has done an enhanced section to the underdrains. He said this will eliminate them holding water, so they won't freeze. He said the high density polyethene is rated to have 2 feet of cover at the 15-inch diameter up to a 24-inch diameter.

Mr. Thomas said he has experience in the industry with these types of pipes and them having failures. Mr. Thomas said most industries today are using steel or ductile iron pipes and add cathodic protection to them. He said ductile iron is mostly used in wastewater and sewerage. Mr. Doherty said this is for stormwater runoff as opposed to being under pressure. He asked Mr. Thomas if he was referring to a pipe under pressure? Mr. Thomas said if there was water flowing through it. Mr. Thomas said long term, these pipes have history of failures.

Mr. Jim Bergeron asked about the pipes being concrete and being less buoyant for frost?

Mr. Keach said it's not the buoyancy. Mr. Jim Bergeron said that is the heaviest mass for that pipe. Mr. Thomas said ductile iron is very thick and they would have to look at the pipe.

Mr. Keach said the 2-inch-thick concrete pipe, at 15-inch Class 3 and that is made with the interior has a coated welded wire fabric and the air entrained concrete that is a high compressive strength with 5,000 PSI or better hardens around. He also recommended bell and spigot joints, so they don't move. He said Mr. Height specified this due to its superior strength. He said high

density polyethylene under ASTM standards satisfies ASTO and ASTM requirements for deflection and it's rated to withstand the appropriate loads with 2 feet of cover. He is concerned about frost as far as the cover, regarding water freezing underneath them. He said in this case, the engineer has designed an enhanced trench section with crushed stone that is picked up by the underdrain. There won't be water to freeze under this pipe and the pipe can be made out of any material. However, the engineer designed it with the stronger pipe. He said the only type of materials (RCP or HDPE) are permitted under our subdivision regulations. He said they use these in Pelham and our DPW is accustomed to maintaining these. He supports this waiver request because of the trench sections being frost free.

Mr. Doherty asked if the type of pipe Mr. Thomas talked about are allowed in our subdivision regulations? Mr. Keach said they recognize two types (RCP and HDPE). Mr. Doherty asked if ductile iron was not a recognized pipe to use for drainage? Mr. Keach said no and the only time that would be used in NH for drainage would be in a special situation. He said it's not recognized as a drainage material by the DOT. Mr. Keach said contractors can buy these recognized materials and they know how to install them. Mr. Keach said in Nashua he used ductile pipe because they were building on contaminated soils, and they didn't want any leaching into the stormwater there. Mr. Keach said either of the pipe materials allowed in our subdivisions would be acceptable to use.

Mr. Jim Bergeron asked if lot 9-95 is in its configuration as it is now or are they changing something with that lot and lot 9-95-1? Mr. Gendron said on sheet 2, he will see the existing lot lines today for 9-95 and 9-96-1. Mr. Jim Bergeron asked if there was an acquirement of land there? Mr. Gendron said yes.

Ms. Beauregard said lot 9-96-2 is a newly created lot and he is showing the building envelope up to the road and maybe in it. She said any building permit issued would be subject to a setback to the cul-de-sac. Mr. Gendron said that was fine.

Mr. Passamonte asked how many lots would have private wells on them? Mr. Gendron said the existing dwellings on 9-96-1 and 9-95 will remain on the well. As well as lot 9-94 and that is where the existing farmhouse is and that has its own well. Mr. Gendron said all the rest of the lots will be on Pennichuck water. Mr. Passamonte asked if there would be a covenant that the houses that are on Pennichuck water cannot have wells installed? Mr. Passamonte asked to have that put into the covenants. Mr. Mendes asked if they could meet all the requirements, would he still want that covenant put in there? Mr. Mendes said he is putting Pennichuck water to all the houses, but if someone wanted to drill a well for irrigation, then why couldn't they?

Mr. Jim Bergeron said if the applicant meets all well radius setbacks for drinking water and is that the point they are trying to make? Mr. Passamonte said if they are supplied with Pennichuck water then why do they need a well and that they should have one and not both.

Mr. Montbleau said his experience is that when Pennichuck water takes over for supplying water then the people cannot drill private wells. He used an example on Skyview in Pelham.

Mr. Gendron asked if the concern was drinking water? He said they can agree that these homes will use Pennichuck for drinking water and asked if they had an issue with someone drilling a well for irrigation? Mr. Passamonte said he had a problem with that because in the past he said they could have one or the other, but not both. Mr. Passamonte said a few conservation subdivisions have been drilling wells even though they are on Pennichuck water. Mr. Mendes said they will stick with Pennichuck water then.

Ms. Beauregard was wondering how they could enforce that, as people can drill wells for irrigation and do not need a permit for that. She remembered the situation that Mr. Montbleau

brought up and thought that was a condition from Pennichuck and not the town. Mr. Montbleau agreed with her. Mr. Montbleau said Pennichuck could shut someone's water off if they drilled their own well if they were told not to, and he thought that was in their contracts.

Ms. Beauregard said that may have to be self-monitoring through Pennichuck. Mr. Passamonte said if they put wells in, they need to show well radius. Ms. Beauregard said only if the wells are for drinking water, but not for irrigation wells.

Mr. Jim Bergeron said an irrigation well is different from a drinking well and this development will have Pennichuck water. He said he wouldn't oppose the idea of an irrigation well, but not a well for drinking. He said it would also have to have no effects on adjacent properties.

Mr. Bilapka asked if it was something Pennichuck water required, meaning if they provide the water then there can be no wells installed on that lot?

Mr. Mendes said he thinks that the subdivision on Skyview that Mr. Montbleau was referring to has limited water there. He said the Pennichuck water that he is getting is from the Monticello Drive area and they have millions of gallons a minute. Mr. Bilapka asked if Pennichuck ran lines through there, do they have something that says you can't put in a well? Mr. Gendron said he's never come across that, but with Skyview Estates, they had limited water there. Mr. Gendron said the system they are connecting to is very robust. Mr. Mendes said some lots on Wildwood have irrigation systems. Mr. Gendron has never seen Pennichuck do that. Mr. Bilapka said that Pennichuck can't really stop someone from putting a well in? Mr. Gendron did not believe so.

Mr. Culbert said to ask Pennichuck if they allow wells.

Mr. Keach said Mr. Montbleau's recollection on Skyview is correct due to source protection.

Mr. Keach said the source of water for this development is the ordinary source from Pennichuck.

Mr. Mendes agreed. Mr. Keach is not aware of any authority through the PUC that they can tell someone they can or can't have a well on their property.

Mr. Jim Bergeron asked when water comes from an outside source, was there any concern for the outflows? Mr. Keach said they are not withdrawing water. Mr. Jim Bergeron asked if there was any consideration taken for extra water not being drawn from the ground? Mr. Keach said everything will end up in the ground. Mr. Jim Bergeron said any place Pennichuck is used is a benefit. Mr. Keach said it is and also for fire protection.

Mr. Doherty said Pelham is about 60% water and what happens when we keep adding water and the ground becomes saturated?

MOTION: (Mr. Montbleau/Ms. Masse-Quinn) To accept for consideration waiver for Section 203-1.C

VOTE: (6-0-0) The motion carried.

MOTION: (Mr. Montbleau/Mr. Passamonte) To accept for consideration the waiver for Section 203-5.B (3)

VOTE: (6-0-0) The motion carried.

Mr. Doherty asked Mr. Gendron if those were the only waivers? Mr. Gendron said yes.

MOTION: (Mr. Montbleau/Mr. Bilapka) To approve the waiver for Section 203-1.C to allow Lot 9-96-1 to be configured as a double frontage lot.

VOTE: (6-0-0) The motion carried.

MOTION: (Mr. Montbleau/Mr. Passamonte) To approve the waiver for Section 203-5.B (3) to allow 2 feet of cover for the total length of 85 feet specifically for the pipe that runs between DMH2 and CB1 as well as CB2 to CB1.

VOTE: (6-0-0) The motion carried.

MOTION: (Mr. Montbleau/Mr. Passamonte) To approve the waiver for Section 203-1.B(2).

VOTE: (6-0-0) The motion carried.

Mr. Doherty said in order to move forward, the board must act and discuss a special permit that would have to go in front of the conservation commission. That was talked about for the water treatment for the area next to the wetland. This was discussed by Mr. Keach at length. Mr. Doherty said this board can issue the special permit and then go to the conservation commission later at the risk of the applicant.

Ms. Beauregard said she said they can go to conservation first or this board can condition it upon favorable review from the conservation commission. She said if that results in any conditions then the applicant would have to come back before this board. That would depend on the conditions, and they may have to be modified. Mr. Doherty asked if it was in our zoning that they have to go before the conservation commission? Ms. Beauregard said yes, a special permit requires input from the conservation commission.

Mr. Jim Bergeron said he senses from our engineer that the conservation commission would look at the long-term betterment over the short-term disruption. Mr. Keach said he would hope so.

Mr. Jim Bergeron said that was a good answer for him to grant the permit. Mr. Jim Bergeron said he thinks the conservation commission will understand and this will be brought back to normalcy after it is complete.

Mr. Doherty said he doesn't have a problem with it but doesn't want the conservation commission to think we are trying to influence their way of looking at things. He feels this is necessary for the town to do.

Mr. Jim Bergeron said he respects the conservation commission, and he thought if there were any conditions that flew out, then we would deal with those. He thought Ms. Beauregard said it well and that we would condition it that way. He said conservation has an area of expertise with this and he respects them.

Mr. Montbleau agreed with Mr. Jim Bergeron and would second that motion if he made it.

Mr. Doherty said if conservation came back with something, then Mr. Keach and iron that out.

Ms. Beauregard read off the list of conditions. She said she believed #1 was already taken care of.

1. NHDES Subdivision Approval number be depicted on the recordable plan.
2. Addition of a note to the final project plans acknowledging waivers and Special Permit for WCD impact(s) granted by the Planning Board with receipt of favorable review by the Conservation Commission, pursuant to Article VII, Section 307-10 B2. Any conditions to be reviewed by Keach Nordstrom to work with the applicant.
3. Confirmation from Pennichuck that they can supply the water to lots 9-94-5 through 9-94-13, 9-95-1, 9-95-2, and 9-96-2. Lots 9-94, 9-95 and 9-96-1 will continue to be accommodated by individual water wells.
4. Off-site easement(s) necessary for water main installation be obtained prior to recording of plan.

5. A note be added to the final plan requiring submission and administrative approval of a site-specific grading and drainage plan prior to issuance of building permits for residential construction on Lots 9-94-5 through 9-94-13, 9-95-1, 9-95-2 and 9-96-2; and those same lots be subject to a covenant requiring installation and compulsory long-term maintenance of future drip-edge installation and related on-lot drainage improvements.
6. Applicant to provide a performance guarantee, in an amount and form acceptable to the town, to serve as a financial surety for full and final completion of all future public improvements specified on the final project plans.
7. Applicant to provide escrow funds in an amount estimated by town engineer, for costs associated with construction monitoring and inspection services.
8. Receipt and favorable review by town counsel of draft declaration of convenience and restrictions for open space lots and homeowner's association documents, easements and restrictions.
9. Receipt of correspondence from town engineer acknowledging all comments and recommendations, offered in correspondence dated September 8, 2022 have been satisfactorily addressed.
10. Receipt of correspondence from the Pelham Fire Department acknowledging favorable review of final project plans.

Mr. Gendron asked about condition #8, he said there is no open space as part of this subdivision. Ms. Beauregard asked what he handed out today? Mr. Gendron said that was for Mr. Keach's comment about the water line coming across from Wildwood to this subdivision and he had asked the question if we reserved the right to run through that easement. He said page 2 outlines Wildwood Estates was approved with covenants to allow Mr. Mendes to put any utilities he needs to through the open space.

Ms. Beauregard said she would amend #8 to read: Receipt of favorable review by town counsel of draft declaration of covenants, easements and restrictions. Striking the homeowner's association and open space lots.

Mr. Doherty asked if the board would be ready to conditionally approve it with the conditions set forward by the Planning Director and issuing the special permit at the same time?

Ms. Masse-Quinn said she felt it was ready.

MOTION: (Mr. Jim Bergeron/Ms. Masse-Quinn) To issue a conditional approval and issue a special permit.

VOTE: (6-0-0) The motion carried.

Mr. Doherty said there will be a 10-minute recess.

Case PL2022-00027 Map 8 Lot 9-144-5 Carol Clemens-Fox (Owner) / Daniel Luce (Applicant) – 466 Windham Road – Seeking approval for a 2-lot subdivision. One lot with an existing home will maintain access from Windham Road, and the new lot that is created will be accessed from Arlene Drive.

Mr. Kurt Meisner introduced himself with Meisner Brem Corporation and he is the engineer for this case. He updated the plan to the revisions as follows:

1. They adjusted the lot line of the proposed new lot along Arlene Drive to meet the abutting property.
2. They added a site clearing easement at the intersection of Arlene and Gordon.
3. They adjusted the well location to meet the town's location, so he withdrew that waiver request.
4. They moved the driveway further down to the south. The former location was opposite #1 Arlene Drive, so now they are not opposite. (The plans show the driveway locations). Mr. Meisner said those were all the requested changes. He also said they met with Highway Safety, and he included a letter in the file dated September 7, 2022. He said the last line of that letter said, 'The Highway Safety committee does not have any objections to the proposal and sees no safety concerns.' He said he asked them for an accident report for the last year and there were no accidents. He asked to back further, so they went back 10 years and there was only one reported accident on Arlene Drive. He said he was at the site today and he noted that at the corner of Arlene and Gordon Ave, the growth is almost out to the edge of the pavement. He said on the plan from the pavement to the right of way line there is already about 8-10 feet of land in the right of way that the town would have the right to go and do what they want to. He said they added an additional 12 feet for the town to go in and maintain that on a permanent basis. He said all of the issues from the last meeting have been addressed. He said there is one waiver on the table and that was for the site-specific soils. He said there is a letter in the file and the plan as it stands now has been approved by NHDES for subdivision approval (that governs the septic systems and the receiving areas of the lot and water supply). He said the plan shows the test pit logs and locations. He said the soil legends show it is a Canton and Hinkley soils, which are group 1 and 2 soils, which are the best soils there are.

Mr. Culbert asked what the site distance was on the curve? Mr. Meisner asked at the curve or at our driveway? Mr. Culbert asked from the driveway to the curve? Mr. Meisner said that distance is about 165 feet. Mr. Culbert said it is supposed to be 250 feet and that is based on the Pelham regulations. Mr. Meisner said the Highway Safety committee was okay with the driveway. Mr. Culbert asked if that was certified? Mr. Doherty asked if that was for a road or a driveway? Mr. Culbert said it is a driveway regulation. Mr. Doherty said the board doesn't normally deal with driveway entrances.

Ms. Beauregard said she believed the Highway Department and the Fire Department together follow a set of rules for driveway locations. She also said the highway agent went out there and looked at the site and did not have a problem with the site distance of the driveway location. Mr. Doherty said the lot across the street has an approved driveway that is a lot closer to the corner than this one.

Ms. Masse-Quinn asked if there were one waiver or two? Mr. Meisner said only one waiver now. He said he rescinded the well radius waiver.

Mr. Jim Bergeron said looking at the new lot, with the new proposed well radius in the northwest corner. He asked if there were three test pits? Mr. Meisner said yes. Mr. Jim Bergeron asked where the location of the septic field was? Mr. Meisner said it was on sheet 2 and if you look at the house from Arlene Drive, you can see test pit #5, which is at the edge of the 4K area. That 4K area extends southerly along the edge of the property. He said the septic as designed will be less than a quarter of the size of that shape that you see on there and it will sit in front of the house and outside the well radius. Mr. Jim Bergeron asked what the design was? Mr. Meisner

said it is a four-bedroom home. He will do an individual septic design once the subdivision plan is approved.

Mr. Doherty said the engineer has done a good job meeting all the concerns that were addressed.

Ms. Beauregard said our regulations do refer to a 250 foot all season, safe intersection site distance for each proposed driveway if intersection with a local 1 or local 2 street. She believed this is a local 1 street. She said he may need a waiver for that.

Mr. Doherty asked if we've even done that waiver in the past?

Ms. Beauregard said it is Section 203-4 C.1b for reference.

Mr. Doherty opened it up to the public. No one spoke.

MOTION: (Mr. Passamonte/Mr. Bilapka) To accept the waiver for consideration for Section 202-3 B.4, for the use of site-specific soils.

VOTE: (6-0-0) The motion carried.

MOTION: (Mr. Montbleau/Mr. Bilapka) To accept the waiver for consideration for Section 203-4 C.1b for a driveway closer than 250 feet from an intersection.

VOTE: (6-0-0) The motion carried.

Mr. Doherty said Mr. Meisner will need to submit that waiver. Ms. Beauregard said he can email that to her. Mr. Culbert said for the record that he thinks this is a life safety issue with the 250 feet.

Mr. Passamonte said he revised the well radius wavier, and he asked what was revised? Mr.

Doherty said he moved the well radius and septic location, so it no longer needs a waiver.

Mr. Jim Bergeron said he wouldn't be against the idea of the well moving to the west. He said it would be a betterment for the separation from the EDA area. Mr. Jim Bergeron said he is already overlapping two well radius now that are overlapping onto this lot. He asked what the gradient is there, and does it head down? Mr. Meisner said yes, and it is flat towards Arlene and to move it now, the most he could move it would be 15 feet to keep it on the lot, but it works the way it is now. Mr. Jim Bergeron asked if he changed the distance from the existing barn back to the property line? Mr. Meisner said no, he was able to slide that in there.

MOTION: (Mr. Passamonte/Mr. Montbleau) To approve waiver for Section 202-3 B.4

VOTE: (6-0-0) The motion carried

MOTION: (Ms. Masse-Quinn/Mr. Passamonte) To approve wavier for Section 203-4 C.1b.

VOTE: (6-0-0) The motion carried.

Ms. Beauregard had no conditions.

MOTION: (Ms. Masse-Quinn/Mr. Passamonte) To approve the plan.

VOTE: (6-0-0) The motion carried.

ADMINISTRATIVE

Map 32 Lot 1-146-24 – Skyview Estates LLC, Phase II – Majestic Avenue (extension) – Request for Bond Release and Recommendation to the Board of Selectmen for Road Acceptance.

Mr. Doherty asked Mr. Montbleau if he wanted to step down for this case? Mr. Montbleau recused himself from this case, as he is an abutter. Mr. Doherty appointed Mr. Culbert to vote on this case.

Ms. Beauregard said this is the final stretch and Phase II of this development. This was a 19-lot subdivision, consisting of Majestic Avenue extension on the eastern side of Aspen Avenue at the intersection of Powderhorn Drive. This project was approved by the planning board on September 21, 2010 and per Jeff Quirk's letter, he performed a final inspection May 18, 2022. She said he was able to confirm all the roadway improvements have been completed and he is recommending a reduction of the bond as well as recommending to the Board of Selectmen to accept the road. Ms. Beauregard said he is not recommending an entire reduction; he wants to hold a maintenance bond because it has not yet wintered over. She said that is typical and in our regulations that we can do that.

She said he took so long to do this, because he was waiting for the bounds to be set and there is a draft deed to be reviewed by counsel and we now have the as-built plans of the road. She said they are ready for a public hearing, once accepted by this board, for the road to be accepted by a town road. There currently is \$93,499.00. Keach is recommending a reduction of \$84,199.00 to keep the 10% maintenance bond of \$9,300.00.

MOTION: (Mr. Culbert/Mr. Bilapka) To reduce the bond by \$84,199.00 and retain \$9,300.00.

VOTE: (6-0-0) The motion carried.

MOTION: (Mr. Culbert/Mr. Passamonte) To recommend to the Board of Selectmen to accept the road.

VOTE: (6-0-0) The motion carried.

Mr. Doherty asked if Ms. Beauregard would report to the Selectmen for this? Ms. Beauregard said she will draft a letter.

Mr. Jim Bergeron said on the last plan they just approved, he was confused on the location of the 4K area. He said our regulations require 2 test pits on all 4K areas within 50 feet of one another. He said this plan did not appear to meet that. Mr. Doherty said he was late. Mr. Jim Bergeron said we can change our opinions if we find we are in error. Mr. Doherty asked what he would like to do? Mr. Jim Bergeron said it does not meet our land use regulations.

Ms. Beauregard said she sees three test pits on the plan. Mr. Doherty said this board asked the applicant to move the location of the well and septic. Mr. Jim Bergeron said he still has to meet our site plan regulations.

UPDATES

Mr. Thomas wanted to discuss the CIP, Master Plan, water relative to quantity and quality and the water commission update.

For the CIP, it has been approved by this board as well as the Board of Selectmen. He said it will go before the Budget Committee on September 22, 2022. He said they will present a PowerPoint presentation and will identify urgent matters. He said they've come up with a concept of capital reserve versus bonds. He said they will propose a model for vehicle life expectancy. He offered to present that to this group as well.

For the Master Plan, they are still meeting twice a month. He said the outreach program is getting very good responses. They had a table set up at the village green during the concerts. All of this information is being collected and added to their databases. There is also a website. He said they will have a table set up at Old Home Day as part of the Border Riders tent.

The first major element, which is the outreach program getting input from Resilience and contacting departments and getting feedback. This is with the towns themselves, not the public. He is expecting a draft report back by the end of September. The major action items would be things like economic development, population growth, workforce housing, energy sustainability, school plans and also a public forum in Jan/Feb/March timeframe. That will be where we invite the public in to talk about their visions. A survey is being prepared and will go out electronically and a hard copy as well, to what the visions of the town are. Resilience has also been involved with all of the departments to understand the plans going forward. The next meeting will be September 29, 2022 at which point, he hopes to receive the outreach draft report.

Ms. Beauregard said she thinks we will see a draft of the existing conditions at the next meeting.

Mr. Thomas said we are making good progress.

Mr. Thomas said there are two elements to the water. He said Kimberly Abare is the chair of the water commission along with himself and three other commissioners. He said she has asked him to give the Planning Board a presentation on the water commission. He will request that for the next meeting. He said the commission is addressing a request for a feasibility study proposal from three engineering companies. This will help determine where there is water, where are we shy of water and where are there quality and quantity water issues. Those are the main drivers to start with. He said if it's under \$50,000.00, they can get a grant for the study. He said they could apply for a major grant to be able to build the infrastructure. He said Pelham has a water distribution problem. He said the commission has identified that the Sherburne Road area is called a critical harsh water area. He said they will look at how to supply water to that area. He said an interesting thing that came out was we can buy the rights back from Pennichuck and set up our own water department and maintain the 9.8 miles of pipe that's in the ground.

Ms. Masse-Quinn has started collecting letters from residents in that area mentioned. She said it started with when she was chicken sitting at her friend's house on Nicholas Lane and she ran out of water. She then requested letters on social media requesting letters from people that have water issues.

She read seven letters into the record and these letters are attached to these minutes. She said she has received 15 letters so far and expects to see more. She said she may share more letters when Mr. Thomas presents his updates at the next meeting.

Mr. Doherty said in the past he has seen where the business districts in other towns try to hijack the public water. They may try to get it onto Route 38 for their businesses. He said the businesses start pushing it and he doesn't want to see the private citizens get forgotten. He said this town needs to help the people that don't have water now first.

Mr. Thomas said the first three years on the water commission, they had a focus to support Route 38 relative to water. He said with the reappointment of a new water commission, the new focus is where there are critical issues of quality and quantity of water. He said the Sherburn area is a

critical area. He said we are taking a different route than what they did back in 2019 when the commission was started. He said Route 38 is no longer the main focus. He said they are trying to get their work done so they can apply for the grants. On October 5, they will have the three proposals back and then they can make decisions on which company to use.

Mr. Lynde said 6-8 years ago the Board of Selectmen saw an issue and the plan was to bring water from Hudson down Sherburne Road at an estimated cost of 3 million dollars. He said they did a survey of residents on Sherburne Road and a majority of them would not support it. He said if they get a system in, the town would not accept it as a town wide cost, but those residents would have to pay for that. He said the issue would be getting the warrant article passed. He said a lot of people there have water, and they are not willing to pay for it. He thinks we need to think of how we can make that work and said we need to just keep at it.

Mr. Thomas added that they had 150 people in this room with the Board of Selectmen. He said he never saw that survey and he lives in that area. He said the town needs to look at the water issue as one community. He said that if we can invest 30 and 40 million dollars in our schools, then why can't we make sure people have adequate water? He thinks it's too early to decide about a warrant article. He said the water commission will be sending out a water survey in conjunction with the feasibility study to get feedback from the town's residents.

Ms. Masse-Quinn asked if Mr. Mendes paid to have Pennichuck come into his projects? Mr. Doherty said yes, he did, and any developer can do that and pay for it for their development. Ms. Masse-Quinn wasn't aware of that option.

Mr. Lynde said he didn't understand how several developments went in on Sherburne Road and how they had to demonstrate their well's abilities? He asked how that lead to the disaster we have up there now? Mr. Lynde doesn't understand how that happened.

Ms. Beauregard said he is correct, and it is to be 4 gallons per minute for a 2-hour period for a well test for new construction house to pass.

Mr. Thomas said for the new Chardonnay development, out of the the eight houses, he said three to five of them have water problems. Mr. Doherty said there is a tap of water at the bottom of Skyview and at the top of the town property that he had asked to potentially extend the water line down to a new development. Mr. Doherty said the water study is definitely something we need.

Mr. Jim Bergeron asked the board about zoning change season, and he wanted to know if there would be discussion on lots of record, savings clauses for smaller lots and seasonal lots and tweaks to zoning ordinances? He asked if we could get something in motion to get updates going forward? He said everyone needs to agree to get these things on the ballots. Mr. Doherty said Mr. Cote has been working on solar ordinances. Mr. Doherty said everyone has been working on things and they should bring those things forward. Mr. Doherty said he has had requests to have only one Planning Board meeting per month and he has said no, due to the zoning changes we have to work on. Mr. Doherty said for everyone to start bringing things up to discuss because it's coming up quick.

Ms. Masse-Quinn they want to address the MUZD.

Mr. Doherty addressed the regulation they spoke of tonight about a driveway needing 250 feet of sight distance and they have to look at that.

Mr. Jim Bergeron said he doesn't think that is a bad thing and should be something to look at. He said we paid Mr. Keach Nordstrom to design these regulations and we should go back to him and ask what the practical distances are or what they are in other towns. He said at the street level it is very important. Ms. Beauregard said there are different levels for different roads.

ADJOURN

MOTION: (Mr. Montbleau/Mr. Bilapka) To adjourn the meeting.

VOTE: (6-0-0) The motion carried.

The meeting was adjourned at approximately 10:02 PM.

Respectfully submitted,
Jennifer Castles
Recording Secretary

Meghan Malaney <m.malaney11@gmail.com>

8/31/2022 9:15 AM

Water Concerns - 29 Nicholas Lane, Pelham, NH

To daniellemasse@comcast.net Copy Anthony Servizio <anthony.servizio@yahoo.com>

Good Afternoon Danielle,

We are residents in Pelham of 29 Nicholas Lane. We moved to Pelham in March of 2020 and have had concerns about the water levels/water pressure since we've moved in. After talking with our neighbors we quickly learned that everyone in this area has water issues and we all are mindful about how much water we can use. We have to schedule how much laundry we do at a time, running our dishwasher, rotating shower schedules. My neighbors have run into the issue where they have no water at all, and we learned it happened to our house as well with the previous owners. We are all concerned about any more developments coming in and what that is going to do to the little water supply we currently have. To be given any options to help with this issue would be great, especially where water is a necessity to function in our homes. An option to hook up to town water would be a great solution and something most of the residents in this area are in favor for.

Thank you for your attention to this matter.

Sincerely,
Meghan Malaney and Anthony Servizio

Sent from my iPhone

Steve Mickie <sm.rotaxz@gmail.com>

8/31/2022 12:15 PM

Water supply on Nicholas Lane

To daniellemasse@comcast.net • Regina Mickie <rcmickle5@gmail.com> • phinneymb@aol.com

Hi Danielle

Just wanted to reach out to you in regards to the water situation at our residence located at 45 Nicholas Lane as my wife indicated she had been discussing with you on a neighborhood chat. We have been here for 25 years and when we built the house we had one of the better performing wells in the area at 4 gallons/minute. I filled our 17000 gallon pool with the well with no issues, watered lawn, etc for years with no problems. We did run out at one point so I had it fracked and it was back to normal for the most part but the only thing saving us today is our static level is pretty high so we always have a fair amount of water in reserve we just can't go washing cars, power washing house or decks, watering lawns for any length of time, etc. I estimate we now get about 1/2 gallon per minute which is a significant decrease from what we had. I know many of our neighbors are much worse off than we are as there are only 3 people in our household now but we still have to be on the lookout for a leaky toilet or water faucet as it will render us waterless if left unattended. I am always listening for the solenoid clicking on and off in our utility room as I can tell based on the length of time whether the well level is high or low.. It would be nice for a solution to be discussed and implemented as with the rumor of a couple more developments going in the immediate area is certainly a major concern.

Thanks

Steve and Gina Mickie

mail@joelcioffi.com**9/6/2022 7:52 AM****water concerns****To daniellemasse@comcast.net****Good Morning, Mrs. Quinn,**

I am writing in regards to your request I saw in a comment on a facebook post regarding water concerns. I am a Pelham resident, and although I am not currently having issues with my water or well, I am very concerned by the prospect of town water/sewage. It is very important to me to not be forced onto a town system that is likely to have issues, which will impact the whole town instead of just a few residents. There are several instances of property owners being forced onto town systems who have faced terrible repercussions for choosing to remain on their private closed system. In my opinion this is by far the worst possible outcome for something that is clearly intended to help the town of Pelham. I certainly not opposed to anyone who wants to voluntarily be tied into a town-wide system over which they have no control. I am, however, vehemently opposed to requiring residents to be connected into that system or even not having an explicit allowance to remain on independent systems indefinitely.

Thank you,
-Joel Cioffi

Christina Milward <christinamilward@yahoo.com>

8/30/2022 2:17 PM

Help with Water

To DanielleMasse@comcast.net <daniellemasse@comcast.net>

To whom it may concern. We are the owners of 20 Nicholas Lane. We have lived here for 8 years. Shortly after we purchased the home we began to learn about the water issues up in Spaulding Hill area. None of this was ever disclosed to us. Over the first 5 to 6 years we would run out of water about 2 to 3 times a year. I always new we jist over did it with the wayering outside or to much laundry. We went out and bought all water energy efficiency appliances and toilets. Usually our well would replenish by the next morning enough to kick the pump back on. In the last 2 to 3 years we had Chardonnay lane developed behind me and 2 new homes put in next to me on Nicholas. We are now losing water more and more times a year. I would say this year alone at least 6 times. It sometimes takes days to get enough water in to kick on our pump. We have seen a drastic change over the last few years since these homes were put in surrounding me. We came to meetings and voiced this very fear. These house have to be pulling from somewhere. The blasting that was done behind me. That could have definitely shifted things. We are a family of 4. We can not all shower now on the same day and have to take turns with timed showers. I have to spend money and go to the laundromat more often that I want. We have guest over to visit and run out of water. We now have big plastic tanks in our back yard that we have water put in so we can pump into our well when we lose it. I can't believe I have to live like this. In a home I work so hard to afford. I have a 600,000 home that I bought as an investment someday. My home is worth nothing without water. With the recent months of no rain I am so worried about the next few months. We already have lost water 3 times in the last 3 weeks and had no water coming in and had to pump water in. We are tired of hearing that the new developments and homes do not affect it. I am a perfect example of this. We need to have an option to be able to hook up or get help. This isn't fair to us residence or to new families buying in this area that have no idea just like us. We are asking please help the residence of this town get hooked up to a water source in this area.

Thanks,

Christina and Keith Milward
20 Nicholas Lane
Sent from Yahoo Mail on Android

Linda Coppinger <linda_coppinger@yahoo.com>

8/31/2022 8:54 AM

Fw: Water Issues and Concerns

To daniellemasse@comcast.net <daniellemasse@comcast.net>

See below.

----- Forwarded Message -----

From: Linda Coppinger <linda_coppinger@yahoo.com>

To: daniellemasse@comcast.net <daniellemasse@comcast.net>; Ken Coppinger <kcopp309@gmail.com>

Sent: Tuesday, August 30, 2022 at 02:42:55 PM EDT

Subject: Water Issues and Concerns

Hello Danielle

My name is Linda Coppinger and I have lived on 4 Marie Avenue for the last 16 years. Let me apologize for the long email but you did ask, so here goes. . .

When we first bought this home, we had the well tested for output and it was low. We researched the cost of drilling a new well (about 10K at that time) and negotiated that amount off the price of the home. Being from the city, we thought we would just drill a new well and get water. Little did we know that in this area you are pretty much guaranteed to hit little or no water at all. The prior owners were not 100% truthful. They said they were conservative with their water use but that they got by just fine. Once we started to get to know some of our new neighbors we were told that often times the prior owners would have water delivered to their well to get by.

We limped along the first couple of years by being very conservative with our water usage. . .5 minute showers, one load of laundry a day, and if we were lucky we would run the dishwasher twice a week. Paper plates, plastic cups and utensils were the norm. We also had water delivered to our well about 1 to 2 times a year at a cost of \$300-\$500 per delivery depending on the time of year. About two years after we purchased the home our well pump died. We took that opportunity to deepen the existing well at a cost of \$12,000 and did not get any additional water output. The only benefit we got was that we were able to put the well pump deeper giving us access to additional water but once we used up all the water we had to wait days/weeks for it to recover. Even after deepening the well to 1,600 feet (about 148 stories deep) we still had to get water delivered 1-2 times a year just to get by.

Fast forward to late 2021, as usual we ran out of water and paid to have water delivered. Two months later we were out of water. This was very unusual for us as we would typically get at least six months between water deliveries. We shrugged it off and got another delivery. Two months went by and we ran out of water again. This went on for several months. It was at that point that we realized we were in real trouble. Our existing well was no longer supporting our minimal water usage. We had a decision to make. Try and get more water from our existing well or drill a new well. As we had already paid \$12,000 to try and get more water out of our existing well so we chose to drill a new well.

In order to get the best chance at hitting water, we did two things. We hired a geologist to study our lot using aerial photos to determine the best spot for drilling. This was at a cost of \$1,000, their discounted residential rate. We also went 'old school' and hired a water dowser to come out and mark a spot at a cost of \$220. As luck would have it, the spot the water dowser staked was in the exact GPS location as one of the spots the geologist suggested. We took that as a sign and drilled a new 600 foot well at a cost of \$18,000 including a hydrofracture to increase output and the pump system. We got a whopping .8 gallons per minute, not even 1 gallon.

So with all that said, water is a big concern for us and continues to be. Over the years we have tried to get help from the town and the subject has come up several times but a solution is not implemented. The town has known for decades that water in this area is scarce. However, it does nothing to protect the buyers of previously owned homes to ensure that each home has an adequate water supply. As we continue to see more developments pop up in our general neighborhood, I wonder why the town hasn't required that the builders utilize a public water source. Instead they allow them to drill huge community wells to support large developments of homes which

further depletes our very limited supply of water. I've heard them say that we can't 'prove' that drilling these huge wells has an impact on surrounding wells. I agree, that would probably be hard to prove. However, I think the average person can come to the conclusion that water that exists below the bedrock can be accessed at different points and it's more likely than not that other wells will be impacted by these large community wells.

Thank you so much for looking into this and I really hope that you can implement a solution for this problem in the next ten year plan for Pelham. Water is a necessity, not a luxury, and I can tell you living this way has been horrible. The only reason I continue to live in this home is that I could never do to someone what the prior owners did to us. . .sell them a home that does not have enough water to live. If I can be of any help in this process, please feel free to reach out. I would like to leave you with this, I think that this town has an ethical obligation to ensure that the water supply in this area is protected for its current residents. It can and should do that by requiring that new developments utilize a water source that does not involve drilling community wells. It should also restrict further multi-home developments in this area until it can come up with a solution to supply water to the developments.

Thank you

8/30/22

Dear Pelham Planning Board,

Do you know what it's like to

- Take a long hot shower or bath?
- Put multiple loads of laundry in on the same day?
- Wash your car in the driveway?
- Pressure wash your house, chairs, deck, etc.?
- Water your newly planted grass? Or any outdoor watering for that matter?
- ☹ Have a party without renting a port-a-potty?
- Run a sprinkler for kids to play in for 30 minutes?

These are all luxuries that since moving to Nicholas Ln four years ago that my family took for granted. We have run out of water several times over the four years. We have spent thousands of dollars on putting in a filtration system and then fracking the well. Countless conversations about what options are available that are financially sound to increase our water. One local well company refused to frack our well stating that our only option was to dig deeper or dig a new well. Financially that was unrealistic for us to manage – especially when there was no guarantee we would even hit water. Thankfully another local company recommended fracking, as a less expensive option see if we could increase our refresh rate and clean out the veins. While we were hoping to increase our ¼ gallon per minute to 5 gallons per minute, we managed to get 1 gallon per minute.

I am significantly concerned that we will be forced to gamble with fracking or drilling again in the near future in order to have enough water to support our home. When the time comes to sell our home educated buyers will know what a low producing well means, and this will greatly impact the resale of my home.

Kindly consider bringing in a financially viable water option to our area so that all residents in the Spaulding Hill Road area can have the basic water luxuries of our neighbors. Its extremely frustrating to walk or drive by neighbors who are able to carelessly water their lawns while my family is conserving water to ensure our family of three can have enough water to shower, wash laundry/dishes, and to not have to ask guests to minimize flushing the toilet for fear of running out of water.

Only four years and we are already thousands of dollars in just so we can have running water. Please help our area become water secure so we no longer have to live in fear of when our wells will be empty.

Thank you,

Brenda Phinney

48 Nicholas Ln

Pelham, NH 03076

Phinneymb@aol.com