

**APPROVED
TOWN OF PELHAM PLANNING BOARD
MEETING MINUTES
February 23, 2023**

Chairman Tim Doherty called the meeting to order at approximately 7:06 PM.

Secretary Danielle Masse-Quinn called roll:

PRESENT ROLL CALL: Tim Doherty – present
James Bergeron – present
Roger Montbleau – present
Danielle Masse-Quinn – present
Joe Passamonte - present
Bruce Bilapka – present
Alternate Paddy Culbert – present
Alternate Hal Lynde – *not present for roll call; arrived at approximately 7:10 PM*
Alternate Samuel Thomas – present
Alternate John Spottiswood – present
Alternate Scott Sawtelle - present
Planning Director/Zoning Administrator Jennifer Beauregard – present
Recording Secretary Heidi Zagorski – present

ABSENT /

NOT PARTICIPATING: Selectmen's Representative Kevin Cote
Selectmen's Alternate Representative Jaie Bergeron

PLEDGE OF ALLEGIANCE

OLD BUSINESS

Chairman Doherty stated that Lisa Corbin Case #PL2022-00040 and Bridgeside Commons Case#LLC PL2022-00041 have asked for a continuance to March 20th, 2023.

Chairman Doherty stated that Richard Lamarre Case #PL2023-00004 has asked for a continuance to March 6th, 2023.

MEETING MINUTES

February 6th, 2023

Chairman Doherty asked if anyone on the board had any changes or alterations to these minutes.

MOTION: (Passamonte/Balipka) To approve the Feb. 6th, 2023, minutes approved as written.
VOTE: (6-0-0) The motion carried.

NEW BUSINESS

Case #PL2023-00006

Map 39 Lot 1-49

Williams Woods Subdivision, Williams, Bruce & Rhonda – 157 Mammoth Road - Seeking an additional 1-year extension of approval of a 4-lot subdivision and Special Permit, to provide time to finalize an NHDOT Driveway Permit. The Planning Board's original approval on Case PL2019-00016 was issued on July 20, 2020, and a 1-year extension of approval was issued on January 20, 2022.

Danielle Masse-Quinn read the list of abutters.

Shayne Gendron of Edward N. Herbert Associates introduced himself representing Bruce and Rhonda Williams of Williams Woods Subdivision.

Mr. Gendron explained they had gone through the planning and zoning process in 2020 and had worked to get their state permits together following the planning board's approval. Mr. Gendron had asked for an extension last year because they were still working on state permits. He stated that the state permits for this project are wetlands, DOT, and a state subdivision approval. Mr. Gendron stated they did receive their wetlands permit and their subdivision approval. He estimated an approval for the DOT permit over the next month. The owner of this property lives in an existing property on the land and his wishes are to construct a home for himself and a home for his son. On behalf of the owner, Mr. Gendron asked the board to grant a two-year extension on this project due to financing.

Chairman Doherty asked if there were any questions from the board members.

Mr. Doherty opened the discussion to the Public. As no one from the public came forward, Mr. Doherty closed the discussion to the Public.

Ms. Masse-Quinn asked if it is still in compliance with the current zoning. Mr. Gendron stated that the zoning relief that was sought was that the access to the lots didn't front on those lots. He believes those variances would continue to stand with the plan. Ms. Beauregard stated that they would stand with the plan because they have continuously been working on their state permits.

MOTION: (Passamonte/Balipka) To issue a 2-year extension of approval.
VOTE: (6-0-0) The motion carried.

Case #PL2023-00003

Map 35 Lot 6-91

Taylor, Michael – 32 Leonard Drive – Seeking approval of a Site Plan for a ground-mounted solar array, consisting of 20 modules in 2 rows measuring 2' x 6' each for a total of 400 sq. ft.

There was no one there to present the case. The case was not heard.

Case #PL2023-00005

Map 32 Lots 1-139, 1-140, 1-142

Montbleau, Roger 2021 Revocable Trust – 31, 33, and an unaddressed lot Spaulding Hill Road - Seeking Pre-Design Review of a lot consolidation and subdivision, both Conventional and Open Space, consisting of 25 lots.

Roger Montbleau recused himself from this case because his family is involved. Chairman Doherty appointed Mr. Thomas to vote in his place.

Ms. Masse-Quinn read the list of abutters.

Ms. Masse-Quinn read two letters from abutters not in attendance.

1.) The first letter is dated February 23rd, 2023, from Mark Brien who resides at 36 Spaulding Hill Road. Mr. Brien states that he would be in favor of an open space subdivision on Spaulding Hill Road including that it would give himself and his family an ample buffer from the subdivision and leave a lot of open space for wildlife.

2.) The second letter is dated February 23rd, 2023, from Brett Johnson who resides at 38 Spaulding Hill Road. Mr. Johnson states that he is a direct abutter to the proposed subdivision. He requests that the open space plan be considered for future approval. Mr. Johnson believes this plan would provide an adequate buffer for existing homeowners and provide open space for habitat for wildlife.

Shayne Gendron of Edward N. Herbert Associates introduced himself representing Roger Montbleau Revocable Trust.

Mr. Gendron brings to the board a discussion of two preliminary plans for a subdivision proposal. One proposal would be for a conventional subdivision that would yield 25 lots with a total length of roadways estimated to be 2,800 feet in the configuration presented. He stated that the second preliminary plan would be for an open space subdivision that would yield 25 lots allowing 48% of the proposed property to be open space. He explained that the open space plan would cut down on the roadways but also be able to stay away from some of the wetland areas to the south of the property. He further explained that you can see the wetland complex on the conventional layout presented which would require 4 lots to cross through. Mr. Gendron stated that for one driveway they would bridge the wetland in two places. He stated that on the other driveway, they would bridge the wetland in one place and do a dredge and fill.

Mr. Gendron explained that there would be some waivers on the application for wells. There would be a waiver on the cul-de-sacs where they would be looking to do a smaller cul-de-sac than the typical 80'. Mr. Gendron explained it would be 60' and completely paved. This layout is the same on both proposals.

Mr. Gendron continued to explain they would like to move forward with the open-space layout. He explained this proposal would include 25 lots and leave an open space to the south allowing a big buffer to the existing homes on Slavin Drive. There is a right of way to the north that would go into place on lot 1-144 which is a 35-acre parcel. The proposal in the future would be to connect into that property and have a loop back out to Spaulding Hill Road to create connectivity for the two subdivisions. He continued to express they believe the open space concept would be the best use of the property. The proposal would cut down on roadway which would be cost savings for the developer and for the town in

terms of future maintenance. Mr. Gendron added that with the conventional layout, they would be proposing all individual wells and septic systems. With the open space, two existing wells are to the southwest of this property that are good-producing wells: one being a 12-gallon per minute and the other an 8-gallon per minute. These wells would be set up into a public water system. Mr. Gendron has spoken with Bruce Lewis from Lewis Engineering and has completed preliminary tests and Mr. Lewis has provided preliminary design ideas for the water system. Mr. Gendron continued to explain that the two existing wells would be how they provide the water system for the open space proposal.

Chairman Doherty addressed Mr. Gendron stating that this proposal is on the agenda as a predesign review as opposed to a conceptual design. Mr. Doherty asked Mr. Gendron to explain to the Board members and abutters what this is compared to a regular design. Mr. Gendron's understanding is that the predesign is a rudimentary plan without the drainage and calculations based on the roadways and design layout. He explained what they are presenting is a conceptual design of how the subdivision and roadways would layout and the right of ways are set up correctly. The lots, septic systems, and wells meet the zoning requirements and are shown on the proposal. Mr. Gendron asked when they move forward with this proposal, which direction would the board wants them to go in.

Chairman Doherty asked if the board members have any preliminary questions.

Samuel Thomas asked where the wells are exactly. Mr. Gendron stated the wells are to the west of the property closer to the Hudson-Pelham town line. They are shown with 200' radiuses which are the required design radii needed to serve the 25-lot subdivision. Mr. Thomas questioned that these wells would be public water and Mr. Gendron clarified they are community water, and the State of New Hampshire would recognize this as a small water community system. Mr. Thomas asked who would be managing these water systems. Mr. Gendron stated that a water company such as Pennichuck Water Works may manage the water system, or it may be written into a homeowners' document.

Mr. Thomas explained that there is a known issue of lack of water on Marie Ave, Nicholas Lane, and part of Spaulding Hill Road that is assumed to have begun once the Skyview subdivision was put in. Mr. Thomas asked once the proposed subdivision is developed and pulls water out, how will this affect the residents of Slavin Drive and Applewood Road's wells? Mr. Gendron stated that they can't predict how the future draw on these wells will affect other wells. Mr. Thomas explained that he has concerns about how the existing homes will be affected as the Sherburne Road area has existing water hardships.

Chairman Doherty asked Mr. Gendron what the approximate distance of the proposed wells is from the residents of Slavin Drive. Mr. Gendron responded that the wells are approximately 800'-900' from the closest existing wells.

Ms. Masse-Quinn asked Mr. Gendron what the testing numbers for the wells were. Mr. Gendron stated that the preliminary pump test was 12 and 8 gallons per minute. He commented that the conventional plan would require them to drill 24 additional wells for the individual homes. Ms. Masse-Quinn further commented that the well tests provided are from 1996 and testing numbers from the property are from 2011. She asked if there will be updated tests done. Mr. Roger Montbleau from 44 Spaulding Hill Road joined Mr. Gendron in the discussion. Ms. Masse-Quinn confirmed with Mr. Montbleau that they do have the testing from 2005. Mr. Montbleau stated that he would like to develop a small piece of his family's 80-acre lot that has been used by the public for hiking, snowmobiles, hunting, and the boy scouts for the past 53 years. Ms. Masse-Quinn asked Mr. Montbleau if there would be updated testing done on the two wells. Mr. Gendron confirmed that updated well testing would need to be done. Mr. Montbleau

confirmed that the State of New Hampshire would test the wells.

Mr. James Bergeron stated the two concepts presented are open space and conventional. Mr. Bergeron stated to Mr. Gendron and Mr. Montbleau that for the benefit of the town they have two concepts; one is conventional with 25 wells, and the other is an open space subdivision leaving a large acreage area to open space. Mr. Bergeron asked Mr. Montbleau of the two choices, which concept would he feel best about. Mr. Montbleau explained that the open space concept would be preferred to protect the pond and wildlife, also to avoid dredge and fill areas to the south side of the property around the wet areas, and the road configuration and house layout would achieve privacy for the Slavin Drive homes and a buffer zone for the homes on Spaulding Hill Road. Mr. Montbleau further explained that he would like to convert the open space into a future bluebird sanctuary. Mr. Bergeron questioned if the open space would be controlled by an association that would occupy the property. Mr. Montbleau agreed that this would be the plan.

Chairman Doherty asked Mr. Gendron if lot 1-144 is part of Mr. Montbleau's family. Mr. Montbleau confirmed yes. Mr. Doherty asked if the land directly to the north is the town's land. Mr. Montbleau replied yes. Mr. Doherty asked if this were to go to an open space development that about 10'-15' of the back portion of the 1-144 lot could be included in the open space and may be acquired by the town as opposed to becoming part of the homeowners' association. This would allow the town piece to become larger than it is as it exists.

Mr. Doherty addressed the third way the water could come into this parcel. If Dracut sells water to the town of Pelham, and if a developer potentially had the water line go up Sherburne Road towards Marie Ave and Nicholas Lane, this could give some thought to the willingness of the developer of the proposed subdivision to continue this water line from Dracut and not use the two wells. Mr. Montbleau stated that he would have this discussion with his developer.

Mr. Joe Passamonte questioned that the open space would be about 20 acres. Mr. Gendron confirmed that it is just over 20 acres and is 48% of the property.

Mr. James Bergeron asked if the area where parcel 1-144 connects to the open space contained hydric soils. Mr. Bergeron continued to question if wetlands are passable. Mr. Gendron confirmed that there is some hydric soil, however, he explained he would want to have a discussion with the conservation commission to allow a possible easement to be shown on the plan.

Mr. Montbleau concluded by stating that James Peterson would be the developer on this project including that James Peterson lives in the neighborhood of the proposed subdivision and has completed many other projects in the town including three other locations that have used community water services with zero problems.

Chairman Doherty questioned if lots 1-142-1 and 1-138 have dwellings on them presently. Mr. Montbleau stated that lot 1-138 is vacant and owned by Niki Kakris of Lowell, Massachusetts. Mr. Gendron responded that lot 1-142-1 has no dwelling and is owned by the MaryFarm Trust.

Hal Lynde asked if the lot sizes are all 1-acre lots. Mr. Gendron responded yes.

Chairman Doherty opened the discussion to the public.

Rick Galuppo of 15 Aspen Drive in the Skyview Estates asked what the status of the one-year building moratorium was as far as whether is it going to be voted on by the public, by the Planning Board, by the

Selectmen. Chairman Doherty stated that the Selectmen reps are not here and that he could not speak to it. Mr. Galuppo asked if it is approved, and how does it affect the proposed development by Mr. Montbleau? Ms. Masse-Quinn stated that the Board of Selectmen has not adopted it under the one-year moratorium. She stated that hypothetically if it was voted on, it would come back from the planning board and it is at the discretion of the Planning Board to see if they could add more well testing. Mr. Galuppo explained that when the discussion of a geology report comes up, he feels that the people on Marie Ave and Nicholas Lane have gotten geology reports for their wells that turned out to fail. He stated that now there is talk about geology reports for other proposed developments and there is an unknown when you drill a well.

Steve Long of 16 Slavin Drive stated he did a quick count of 131 homes that have been built over the last 7-8 years on Sherburne Road and have contributed to water issues. He continued to describe other water issues that existed 31 years ago on Scenic Drive and other areas along Sherburne Road. He added the 131 homes built on Sherburne Road do not include the 68 homes built on Spaulding Hill Road. He stated concerns about the cut-through traffic and speed of traffic. Mr. Long stated that water is a major concern, especially during dry years. He explained that neighbors have had to hydro frack their wells. Mr. Long stated that the conventional plan would be a disaster to consider. Adding the area behind their home on Slavin Drive is breathtaking. He says the open space plan is slightly better but still cannot imagine building 25 homes in that small area. He feels it would be a hardship for everyone in the area. Mr. Doherty responded that when Mr. Long's home was built it was done as a conventional subdivision. Mr. Doherty added that the Skyview development with homes closer together is an open space development. The public tends to see the result of the closeness of the homes without seeing the space left open.

Stephanie Laurin of 10 Slavin Drive stated that she had water issues just after a month once they moved in 22 years ago. She had their well hydro fracked and had to change wells. She stated they have three wells on their property: 600', 800', and 1000'. The 1000' foot well they have had been hydro-fracked a few times. Ms. Laurin expressed concerns with water issues including laundry and the resale value of their home. She stated an example from 2005 when Skillings drilled 2000' wells behind their property and not only damaged their well, but also were told by Skillings that they found no water when they drilled. She then asked the board to do research on this before moving forward. Ms. Laurin continued to address the board with concerns about speed from the traffic suggesting widening the road on Spaulding Hill Road. She stated that there is a bus stop at the end of Applewood Road and Slavin Drive where vehicles ignore the stop sign and speed. Ms. Laurin also questioned what had happened with the additional outlet from the Skyview development that was never put in. Ms. Laurin stated that she is not against development but needs to make sure she well is going to be protected, the children are safe walking, and the need for Spaulding Hill Road to be widened is addressed to reduce the traffic through Slavin Drive.

John Campbell of 35 Spaulding Hill Road expressed his support for the open space plan as it would provide a better buffer behind his property and more room for wildlife.

Laura Patriarca of 35 Spaulding Hill Road stated that given the option of the open space or conventional plan, she would favor the open space plan for the buffer it would provide and especially for the wildlife.

Steven Lessard of 8 Slavin Drive stated that he is on his second well and once Skyview Estates were developed, his well dropped about 12'. He stated that the land cannot take any more homes and wells. Mr. Lessard expressed concern with traffic; speed and ignoring stop signs. He stated that they were told

there would be an outlet road to relieve traffic from Skyview Estates which never happened. He said he would pick the open space proposal out of the two proposals.

Vincent Maconi of 6 Slavin Drive (lot 1-136-2) explained his land would directly abut the open space and has a stream that runs through. He stated he would favor an open space plan and concurs with previous abutters that traffic and water are significant concerns.

Chairman Doherty closes it to the public and brings it back to the board.

Chairman Doherty asked Mr. Gendron what the width of Spaulding Hill Road is that would attract people to go down Slavin Drive. Mr. Gendron is unaware of any issues with Spaulding Hill Road. Mr. Gendron stated that the entrance to their proposal is in the proximity of Slavin Drive, Marie Ave, and Skyview Estates. The road has reasonable geometry in that area. He continued that the intersections have all been updated. Mr. Doherty asked if Spaulding Hill Road is in massive disrepair. Mr. Montbleau answered that it was recently resurfaced and suggested maybe the speed comes from the surface being repaved and smooth. Mr. Montbleau said the section from Marie Ave. to Skyview was reconstructed agreeing with Mr. Gendron that that area has been upgraded. He continued that from Slavin Drive to Marie Ave. to the end of Spaulding Hill Road, the surfaces are very smooth and may promote speeding.

Mr. Samuel Thomas stated regarding Mr. Gendron's question of why people would go down Slavin Drive to Applewood Road and would not continue on Spaulding Hill Road. Mr. Thomas said this is a route that makes sense to avoid the backup of traffic.

Mr. James Bergeron asked what the posted speed limit is. He discussed that 30mph would be the limit that could be posted. He added that people exceeding the speed limit is a problem. Mr. Bergeron, Mr. Montbleau, and Mr. Gendron discussed the widths of existing roads in the area to try and determine factors in speed concerns with traffic.

Mr. James Bergeron stated that on Slavin Drive lot 1-136-4 Stephanie Laurin has a low-producing well which is at the t-intersection of Applewood Road. He added that lots to the north and south are producing adequate water. Mr. Bergeron concluded that it is an interesting dichotomy of well yields. Mr. Bergeron asked if this moves forward, would the community well along with adjacent wells be tested? Mr. Gendron believed this was true.

Mr. James Bergeron stated that he sees the open space plan to be the better concept.

Mr. Doherty stated 6 abutters prefer the open space concept. No abutters present were in favor of the traditional zoning concept.

Paddy Culbert stated that his guidance would be the open space plan.

Joe Passamonte stated he is leaning towards the open space plan.

Samuel Thomas agreed to the open space plan.

Bruce Bilapka stated that it seems the public is leaning toward the open space plan, and he is as well. He added that retesting of the wells is needed to make sure they produce.

Danielle Masse-Quinn stated she is leaning toward the open space plan as well. She added that she likes the protection of the ponds, the privacy for the abutters, buffers, and the bluebird society. She concluded that help with the water would be great.

John Spottiswood commented that he did not have any thoughts now.

Scott Sawtelle said he is leaning toward the open space plan.

Mr. Doherty asked if Mr. Gendron could check the pavement width on Spaulding Hill Road and compare it to Slavin Drive and Applewood Road. Mr. Doherty asked if he has something to go with now. Mr. Gendron said he thinks so. He would like to move forward with the open space and focus their attention on this.

BOARD MEMBERS /
PLANNING DIRECTOR UPDATES
NON-PUBLIC SESSION

Mr. Doherty announced the ceremony they had, and the annual report was dedicated to Hal Lynde. He thanked Hal for all his years of service to Pelham. Hal Lynde commented and thanked everyone.

Samuel Thomas thanked everyone for showing up to the master plan discussion last night. There will be a follow-up presentation at the Hobbs Center in the 2nd week of March. Residents can also click the following link <http://bit.ly/Our-Pelham-Our-Master-Plan-Survey>. Mr. Thomas concluded that the committee is still on track to be completed by the end of June at which point they will present to the Planning Board and the Board of Selectmen.

Danielle Mass-Quinn stated an update that she and Mr. Bergeron sat in front of the Board of Selectmen to request permission to update the well ordinance. The Board of selectmen gave their blessing that they could begin work on this. Once this is complete, they can go back to the Board of Selectmen to present this.

ADJOURNMENT

MOTION: (Montbleau/Danielle Masse-Quinn) to adjourn the meeting at 9:04 PM.

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

Respectfully submitted,
 Heidi Zagorski, Recording Secretary