

**APPROVED
TOWN OF PELHAM PLANNING BOARD
MEETING MINUTES
June 19th, 2023**

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

Secretary Danielle Masse-Quinn called roll:

PRESENT ROLL CALL: Tim Doherty – present
James Bergeron – present
Roger Montbleau - present
Danielle Masse-Quinn – present
Bruce Bilapka – present
Selectmen’s Representative Charlene Takesian – *not present for roll call; arrived at approximately 7:06 PM*
Alternate Paddy Culbert - present
Alternate Hal Lynde – *not present for roll call; arrived at approximately 7:06 PM*
Alternate John Spottiswood - present
Alternate Scott Sawtelle – present
Planning Director/Zoning Administrator Jennifer Beauregard – present
Recording Secretary Heidi Zagorski – present

NOT PARTICIPATING: Joe Passamonte
Selectmen’s Alternate Representative Jaie Bergeron
Alternate Samuel Thomas

PLEDGE OF ALLEGIANCE

Chairman Tim Doherty stated that Mr. John Spottiswood would vote for absentee member Mr. Joe Passamonte.

MEETING MINUTES

Mr. Hal Lynde had a revision to the June 5th, 2023 meeting minutes. He asked for a correction to be made on line 189. Mr. Lynde asked for the letter A to be added before the letter M.

MOTION: (Masse-Quinn/Montbleau) To approve the amended June 5th, 2023 meeting minutes.

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

Mr. Doherty stated that there is no new business or old business to discuss so this meeting would be a work session to discuss potential zoning changes, subdivision regulations, site plan review, and other things of this nature. Mr. Doherty opened the discussion to the Board members.

DISCUSSION

Mr. Bruce Bilapka stated he would like to start a discussion of 75-foot well radius setbacks. Mr. Bilapka said it seems there was a situation that occurred that has tainted the well radius setback. He said this setback is something the

Board uses on everything. He asked if any Board members had ever waived the 75-foot well radius setback. Mr. Doherty said on a Planning Board level this is something they wouldn't do. Mr. Doherty said they require a 75-foot setback. Mr. Bilapka stated this is something that involves his property, and it involves other properties in his neighborhood including Little Island Pond. He said he has already had this conversation previously at a Selectmen's Meeting and he let them know that if this is how it will be going forward, everyone will look for this waiver. Mr. Bilapka said it is a matter of time before the well systems will become contaminated and the inundation of water. Mr. Bilapka said there will be damages that will be done to his properties and also to surrounding properties including the pond. Mr. Bilapka stated this particular situation does not have a set location where the septic system is or where the building is or any kind of drainage plan, yet the Selectmen did not want to fight this case. Mr. Bilapka wanted to let it be known that this town is going to be held responsible for any damages to his property and surrounding properties and the pond. Mr. Bilapka asked for ideas on how this can be fixed. Mr. Paddy Culbert suggested making it non-waivable.

Ms. Charlene Takesian said there was a request that came to the Board of Selectmen from the Board of Health to waive the 75-foot distance between a well and a septic system. Ms. Takesian said she believed State law says once you are beyond your property line it does not matter that you are that close to a well. She said she thinks this was the basis for their attorney coming back to the Selectmen saying that he didn't think he could win it in court and so instead of paying the legal fees and because that well radius has been waived several times on that street and around the pond, it is tough right now to stop and say no to this waiver because all the others were waived. Mr. Paddy Culbert said there have been no well radius waivers allowed as far as he is concerned. Mr. Bilapka said this is an abandoned property and the well radius is the well radius. Ms. Takesian stated it is an ongoing case, so she does not want to discuss it here, but it gets waived by the Health Agent. Mr. Culbert questioned if the Health Agent has the authority to do this. Mr. Bilapka said this is an abandoned piece of property and it is illegal. He said it does not have the right to have the well radius waived. Mr. Culbert asked if the Health Agent waives well radiuses. Mr. Doherty stated you can waive rights to your well radius from your septic system on your own property. Mr. Doherty confirmed with Ms. Takesian that the Health Agent can waive someone else's well radius rights. Mr. Doherty asked Mr. James Bergeron if he has heard of someone being allowed to waive someone else's rights to their well radius. Mr. Bergeron said he believed this is an ongoing case that is not quite settled yet. Mr. Bergeron asked why a decision was made so soon before the pending litigation was settled. Mr. Bergeron questioned what advice legal gave to the Selectmen to make this decision.

Ms. Masse-Quinn said they have been working on and researching the well ordinance for a couple of months. Ms. Masse-Quinn pulled Windham, NH, Bedford, NH, and Brookline, NH well ordinances. Ms. Masse-Quinn said Windham, NH goes through the Building Inspector for well radius waivers, and they have never taken a waiver request for any well radius waivers. Mr. Doherty stated he is concerned that the Health Agent could waive his rights for a well-radius setback. Mr. Bergeron stated that he did not know if legal understood that this is not a case of something that exists on a lot, this is a brand-new application to place a septic system within 75' of three existing wells. Mr. Bergeron said it is not that person waiving their own right to the setback, it is something entirely different. Mr. Bergeron explained it is a unique piece of property that is an abandoned use that has no registered septic system on it and to allow a septic system to be within a very close well radius to three existing wells is a threat to public safety. Mr. Bergeron said they have to adhere to zoning laws. Mr. Doherty said that it is not in zoning, it is in health regulations. Mr. Bergeron said it is not only in health regulations, but it also is in the NH Department of Environmental Services Code of Administrative rules too, and it wasn't adhered to.

Ms. Takesian asked Planning Director Ms. Jennifer Beauregard if she knew how many times a well radius has been waived on that street. Ms. Beauregard said she did not know. Ms. Beauregard said the permits themselves happen through her office, but they are under the authority of the Health Agent. Mr. Doherty said he had a few systems designed on small pond lots. He said if you had an existing dwelling and your system went into failure, you had 90 days to replace your system. Mr. Bergeron said if there is a system in failure, there is an automatic procedure that

happens and yes you are technically correct. Mr. Doherty said if you are not in failure, and you want to just replace your existing septic system, you have 5 years to replace the system. Mr. Doherty added both of these examples are for existing dwellings that are in use. Mr. Bergeron said that is an important detail that these are existing dwellings in use, they are not abandoned, it is a continuation of use.

Mr. Montbleau suggested the Planning Board should send an inquiry to the Board of Selectmen and the town legal advice, so they understand what the Planning Board is thinking. Mr. Doherty asked if we should continue to work on verbiage if a Health Agent can turn around and waive it. Mr. Doherty asked if the Health Agent was allowed to do that without the Selectmen if he had wanted to. Ms. Takesian said apparently so and added she was surprised and appalled when it came to the Board of Selectmen that the abutters did not have to be notified. Mr. Bilapka stated this is an abandoned swamp lot and this is a case that should be told no. Ms. Takesian said she cannot speak to this particular case, but to get a building permit, they still have to get an approved septic design. Mr. Bilapka said that this should never have gone beyond the septic system, adding the lot is underwater, it is a swamp, and there are wetlands on the lot. Mr. Doherty asked Ms. Takesian if this was decided upon to avoid going to court. Mr. Doherty said the town would end up going to court anyway because they will get sued by the abutters, potentially being sued by three people instead of one resulting in the town still being sued regardless. Ms. Takesian stated the Selectmen voted 4-1 to deny the waiver. Mr. Culbert asked how the waiver got passed then. He asked if the Health Agent was stronger than the Selectboard. Ms. Takesian said the property owner is suing the town saying the waiver should have been approved because waivers have been granted several times on the same street. Mr. Montbleau said they are doing a blanket area justification when in fact there is no existing circumstance that has to be mitigated because of people that are actually living there. Mr. Doherty added there is no one living on this property. Mr. Bilapka asked if this is still an ongoing case or did the Health Agent override the Selectboard. Ms. Takesian said the Health Agent waived his right because he had conflicting interests, so it came to the Board of Selectmen. Mr. Bilapka asked if this is still going to court. Ms. Takesian said the owner took the town to court. Mr. Bilapka said going forward on this property this needs to go before every Board for input because this is a poster child lot of problem lots that have been talked about, and every Board needs to have input on this. Mr. Doherty said that would have to be followed through RSAs. Mr. Montbleau added this is a job for Mr. Ratigan now.

Ms. Masse-Quinn proposed to remove the Health Agent and follow the guidelines of Windham, NH and go through the Building Inspector with the guidance of the Board of Selectmen, and/or the Code Enforcer.

Ms. Masse-Quinn added she had definition additions and changes to propose.

Ms. Masse-Quinn suggested adding to Section I, Authority and Purpose so there is a strict understanding of who has the authority stating it would go before the Planning Board for final input and fact-finding as well as maybe Conservation if needed as an advisory for feedback on this. Ms. Takesian added the abutters should be notified as well.

Ms. Masse-Quinn explained to the Board that she had originally begun this research due to the well issues on Sherburne Road and researched other town ordinances from Windham, NH, Bedford, NH, and Brookline, NH. Ms. Masse-Quinn said she pulled to add a well-completion report, although the town has a small report, she stated under the NH Code of Administration 602-26 they have a report available that offers great detail. Ms. Beauregard added that the town does require the well data report.

Ms. Masse-Quinn discussed additional things she would like to work on including taking out under Section IV called community wells/wells and adding to Section IV a well yield requirement. Ms. Masse-Quinn said the Board of Selectmen gave the Planning Board the authority to update the well ordinance. Ms. Masse-Quinn said that the town of Windham has what they call an Authority and Purpose section and they have established the Board of Selectmen under the RSA147:1 as the first go-to along with their Building Inspector who is also their Code Inspector. Ms.

Masse-Quinn stated she would propose to go with the Board of Selectmen working hand in hand with Mr. John Lozowski, who is the Code Officer for the Pelham Planning Department. Ms. Beauregard stated looking at the Town of Windham well ordinance, they do grant well waivers. Ms. Beauregard read if the placement of a well is necessary within 74' to 50' of the owner's septic system leach field. She said the waiver sounds like it is from the NHDES and not from the town. Ms. Beauregard said it stated it must be granted and provided to the community development department as part of the application. Ms. Masse-Quinn said that when the application is submitted that is when you could disclose any abandonment or no-use information, and more details. She added this is what she liked about the Windham ordinance. Mr. Bilapka said you have always had the right to waive your own well radius. Mr. Bilapka said the town makes you sign this waiver, so they are not responsible for any problems with the septic system that they approve if your well gets contaminated. He added as far as contaminating other people's wells the 75' setback still holds true.

Ms. Beauregard said in the Town of Windham's ordinance, it states if it is 74' to 50' of an abutting property, then DES requires a standard release form. Mr. Bergeron asked if this meant the abutters would have to agree adding this hasn't happened in this case. Ms. Takesian stated in this case, the abutters were not notified.

Mr. Montbleau asked Ms. Beauregard if the State requires the abutters to sign off on this. Ms. Beauregard said she was always under the assumption that a well release form has to be agreed upon by the well that is going to be encroached on. Ms. Beauregard added that she thinks it is possible that the State won't approve the septic design. Mr. Montbleau suggested talking to Mr. Ratigan about what the Planning Board has discussed and specifically asking him if the State statute requires abutters to approve the waiver. Mr. Bergeron asked Mr. Montbleau if he would like to get a consensus of the Planning Board to produce a letter to NHDES saying this waiver granted has to have an agreement by the abutters. Ms. Takesian asked how someone can ask for a waiver if they need to get approval from NHDES first. Mr. Montbleau said they are thinking this is the case, but they need to confirm this.

Mr. Doherty stated that Ms. Masse-Quinn has looked into well ordinances of three different towns and that each town has different ways of approaching them. He added there could be something in the language of Pelham's ordinances that would allow the Health Agent to override the wishes of the abutter's wells. He said apparently the State can't do that, because if they could, they would, and this would be done. Mr. Doherty said this is why the applicant went to the Selectmen asking for a waiver. Ms. Takesian stated the Health Agent had a conflict of interest, so it went to the Board of Selectmen and was convened as the Board of Health. Ms. Takesian said the owner of the property asked for a radius waiver and the Board voted to not grant it. Ms. Takesian stated that three wells were being affected and the abutters were not notified. Mr. Bergeron said the Selectmen voted 4-1 against the waiver. He said then the Board of Selectmen notified the court that they are dropping the case and are not contesting the suit being brought against the Selectmen by the owner for having not granted the waiver. Mr. Bergeron added this is public information.

Ms. Beauregard said she thought the next step is they are allowed to design the septic, but the septic design has not been approved.

Mr. Doherty asked Ms. Masse-Quinn to continue with her discussion on her proposed changes.

Ms. Masse-Quinn said for Section I to propose an Authority and Purpose Section similar to the Town of Windham. She said we would allocate the Board of Selectmen under the RSA 147 as well as our Code Enforcer.

Ms. Masse-Quinn proposed changes to Section II Definitions and she would prepare a hard copy for the Board to later review.

Ms. Masse-Quinn said under Section III she would propose adding a section on Community Wells because of an issue on Sherburne Road with wells running out of water on Chardonnay Road.

Ms. Masse-Quinn stated in Section IV she would propose adding a well yield requirement similar to the Town of Windham.

Ms. Masse-Quinn said in Section VI she would propose removing the Health Agent and replacing it with the Board of Selectmen and the Town Code Enforcer. She added this would keep it more in town as the Health Agent is not a Pelham resident.

Ms. Beaugard clarified that Pelham has a Health Agent and a Health Officer. She said the Health Agent is in charge of the wells and septic. Ms. Takesian clarified the Health Agent is in charge of the well radius and should be using the term, Health Agent.

Ms. Takesian stated that she agreed with Mr. Culbert to make the well ordinance non-waivable. Mr. John Spottiswood suggested it should be a group of people determining the waiver and not one person. Ms. Takesian said the abutters should be notified as well. The Board members discussed where in zoning they could include the well waiver radius to be nonwaivable. Mr. Bilapka asked if we add to an existing ordinance can it be accepted and voted on by the Board of Selectmen? Ms. Beaugard said yes. Ms. Beaugard said the town of Pelham has the authority to accept ordinances.

Mr. Bergeron asked Ms. Takesian if she is aware of the decision he spoke about. Ms. Takesian asked if it is something from the court, she has not seen it. Mr. Bergeron stated he would send it to Ms. Takesian.

Mr. Doherty asked if any Board members had any suggested guidance for Ms. Masse-Quinn.

Ms. Beaugard spoke about assistance available to the Planning Board from the NRPC (Nashua Regional Planning Commission). Ms. Beaugard said she attended the Drinking Water Source Protection Conference put on by DES. She shared how NRPC helped other towns create really strong groundwater resource protection ordinances and learned of things that Regional Planning Commissions offer at a discounted rate that she wasn't aware of. Ms. Beaugard said as she is about to prepare her budget, she reached out to NRPC and asked if this is something they are willing to do because she thought the Planning Board would like them to look and see if any conflicts are found in the ordinances that they have now. Ms. Beaugard explained that if the Board was interested, NRPC would come and talk with the Board to find out what ideas they have, take notes, and find out where the Board's areas of interest are. She said if this Board is interested, she would seek a quote of what it would cost and put it into her budget and try and get it done for next year. Mr. Montbleau asked if the town already has a certain number of services that NRPC is being paid for on an annual basis. Ms. Beaugard said they do provide a lot of services and assistance to the town, and this would be in addition to but still at a discounted rate than if they were to outsource to anybody else. She added NRPC said it would be about \$5000.00 to do so. Ms. Beaugard said you want all the ordinances to complement each other without any conflicting information. Mr. Bergeron asked what the town of Pelham pays for the current services of the NRPC. Ms. Beaugard said roughly for the year she believed it was estimated at \$10,000.

Mr. Doherty asked Ms. Masse-Quinn to see if she comes across any language from other towns for well ordinances that are non-waivable. Ms. Masse-Quinn added that she had additional notes from previous discussions including from Mr. Samuel Thomas to possibly add a third party for inspection and from Mr. Lynde to have long-term testing for several days. She added that when it comes to the output of the well and water quality New Hampshire does not have strict regulations. She said New Hampshire does have guidelines.

Mr. Doherty asked the Board members if anyone was opposed to Ms. Beaugard putting the services of the NRPC into the budget. Mr. Doherty said the consensus of the Board would be yes to using the NRPC. Mr. Bergeron asked if this meant they could potentially have this for the coming election. Ms. Beaugard said yes.

Ms. Masse-Quinn said the well ordinance is under 41-14B under the Board of Selectmen and they can create town ordinances. She said she can take feedback from tonight's meeting and come back before the Board for review. The Board Members agreed.

Mr. Doherty began to discuss the Senior Housing draft he presented to the Board Members. Mr. Bergeron said he talked to Ms. Masse-Quinn about changes within the ordinance about clearing out the 4k area. Mr. Bergeron said every ordinance has a spirit of intent and that along with their Master Plan is where they can always fall back and say it is logical and it makes sense because here is the spirit of intent and here is the Master Plan looking to protect these. He added the specificity may need more time and work.

Mr. Doherty explained that he included the Senior Housing under Innovative Land Use to allow the Board to make changes or adjustments. Mr. Doherty said he changed the wording for the bedrock cover from 2 feet to 4 feet. He addressed a few issues with density criteria. He added this is a work in progress. Mr. Montbleau discussed the minimum age requirement of a person that would be allowed to live in Age Restricted Housing (ARH) under 307-50 Definitions.

Ms. Beauregard asked if in previous ordinances, was there language for if an adult child was disabled. Ms. Masse-Quinn stated she had this included in her proposal as the 354 which is for the NH Elderly statute, as well as the Fair Housing Act, and the Disability Act with children. She stated under her handicap definition she has this. She said Section 223 Social Security Act and Disabled, talks about if the mental and physical impairment is likely to continue past the age of 22. Ms. Masse-Quinn referenced this is from the Town of Chester, NH.

Mr. Bilapka asked what happens when grandparents live with grandchildren. Mr. Montbleau referenced what Mr. Doherty had said about it being up to the association to make those decisions. Mr. Doherty added that when a developer builds a complex there has to be condo documents involved and the town does not enforce condo documents. Ms. Beauregard said however that the ordinance says associations must provide a list of all the residents and their ages to the Planning office.

Ms. Takesian asked if the Planning Board was required to put the Senior Housing Ordinance back. Ms. Masse-Quinn said there is an NH Elderly Housing statute that is applicable by federal and state regulations to require over 55-year housing. Ms. Masse-Quinn said the state statute says you should offer something for the older generation as well. Ms. Takesian asked if we have given any thought to what happens if we do not have qualified people to buy into the senior housing. Mr. Spottiswood said a lot of 55–65-year housing units were not purchased by Pelham residents; they were purchased by surrounding towns. Ms. Takesian said these were taken off the ordinance for a reason and if they are put back into the ordinance, there is a concern that developers would take advantage because they can get denser housing. Ms. Takesian said they could end up with dense housing that may not be useable. Mr. Doherty said that may not be true and that under 307-51 on the ordinance under Requirements, it says the Planning Board shall be authorized to adopt additional regulations as part of the site plan review regulations to address the unique concerns related to affordable senior housing facilities. Mr. Doherty said it goes on to say the Planning Board shall have the sole authority for approval of a proposed development for a particular site based on suitability, the density of the proposal, and several current ARH/Senior facilities existing in Pelham at the time of the proposal. He added that under that section, we the Planning Board have the authority to look at the current stock of what Pelham has for ARH and Senior facilities. He said if this is voted in, this Board and future Boards cannot just allow a developer to come into the town because they want to develop Senior housing if we do not need it at the time.

Mr. Lynde said Pelham is the 2nd highest town in the state with the highest number of people over 55 years old. Mr. Doherty said we have to have inclusive zoning for all.

Mr. Doherty addressed Ms. Takesian's concerns regarding what would happen if there were not enough qualified people to buy the senior housing. Mr. Doherty said this is for affordable housing and said with housing in general if you do not have a market for any particular housing, the price for that particular housing drops, and it continues to drop until you have a market again for that housing. Mr. Doherty said if this somehow created affordable senior housing, that would be a good thing. Ms. Takesian said it is a concern to have vacant housing or if the market value is lowered, the tax base would be lowered as well.

Mr. Montbleau referenced the language in the draft of the Senior Housing ordinance and read: Conversion of affordable senior housing facilities to other uses shall not occur unless the proposed use complies with all applicable zoning and site plan review regulations. Mr. Montbleau asked why the Planning Board would allow conversions. Mr. Doherty said in a worst-case scenario, for example, fifty years down the road, if somehow Pelham changed into a young person town, you could potentially change the housing into something else instead of it being unoccupied or dropped down low in price.

Mr. Montbleau referenced and read: Planning Board shall have the sole authority for approval of a proposed development for a particular site based on suitability, the density of the proposal, and the number of current ARH/Senior facilities existing in Pelham at the time of the proposal. Mr. Montbleau said if this was held to task on a legal issue, they may say that is an arbitrary regulation where it says based on the current ARH/Senior facilities at the time of proposal. He asked how we certify who decides at the time of proposal if there are enough existing ones. Mr. Doherty said it is under an innovative land use ordinance. Mr. Montbleau and Mr. Doherty continued to discuss the language for the Planning Board to control the restrictions on Senior Housing.

Ms. Masse-Quinn said according to the new Master Plan under ARH, it states the existing Senior housing in Pelham does not meet the needs of the community's aging residents. She said that could be a great argument for a developer along with not having it in the zoning. She added she wanted to make sure to include something in the zoning so that couldn't happen. Ms. Masse-Quinn explained it is under the existing condition report in the Master Plan. She said under the Age Restricted Housing it states that the existing senior housing in Pelham does not meet the needs of the community's aging residents. She added it states more about senior housing can be found under the housing and population section of the existing conditions. Ms. Beauregard said the report is on the Planning Department website and its own Master Plan website. Ms. Beauregard explained this is about not having enough affordable senior housing, with affordable being the key word. She added we are talking about seniors in our town; however, you cannot restrict who is coming in and buying the senior units from other towns.

Ms. Takesian asked how affordable housing is determined. Mr. Doherty said you compare it to housing that is being built in town right now and what is being built in surrounding towns. Mr. Montbleau questioned if they determine affordable housing by the average sale of a house. Mr. Doherty walked through an example of a project being built over years and the impact of the cost of material and labor increasing causing the builder to raise the original cost of a unit once it is complete. Ms. Takesian asked how you can hold the builder to the original cost of the homes when the project begins. Ms. Masse-Quinn explained that the statute breaks it down under workforce housing statute 674:58. Ms. Masse-Quinn went on to explain examples of the statute's calculation. Mr. Doherty added you cannot hold a builder to the number they presented in year one because it will continue to keep changing.

Mr. Beauregard said the way you hold them to it is you require them to file to ensure they remain under the regulations. Ms. Beauregard said in our ordinance now for workforce housing, it says permitted by conditional use permit from Planning Board under the authority 674:21 II Innovative Land Use Controls, to qualify as a workforce housing development, the applicant must present convenience or other contractual guarantees to ensure the units are affordable as defined by RSA 674:58 IV. She added similar language could be used in the zoning for affordable senior housing.

Mr. Bergeron said we can make a discovery and ask the tax assessor to do a report on the number of 55 and over housing units we have. He said we would know the difference between the municipal side and the school side and what effect this would have on the tax base. Mr. Bergeron said the affordability will be created by placing a limit on the units to have only two-bedroom and be within 700 sq. ft. He explained if the discovery proves to be a net wash or is a plus to the tax base, then this is something we should look clearly at.

Chairman Doherty stepped out at 9:25 PM and asked Vice Chair Jim Bergeron to step in as Chairman. Chairman Doherty returned at 9:28 PM.

Mr. Spottiswood said on workforce housing the affordable housing must be at least 20%. He asked why we are at 10% on the senior housing for affordable units. Mr. Bergeron asked is it the intent of this ordinance is to be affordable. Mr. Bergeron said if that is the intent, then Mr. Spottiswood is correct, we need to bump it up. Mr. Spottiswood said people are afraid to sell their homes in Pelham because they can't afford the senior housing that is available in Pelham. Mr. Spottiswood stated it is not serving a purpose for the people of Pelham. He referenced that in the Master Plan, it is stating there is a need for affordable housing.

Mr. Bergeron discussed if there could be a maximum size implemented for the senior housing units. Mr. Montbleau asked if in the last ordinance did both people have to be 55 years of age. Mr. Bergeron said yes, he said it got repealed because of an unpopular development. Mr. Montbleau said in this particular draft, where only one person had to meet the requirement of 55 years of age, you are getting mixed-use and still attending to the seniors and mixing it with younger people creating a nice blend of housing for people.

Ms. Takesian said she wanted to clear up what she said about the tax base. She said her question had to do with the existing over 55 units now that could become abandoned because they can't be sold to anyone over 55 years of age and that would decrease the value and that will decrease the tax base. Mr. Bergeron said Mr. Montbleau brought up the parallel point to this in the density section. He said he would suggest talking about this and under the requirement section the wording is rearranged so we are working on the demographic. Mr. Bergeron said if the demographic should go the way we are talking; we would change this housing type into young affordable housing.

Ms. Masse-Quinn recommended that the Board Members read Article VII Age Friendly Subdivisions as well as Workforce Housing from the Town of Chester, New Hampshire. Ms. Masse-Quinn said it explains every item being discussed and the Town of Chester merges Aging Housing, Affordable Housing, and Workforce Housing together.

The Board Members continued to discuss the criteria of the square footage for the Senior Housing Ordinance to include limitations on the number of bedrooms to create what would be considered affordable housing.

At approximately 9:49 PM, Mr. Doherty announced the work session would end.

NON-PUBLIC SESSION

MOTION: (Masse-Quinn/Bilapka) To request a non-public session per RSA 91-A:3, II (l) Consideration of Legal Advice

ROLL CALL VOTE: Mr. Montbleau - Yes
 Mr. Spottiswood- Yes
 Ms. Masse-Quinn - Yes
 Mr. Bergeron - Yes
 Ms. Takesian - Yes

Mr. Bilapka - Yes
Mr. Doherty – Yes

(7-0-0) The motion carried.

Mr. Bergeron invited the Planning Director Ms. Jennifer Beauregard into the non-public meeting.

Mr. Doherty noted that when the Board returned, after the non-public session, the Board would not take any other action publicly, except to seal the minutes of the non-public session and to adjourn the meeting. The Board entered a non-public session at approximately 9:51 PM.

MOTION: (Montbleau/Takesian) To seal the minutes of the non-public session indefinitely.
VOTE: (7-0-0) The motion carried.

ADJOURNMENT

MOTION: (Montbleau/Bilapka) To adjourn the meeting.
VOTE: (7-0-0) The motion carried.

Respectfully submitted,
Heidi Zagorski, Recording Secretary