

**APPROVED
TOWN OF PELHAM PLANNING BOARD
MEETING MINUTES**

March 4, 2024

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

Secretary Danielle Masse-Quinn called roll:

PRESENT ROLL CALL: Tim Doherty – present
 Danielle Masse-Quinn – present
 Joe Passamonte – *not present at time of roll call; arrived at 7:14 PM*
 James Bergeron – present
 Bruce Bilapka – present
 Roger Montbleau – present
 Selectmen’s Representative Charlene Takesian – present
 Alternate Hal Lynde – present
 Alternate John Spottiswood – present
 Alternate Scott Sawtelle – present
 Planning Assistant Kerry Karalekas – present
 Recording Secretary Heidi Zagorski – present

NOT PARTICIPATING: Selectmen’s Alternate Representative Jaie Bergeron
 Alternate Paddy Culbert
 Alternate Samuel Thomas
 Planning Director/Zoning Administrator Jennifer Beauregard

Mr. Tim Doherty assigned Mr. John Spottiswood to vote for Mr. Joe Passamonte until Mr. Passamonte arrived.

PLEDGE OF ALLEGIANCE

MEETING MINUTES

Ms. Danielle Masse-Quinn requested to insert a motion on Line 293. The motion was added as follows.

MOTION: (Masse-Quinn/Bilapka) *To date specify Case #PL2023-00036 to the April 1, 2024 Planning Board meeting.*

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

MOTION: (Masse-Quinn/Montbleau) To approve the February 22, 2024 meeting minutes as amended.

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

MOTION FOR RECONSIDERATION

Case #PL2022-00041

Map 22 Lot 8-85-1

Court Ordered Remand (NH Housing Appeals Board Case #PBA-2023-13, December 7, 2023). Site Plan review for a 65-unit apartment building on a 30.5 ac parcel subdivided off of the parent lot where the existing house will remain on 14 acs. Per the order of the NH Housing Appeals Board, the Planning Board’s denial of the application for site plan approval, the application for WCD special permit, and the request for waivers are REVERSED and REMANDED. The scope of the remand ordered is limited to allowing the Planning Board to impose reasonable conditions of approval.

Motion for reconsideration of reasonable conditions of approval requested by Danielle Masse Quinn, Planning Board member.

Mr. Doherty announced the motion for reconsideration had been withdrawn.

CONTINUED

Case #PL2024-00009

Map 41 Lot 10-246

MZL Realty – 10 Bridge Street - Applicant requesting Site Plan Review to approve the location of dumpsters not shown on the original Site Plan.

Mr. Doherty asked the public if anyone was present to represent MZL Realty. There was no one present.

MOTION: (Bilapka/Bergeron) To date specify Case #PL2024-00009 to the April 1, 2024 Planning Board meeting.

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

Case #PL2024-00005

Map 23 Lots 12-98, 12-99-4, 12-99-5

Triple Crown Homes, LLC – Kinnal Avenue - Seeking approval to Consolidate 3 lots and Re-Subdivide into 10 lots.

Mr. Doug MacGuire introduced himself from the Dubay Group representing the applicant Triple Crown Homes, LLC. Mr. MacGuire explained that they were before the Board on February 22, 2024. Mr. MacGuire explained at that time they had received a review letter from the Town Engineer, Mr. Steve Keach. Mr. MacGuire said Mr. Keach had now completed a subsequent review of the plan. Mr. MacGuire said the septic tank in question by Mr. Jim Bergeron at the February 22, 2024 meeting had been adjusted on the plan.

Mr. Bergeron asked Mr. MacGuire what he wanted to see from the Planning Board. Mr. MacGuire said at this point, it would be appropriate to do a conditional approval of the plan. Mr. MacGuire said he would like to see the applicant be able to move forward. Mr. Bergeron confirmed with Mr. MacGuire that the 50' buffer did not apply to this plan. Mr. MacGuire said the updated plans he brought to Mr. Keach did reflect this.

Mr. Doherty opened the discussion to the public. Seeing and hearing no response, Mr. Doherty closed the discussion to the public.

Mr. Doherty said he had a list of proposed conditions from Planning Director/Zoning Administrator Jennifer Beauregard. Mr. Doherty read the list of proposed conditions into the record as follows.

1. Receipt of all state permits including: (a) NHDES Subdivision Approval; and (b) a NHDES Alteration of Terrain Permit, and approval numbers be depicted on the recordable plan.
2. As shown on Sheets 2, 4 & 6 a small portion of existing Lot 12-99-4, situated immediately southeast of the intersection of Kinnal Avenue and Webster Avenue, is identified as a “portion of Map 23 – Lot 12-99-4 found within right-of-way per plan references #3 & #8.” To remedy any potential title defect, the owner/applicant shall execute and record a quit claim deed dedicating land within this apparent “overlap” to the Town of Pelham as supplemental public right-of-way.
3. Any easements to be depicted on recordable plans as reviewed and found acceptable by Town Counsel (at the applicant’s expense) and recorded on individual plot plans.

4. Execution of a development agreement of form and content acceptable to the Planning Department. Consistent with RSA 674:36, the development agreement shall include a provision requiring the owner/applicant to furnish and maintain a performance guarantee, in an amount and form acceptable to the Planning Department, to serve as a financial surety for full and final completion of all future public improvements specified on the final project plans, prior to the sale/conveyance of individual lots or the issuance of building permits for the construction of structures to be situated thereon.
5. Applicant to provide escrow funds in an amount estimated by Town Engineer, for costs associated with construction monitoring and inspection services.
6. All applicable impact fees to be paid at the time of building permit issuance:
7. Receipt of correspondence from the Pelham Fire Department acknowledging favorable review of final project plans.
8. Written memorandum from Steve Keach indicating his satisfaction with the final recordable plan set having addressed all items identified in his most recent review letter dated March 1, 2024.

Mr. Mr. MacGuire said he would have no issue with these conditions applied to the plan.

MOTION: (Montbleau/Bilapka) To approve Case #PL2024-00005 with conditional approval.
VOTE: (7-0-0) The motion carried.

Mr. Joe Passamonte is now present and will vote moving forward. Mr. John Spottiswood stepped down.

NEW BUSINESS

Case #PL2024-00010

Map 32 Lots 1-150-1 & 1-150-2

KOMUS, Marina and COPPINGER, Kenneth & Linda – 2 & 4 Marie Ave - Seeking approval of a Lot Line Adjustment of the common boundary between the two subject lots, transferring 0.193 acres from Map 32 Lot 1-150- 2 (decreasing lot size from 1.469 acres to 1.276 acres) to Map 32 Lot 1-150-1 (increasing lot size from 1.471 acres to 1.664 acres).

Ms. Masse-Quinn read the list of abutters.

Ms. Marina Komus introduced herself as the owner of 2 Marie Avenue. Ms. Komus' husband was also present. Mr. Kenneth Coppinger and Ms. Linda Coppinger introduced themselves as the owners of 4 Marie Avenue.

MOTION: (Bergeron/Bilapka) To accept for consideration a waiver request for Section 202-3 Minor Subdivisions C.(3)(a) 17, 18 (wetland delineation).
VOTE: (7-0-0) The motion carried.

MOTION: (Bergeron/Passamonte) To accept for consideration a waiver request for Section 202-3 Minor Subdivisions C.(3)(a) 25 (erosion control).
VOTE: (7-0-0) The motion carried.

MOTION: (Bergeron/Montbleau) To accept for consideration a waiver request for Section 202-3 Minor Subdivisions C. (3)(b) 1 thru 10 (topography).
VOTE: (7-0-0) The motion carried.

MOTION: (Bergeron/Bilapka) To approve a waiver from Section 202-3 Minor Subdivisions C.(3)(a) 17, 18 (wetland delineation).

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

MOTION: (Bergeron/Passamonte) To approve a waiver from Section 202-3 Minor Subdivisions C.(3)(a) 25 (erosion control).

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

MOTION: (Bergeron/Montbleau) To approve a waiver from Section 202-3 Minor Subdivisions C. (3)(b) 1 thru 10 (topography).

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

MOTION: (Montbleau/Masse-Quinn) To approve the lot line adjustment of Map 32 Lots 1-150-1 & 1-150-2.

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

BOARD MEMBERS / PLANNING DIRECTOR UPDATES

Ms. Masse-Quinn would like to offer a discussion regarding the Moratorium that would be expiring on March 7, 2024. Ms. Masse-Quinn said she would like to extend the Moratorium for one year.

Mr. Bruce Bilapka confirmed with Ms. Masse-Quinn that if the Moratorium were extended, it would remain the same language.

MOTION: (Masse-Quinn/Bilapka) To allow Ms. Masse-Quinn and Mr. Bergeron to represent the Planning Board before the Board of Selectmen for the request to extend the Moratorium for (1) one year.

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

NON-PUBLIC SESSION

MOTION: (Masse-Quinn/Bilapka) To request a non-public session per RSA 91-A:3, II, (I) - Consideration of legal advice provided by legal counsel and per RSA 91-A:3, II (c) – Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the public body itself.

ROLL CALL VOTE: Mr. Montbleau – YES
 Mr. Passamonte – YES
 Ms. Masse-Quinn – YES
 Mr. Bergeron – YES
 Ms. Takesian – YES
 Mr. Bilapka – YES
 Mr. Doherty - YES

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.

MOTION: (Bilapka/Passamonte) To seal the minutes of the non-public session indefinitely.

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

ADJOURNMENT

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

Respectfully submitted,
Heidi Zagorski, Recording Secretary