APPROVED

TOWN OF PELHAM
PLANNING BOARD MEETING
October 3, 2016

The Chairman Peter McNamara called the meeting to order at approximately 7:00pm.

The Secretary Paul Dadak called roll:

PRESENT: Peter McNamara, Roger Montbleau, Joseph Passamonte, Tim Doherty, Alternate Paddy Culbert, Alternate Richard Olsen, Selectmen Representative William McDevitt, Planning Director Jeff Gowan

ABSENT: Paul Dadak, Jason Croteau, Alternate Robert Molloy, Alternate Mike Sherman

Mr. McNamara appointed Mr. Culbert and Mr. Olsen to vote.

SPECIAL PRESENTATION

Charlie Head of Sanborn/Head & Associates, Inc. regarding the services they can perform to assess potential impacts of development on area wells

Mr. McNamara announced that Mr. Charlie Head of Sanborn/Head & Associates would conduct a power point presentation regarding water. He asked the Board to hold questions until after the presentation. The discussion would then be open to public input and questions.

Mr. Head came forward. He stated he had not made study of the bedrock situation in Pelham. He explained he was called in for an initial consultation last summer and spent a couple meetings in Town. He said he would give a general presentation to talk about the occurrence of groundwater in bedrock to give a sense for what the Town might be able to do to study future development. Mr. McNamara said that was fine as it would be inappropriate for Mr. Head to comment on any pending project in front of the Board.

Mr. Sanborn began his power point by discussing his education and experience – Slide #1-6. *(See Attached – copy of all slides presented during meeting)*

Slide #7 – Bedrock occurs in two different media, the first is sand and gravel overburden soils with air space and the air space fills with water. A lot of good water supplies derive from sand and gravel. The second is fractures in bedrock (a lot of which is granite or metamorphic rock) with no pore space; the ground water occurs within the fractures.

Slide #8 – Showed fractures that pulled water within the bedrock. On right side, the well would have low water yield. Center of slide showed a well penetrating down through a number of fractures that are highly water bearing.

Slide #9 - Picture of a road cut with bedrock ground water flowing out of upper and lower fractures. The upper fracture showed water coming out, the lower fracture had almost no water. Mr. Head said the photo showed the variability in a small vertical section. He noted New Hampshire had two predominant fracture types1) horizontal and 2) steeply tipping at 45 degrees or greater, which tended to intersect. Mr. Doherty saw that the bottom (yellow line) fracture didn't have water coming out. He asked if that was because the water was seeking the path of least resistance and coming out of the top fracture. Mr. Head answered no, he said the head would be in the upper fracture driving the water toward the deeper fracture. He said the slide represented

a fracture in which the aperture was filled with clay or it wasn't wide enough to transmit much water. Mr. Doherty questioned if the work done by the highway effected the fracture. Mr. Head said he doubted it. He said the slide was an example of individual bedrock fractures.

Slide #10 – Showed imaginary wells extending down from houses intercepting water bearing fractures. Mr. Head said typically when development is relatively sparse it would be unusual for one well to effect another well. As development increases with wells tapping into the same fractures there could be impacts; however it was not common.

Slide #11 – Outlined bedrock well yield.

Slide #12 & 13– Outlined a case study similar to the residential development occurring within the Southwest portion of Pelham. Diagram showing the cross-section of a well for how water cycles from the ground water level.

Slide #14 – Residential water well (in bedrock) trace during pumping. To get the reading they put a pressure transducer in the well to read the water level every minute all day long and all week long continuously. This allowed them to understand what was going on with the water when the well was pumping. The trace showed the water level going up and dropping down over the course of approximately two weeks. Superimposed below was the trace from a well in the same neighborhood (shown in Slide #14) at a lower elevation who used an irrigation system. Mr. Head noted the pumping from the two individual wells had no impact on each other. The bottom of the slide superimposed a line showing a monitoring spot within the neighborhood; the groundwater level remained unperturbed even with 46 homes pumping all day and all evening long. Mr. Head told the Board the trace was typical for what they saw for residential zoning of one-two acres. He stated it was very unusual to see impact from one well to another. He said it tended not to happen; not to say it couldn't happen, but it would be highly improbable.

Slide #15- Conclusion from trace information: *It is highly improbable and very atypical that pumping from residential bedrock wells in a development with acre-type zoning would materially impact other nearby wells. The chances of impact increase some with larger-scale groundwater withdrawals and high-density development; but there is no easy and inexpensive way to determine this.*

Slide #16 – Large-Scale Groundwater Withdrawals. Defined by the State as 40 gallons per minute (57,600 gallons per day).
Slide #17 – List of common requirements by the State for large scale withdrawals. (Could cost upward of $100,000)
Slide #18 – Large-Scale Groundwater Withdrawal Permit Process.

Mr. Gowan questioned if the $100,000 cost was true for a twenty acre parcel or more of a case of a several square mile radius in a particular area of Town. Mr. Head said the cost wasn't dependent of the size of the area, but rather the pump rate of the well. The larger the ground withdrawal, the more complicated the process would become. He said Hopkinton pumped +80,000 gallons per day with the area of impact not extending past several hundred yards. He said the impact area was dependent on the hydrogeology.

Mr. McNamara wanted to know if there were any types of testing or methodologies that could ascertain with any kind of certainty whether or not new wells coming into an already developed area would negatively impact existing wells. Mr. Head replied it was possible; however, it would require the same analysis of installing pressure transducers, understand the hydrogeology of the area, log the well bore using geophysics to understand what was going on. He said there were different thing that would need to be sorted out such as the other wells in the area, precipitation etc. which would require a qualified professional to undertake the task and interpret the information. Mr. McNamara questioned what degree of certainty they would have at the

conclusion. Mr. Head stated they wouldn't have a high degree of certainty. He said they might have an understanding about the potential for impact, but they wouldn't have a high degree of certainty whether the impact would be significant over the long haul because they would be testing it over a short amount of time. He stated the degree of certainty would be generally low. Mr. McNamara questioned the expense for the testing. Mr. Head noted he had never had a call to do so, but estimated the cost to be less than $20,000 to compare one residential well against another. Hypothetically, Mr. McNamara asked if the analysis would change for a twenty-five lot development. Mr. Head said that would perhaps get into a larger ground water withdrawal that could cost upward of $100,000.

Mr. Montbleau inquired if Mr. Head knew of any municipalities or townships that require any type of testing as part of their regulations when homes are being built. Mr. Head replied the only ones he was aware of relied on the State requirements for testing; he wasn't familiar with any towns having specific regulations. Mr. Montbleau asked if Mr. Head agreed that the financial burden to ascertain groundwater would be so astronomical as to prohibit that type of testing. Mr. Head responded that the financial burden to a typical developer for a typical residential development would be very high. He noted that the size and scale of the development would drive the answer to the question, but felt it would be very burdensome on a private developer who was developing small scale (20 unit) subdivisions. Mr. Montbleau confirmed that testing might not be conclusive even after spending a significant amount of money. Mr. Head stated that was correct. He said if someone undertook the type of study he spoke about at the end of the presentation they would have a pretty good idea versus the smaller scale testing that Mr. McNamara mentioned. Mr. Montbleau said he was referring to the type of conclusiveness that would substantiate a legal platform for a homeowner or a builder to establish reasoning of burden for there being no water. Mr. Head believed if a person was willing to undertake the testing required by the State for a large ground water withdrawal they could obtain the data to enable them to make a very robust argument as to the potential for impact.

Mr. Gowan said the Town's conventional subdivisions are one-acre zoning; however Pelham has a lot of conservation subdivisions in which a yield plan is established for a developer to achieve a density offset. He said conservation subdivisions had the same impact to land, but wanted to know with development being closer together if there would be more of an impact than if development was spread apart. Mr. Head said wells closer together tended to act like a single well and would also tend to exacerbate the impact. Comparing individual wells to a small community water system (1-2 wells drawing water for all the homes) Mr. Gowan wanted to know if either scenario was more likely to have a bigger impact than the other. Mr. Head said it was difficult to find a water supply in bedrock that would typically yield enough water for a community. In general he said the closer in density for water use/withdrawal, the greater the impact would be to the area.

Mr. Doherty spoke about conservation subdivisions that usually had one to two 5,000-10,000 gallon tanks (with pump houses) that draw water at night and are drawn down during the day. He wanted to know if that was a better system than trying to put in a well that would provide water as needed. Mr. Head said use and storage was a common thing. He said in New Hampshire the yield of drawing from bedrock wasn't great. If the demand during peak usage was 60 gallons per minute and the yield was 40 gallons per minute there wouldn't be a way to support the usage; however that scenario could be mitigated with storage by pumping more continuously into storage and drawing it down during peak demands. Mr. Head said it was a common situation. He was aware of homeowners that put storage tanks in their basement because the yield from their well was inadequate. The pump is continuously filling the storage and the homeowner draws from the storage. By having wells close together Mr. Doherty said he experienced chlorine in his water when his neighbor chlorinated their well. Mr. Head jokingly said it was a great way to trace fractures.

Mr. McDevitt spoke about the Board hearing abutter concerns about development impacting their wells. He believed Mr. Head indicated that would be unlikely and couldn't be proven. Mr. Head stated it was unlikely, but not impossible and at the same time very difficult to prove. He said they could try to find ways to trace fractures but it was so site specific and individual to the location and the fractures that there was no way to

generalize that kind of conclusion. He stated in general it would be atypical for a small 5-6 unit subdivision with acre lots for the wells to materially impact wells that were already existing. He said it wasn't impossible, but it was very difficult to prove. He noted that the drought this summer had a substantial effect on water levels. Mr. McDevitt noted there were some dug wells in Town that were probably dependent on rainfall by and large and wanted to know if there was some connection with someone who has a fractured well. Mr. Head said it was similar because rain recharged both the soil for dug wells as well as the bedrock fractures. Typically the dug well would have a more immediate response and with the bedrock fractures, water can take a long time to seep in. The effects of drought or rainfall are mitigated in bedrock whereas a dug well tends to be much more reactive to climatic conditions. Mr. McDevitt recalled hearing something about the age of some water in bedrock and questioned how old the water could be. Mr. Head spoke about working on a water supply job in Pinkham Notch, NH where the issue was the quality of water. They conducted tritium dating of the water which tested before the atomic bomb tests (pre 1940's). He said water at depth in bedrock could be there for hundreds of years or longer.

Mr. Doherty asked Mr. Head to speak to blasting of ledge to put utilities and foundations in a subdivision and what it could potentially do to abutter's wells whether it could increase/decrease water supply, make it dirty/cleaner etc. Mr. Head replied one way people try to increase their yield in bedrock is to hydrofrack, which puts the well under pressure by fracturing the rock or further opening the existing fractures in the rock. He noted blasting could have the same effect as hydrofracking and in some cases increase the fracture density in rock; however, it's not as controlled. In terms of water quality, Mr. Head had seen cases where there was impact from blasting through contamination of ammonium nitrate (blasting agent) which has a transient effect (short-lived). They nitrates start to spike in the well and decay and in other cases they see evidence of blasting packaging materials. He said the times he's seen that the effects were transient and didn't tend to last more than a few weeks to a few months. Mr. Doherty wanted to know if the distance to a development was relevant, meaning hundreds or thousands of feet. Mr. Head replied the shorter the distance the greater potential for impact. He had no rule of thumb for what distance would become safe. He stated he'd monitored wells for blasting hundreds of feet, maybe up to 1,000 feet. from a blasting site. Most of the time they don't see impacts and they don't see impacts at greater distance from the blasting site. Mr. Montbleau questioned what he meant by '*greater distance from the blasting site'*. Mr. Head replied he didn't have a rule of thumb; he used 1,000 feet as a possible distance. He explained when they'd seen impacts from blasting and the most notable were within hundreds of feet, not 1,000 (plus) feet. Mr. Montbleau said that brought into mind a problem the Board had a few years ago. He explained they required a builder not to blast (for roads and foundations) closer than 1,000 feet to area homes who were highly sensitized to well issues, and who were becoming certain in their own minds that blasting was causing problems in their wells. He understood Mr. Head indicating it was hard to establish those facts. He confirmed that 1,000 feet was so far removed that it was unlikely to occur. Mr. Head went back through his memory of projects requiring blasting. He stated when they get to distances near 1,000 feet it became unlikely. He said it's possible, but not likely. Mr. Montbleau replied that's what the Board heard from sources investigating the situation, but they weren't sources asked to come in front of the Board. He noted Mr. Head's discussion was a corroboration of what the Board previously heard.

Mr. McNamara opened the discussion to public input and questions.

Mr. Chris Nietubyc, 55 Sherburne Road told the Board he was present with his wife Betty and his neighbor Kristy Milock. He found the presentation to be very interesting. He understood the quotes were approximately fifteen years old and asked if there had been any advances in characterizing bedrock aquifers. Mr. Head replied there had been no material advances made. He noted there was better geophysics to review, but materially they weren't any further along in understanding the occurrence of bedrock, fractures or ground water than they were fifteen years ago or even thirty years ago. Mr. Nietubyc asked for an explanation of metamorphic versus igneous rocks. Mr. Head explained metamorphic rocks tended to be older. They were formed directly from magma, molten bodies of rock that had changed under pressure. Granite is an igneous rock. Once granite has been exposed to ground surface and weathered, there is erosion over time which carries

additional sediment and buries it more deeply under the earth's crust. Mr. Nietubyc spoke to the slide that compared a property with irrigation and one that didn't. He believed there was an offset and questioned if it could be explained by the irrigation being on cycles. Mr. Head said the issue was whether one well was impacting the other. He said if that was the case they would have seen an almost instantaneous response between the two wells. He noted there wouldn't be a lag in the response. When they conduct pump tests they see almost immediate responses although over long distances there could be a time lag, but in general for homes within 150 feet of each other if there was a response it would be relatively immediate. Mr. Nietubyc wanted to know when looking at the impact of a community if the static water level could be measured over time. He inquired how an impact could be quantified. Mr. Head explained they measure ground water using monitoring wells (wells with no pumps) that can be used to determine what's happening to the static water level of an area over time. He noted that the State had been using monitoring wells to look at the effects of the current drought. Mr. Nietubyc stated in terms of the testing it seemed to come down to cost and who would pay that cost (either a developer, a series of developers or homeowners) and how to get quantitative data to make a determination of whether or not there was an impact. He recalled a comment during a past meeting about some of the properties along Sherburne Road having well problems. He thanked Mr. Head for his presentation.

Mr. Montbleau noted one key point made by Mr. Head was when an issue occurred there would be an immediate response from the same location area; if wells were next to each other they would react at the same time. He said if that didn't occur it would be a more difficult situation. Mr. Head said someone could put pressure transducers in everyone's wells and map how they behaved over time. If there was a larger community supply well nearby and they were able to have access to put a transducer in their well to see when it was pumping, Mr. Head said they could start to see if there were effects and begin to understand if there were regional impacts. He noted however there was cost and a lot of labor to install the transducers.

Mr. Passamonte asked for clarification about the trace overlay of the two wells. He understood that one well didn't effect another well. Mr. Head replied that was correct. Mr. Passamonte asked if that remained true with irrigation. Mr. Head replied that was also correct. He said it was a case used to demonstrate that over the course of his 30 year career, it was the typical rather the opposite, when there are residential wells nearby to each other (within 150ft) that the behavior of the wells don't have an impact on each other, even in the case of irrigation. He noted irrigation and swimming pools require a lot of water; more than a typical home requires for just residential use. Mr. Passamonte confirmed a neighboring well wouldn't be changed with a nearby irrigation system. Mr. Head answered no.

Mr. Culbert asked for an explanation of using a divining stick and if it was an accurate science. In Mr. Head's opinion, divining was a lot of fun, but didn't see the science behind it. His firm didn't get involved with divining. He thought it was great if people had good luck with it, but they didn't see it as having any relevance to the work they did. Mr. Culbert noted there was a resident with a dry well who was able to move over 35ft and obtain 35 gallons per minute. Mr. Head understood there were people with similar stories. He said they did an experiment with diviners years ago in a university setting. They invited diviners to show them what they did and when the session was done, no one could prove that divining had any validity. Mr. Culbert told Mr. Head it was known that Pelham sat on one of the largest aquifers in the State. Mr. Head replied Pelham had a very potentially prolific overburden aquifer.

Mr. Doherty asked Mr. Montbleau to share information from a previous meeting regarding a large boulder located off Sherburne Road. Mr. Montbleau stated there was a development behind where he lived. He said years ago tests were done on the soil levels to bedrock, most of which was sparse. He explained that the hill was a huge glacier boulder, and the original developer (prior to purchasing the property) sought after and hired hydrogeologist to find water. After a few months, the hydrogeologist brought the developer to the site and showed him a piece of string woven through the trees and up the hill and told him that's where the water is. The hydrogeologist told the developer he needed more money to continue the study, and although the number

was big, the developer agreed to it. Mr. Montbleau stated they picked out five locations on the hill that were prime water sources; two of which were on the developer's property. They chose the number two spot (at the top of the hill) and set the drilling rig; after going down approximately 200ft the static pressure pushed the drill bit back out of the ground. They did the necessary pump testing and determined it was enough to supply 65 homes with water. Mr. Head agreed that type of scenario could happen. He said when they look for water they conduct a fracture trace analysis and look for the surface expression of the fractures. Bigger ones are affiliated with old fault zones and can be seen through aerial photographs and topographical maps. Mr. Montbleau recalled they did a magnetic resonance and located the fissure in the rock. Mr. Head replied geophysics could be used. The best way to find a high yield bedrock water supply is to use the fracture trace analysis. He noted on smaller parcels of land where there may not be a fracture running through the property and a person would have to use what they had. He said large scale fracture can be a great target for water and be able to achieve 40-60 gallons per minute. Mr. Montbleau stated that was exactly what occurred, noting just south of the site (possibly 500 yards) there was very little water. Mr. Head agreed that's what happens. He said those types of fractures tend to dip at angles greater than 45 degrees from tectonic stresses. Therefore the target tends to steeply dip and moving 500ft over it could be missed. He noted that the picture of the horizontal fractures was less common, but happens.

The Board thanked Mr. Head for meeting with them and giving the presentation, everyone found it very informative. Mr. McNamara thanked the Board of Selectmen for allowing the meeting to occur. Mr. Gowan stated he would provide the Board with a copy of the slides shown in the presentation.

PB Case# PL2016-00018
Map 39 Lots 1-54-2, 154-3, 1-54-4, 1-54-5 & 1-55
RJ McCarthy Development LLC – Sherburne Road – Special Permit Application to approve the Yield Plan for a proposed Conservation Subdivision of the above referenced lots. Full Application for Conservation Subdivision will follow once Special Permit and density is established

Mr. Shayne Gendron of Herbert Associates, representing the applicant, came forward to discuss the request for special permit. He explained they were looking to do a 21-lot conservation subdivision. From the discussion and comments provided during the last meeting Mr. Gendron revised the proposed yield plan. He summarized the revisions for the Board, such as updating preexisting lots of record 1-54-2 & 1-54-3 to add a proposed house, driveway, 4K and 15K areas and submitting written waiver requests (11.04,C.1-building envelopes & 11.11,B,2-well radiuses to be within 15ft setback). He provided the Board with a traffic impact study that was prepared by Mr. Pernaw. Mr. Gendron spoke about the open space, which contained two existing wells. The owner was looking to have individual wells and not use the existing wells to service the project. He explained that the front end cost to do a community water system didn't make sense given the size of the project. The owner is willing to deed that parcel (known as Lot 1-55 containing 17 acres and the two wells) to the Town. He will keep lot 1-55-1 (near the pond) and include it with the homeowner's association. Mr. Gendron addressed Chapter 15, Sections 15.04 and 15.05 of the Subdivision Regulations and Section 307-105 from the Zoning Ordinance which mirror each other with regard to bonus density for yield subdivisions. He provided the Board with a list of seven things they were providing that they believed helped them qualify for a bonus density.

Mr. Steven Pernaw of Pernaw & Company came forward to discuss the traffic study. He told the Board he came in front of them months ago when a 10-lot subdivision was proposed. The plan was to take the build traffic volumes from that previous study and use it as no-build traffic volumes for this study. He learned that the Board asked for additional data collection. He stated the difference in the report was they collected traffic counts in September on a Thursday, Friday and Monday and compared them with the data collected in December. Mr. Pernaw stated the Department of Transportation ('DOT') had an updated traffic volume for Mammoth Road (Rt. 128) that was included in the new report. He called attention to the graph showing counts for the morning and afternoon peak hours; of the three days, Monday had the highest volumes and was

used for future projections to the year 2026. He noted that the data collected in December included a high seasonal adjustment factor. The recent data from September was higher than December but the adjustment factor to get to a peak month condition was lower. Mr. Pernaw stated the in total, the data was indicating the same thing when the seasonal adjustments are made. He reviewed the trip generation information for the proposed development and discussed the projections through 2026. He showed various diagrams for projected traffic and spoke about the intersection capacity and level of service, both current and project. Mr. Pernaw felt their findings should be shared with the DOT. He stated that the intersection had enough traffic, delay and enough queuing that it should be operated under traffic signal control. He said the only concern would be if signals were added in the intersection's current configuration. He believed it would need to be reconfigured to include exclusive turn lanes and possibly a through lane in each direction. Mr. Pernaw addressed sight distance at the proposed road and said it checked out fine. In conclusion, they recommend stop sign control at the subdivision road approach to Sherburne Road with optional pavement markings separating inbound and outbound vehicles and 18in. white stop line.

Mr. Steve Keach of Keach Nordstrom (Board's engineering review firm) came forward. He received the traffic report the previous week and had an opportunity to review. He believed the findings and conclusions to be very predictable. He reviewed the data and didn't see that the proposal would make the existing traffic any better and wouldn't make it measurably worse in the progression of time between now and buildout in 2026. Given the data used, Mr. Keach was comfortable with what the Board was presented. In regard to the updated plans, Mr. Keach updated his September 16, 2016 memorandum and submitted a new version dated September 27, 2013. He reviewed his comments and told the Board he felt the applicant had proven their case with regard to the yield plan.

Mr. Doherty spoke of his personal experience off Webster Avenue, which during peak hours had vehicles parked along the side with parents waiting for the school buses. He saw that there might be a similar situation with the proposed development with vehicles parking along the open space area to wait for the school bus. He questioned if that scenario would impact the traffic analysis. Mr. Keach replied for the purposes of the proposed subdivision, he felt the effect would be negligible for the operations of the Sherburne Road/Mammoth Road intersection. Mr. McNamara said he took the study for what it was; however, he experienced an extremely long line of traffic at 5:45pm and had a 15 minute delay coming down Sherburne Road toward the Mammoth Road intersection.

Mr. McDevitt believed the development would contribute virtually no traffic to Sherburne Road. He said traffic studies addressed the number of vehicles a development would generate. He was concerned with the safety of vehicles leaving the development and entering the traffic queue. He noted that the Town had been in contact with the DOT for at least five years voicing concerns about the Sherburne/Mammoth intersection. He noted preliminary studies had been done; however the DOT didn't have funding. The intersection wasn't listed on the State's 10-year plan. Mr. McDevitt felt vehicles existing the development would have difficulty turning left during peak hours due to the traffic queue and the vehicles traveling at high speeds toward Hudson. He stated that a patrol officer helps manage traffic at the intersection; however they leave if they are called to an emergency. The Police budget for next year proposed an officer to be at the intersection more frequently. Mr. McDevitt questioned why the safety concerns of exiting the development aren't being addressed. Mr. Pernaw replied they reviewed the traffic in December, 2015 and September, 2016 they were aware that the intersection had an 'F' for the level of service. He agreed there was a safety concern and said the reason for the 'F' was the fact that there wasn't enough hourly capacity to make the maneuver. He said unfortunately, vehicle wait so long in line that they start taking gaps that aren't safe. By researching crash data, Mr. Pernaw learned there was an average of five crashes per year at the intersection, which was to be expected given all the data and statistics known about the area. Mr. McDevitt understood the issues at the Sherburne and Mammoth intersection. His question pertained to the subdivision road and how safe it was to exit onto Sherburne Road, specifically turning left. Mr. Pernaw didn't expect there to be a safety concern. He said there was good sight distance and only one exit lane was needed. Based on data, there would be two

vehicles taking a left in both the A.M. and P.M. period in an hour. Most vehicles would be turning right out of the subdivision road. Mr. McDevitt questioned how a vehicle's turning movement was determined for a subdivision that didn't exist. Mr. Pernaw replied their calculations came up with 80/20.

Mr. Keach noted the road reviewed by the Board a few months ago was located approximately 560ft-600ft west of the Sherburne/Mammoth intersection (on the north side of the road) and the proposed road was located approximately 2400ft. He said based on the Board's concern they had the applicant modify the design to position the proposed intersection as far west on the parcel as geometry would permit. Mr. Keach commented there had been a lot of conversation about the Town accelerating an improvement at the intersection and the response had been to collect dollars for that effort. He presumed Mr. Gowan would make a similar recommendation for the proposed development so as time goes on the sum could grow to the point that something could be done. He felt the seed money being collected might help accelerate the intersection being on the State's plan. Given that the land extends to Mammoth Road, Mr. Keach suggested reviewing the possibility for acquiring right-of-way easements for the future that could reduce construction costs if/when an intersection project is done.

Mr. Doherty questioned if the intersection queue during a.m. peak would back up to the access of the proposed development. Mr. Keach felt it was unlikely.

Mr. Keach referred back to his memorandum dated September 27th. He was satisfied that the yield plan showing 18 lots was a valid yield plan, provided that the Board grants the dispensation of the two waivers, specifically the lot shape for the yield plan lots 1, 4, 12 & 14. He spoke to the well radii of lots 12 & 13 that encroached upon the 15-foot side setback. He said those were considerations the Board saw frequently didn't feel the Board needed him or Mr. Gowan to add much discussion. He noted there were comments regarding traffic because at the time of the letter he hadn't received the traffic study. Mr. Keach stated the yield plan showed 18 lots and under the Subdivision and Zoning provisions the Board has the authority to grant dispensation for density offset up to 20% of the baseline; in this case the applicant has requested three lots. He suggested deferring action on the request until the applicant gave a presentation of why they believed they earned that dispensation. He understood Mr. Gendron provided the Board with a letter outlining their request and reasons for such.

Mr. McNamara read aloud Mr. Gendron's letter dated October 3, 2016 in reference to the bonus density (of three additional lots) sought by the applicant. Mr. Keach commented that eliminating four potential curb cuts onto Sherburne Road shouldn't be overlooked by the Board. Mr. Gowan wanted the opportunity to have the Highway Safety Committee review the proposed easement into Pelham Veteran's Memorial Park to determine the location so it would come out at the most appropriate place. Mr. Keach went back to his suggestion of considering a right-of-way (along the front of the property), which he felt went with the 'spirit' of how an applicant could earn consideration of supplemental density. Mr. Gendron replied anything they put in their letter could be further discussed. He said anything they put into the letter was expandable; they would be fine having a wider easement and were happy to work with the Town and its staff. He would like to come back in front of the Board with an application within thirty days.

Mr. McNamara opened discussion to public input. No one came forward.

Mr. Doherty said he mentioned at the last meeting if the Town were to end up with the well fields the he would like to see a future water pipe laid under the road and 'stubbed' into the open space. Along with that he suggested having a junction box for the electric in the event the water was ever needed. Mr. Gendron replied they didn't mention any water piping in their proposal. They were more than happy to work with the Town regarding an easement. He noted running water pipes through the development would be a costly endeavor for them. He said the Town would need to discuss the type of capacity they'd seek and felt at this point it was premature for them to make promises. Mr. Gendron stated the wells were good producing wells and the owner

was willing to grant them to the Town. He said if the Town had a reasonable plan they would work together. Mr. Gowan asked Mr. Doherty if he was referring to the project road or Sherburne Road. Mr. Doherty replied he was referring to the project road. He recalled there was a water main near the Spaulding Hill development that had a standard size. He commented the pipe he suggested wouldn't have to be pitched since if it was used it would probably be pressurized. He didn't see a way for the Town to get water out of the area any other way. Mr. McDevitt thought it would be a good idea, although the Town didn't have a specific plan. He felt the Town could request appropriate easements. Mr. Keach told the Board he would discuss the suggestion with Mr. Gowan. He was concerned with having a dry line underground for an unknown amount of time. If it was more immediate he would advocate for a water main to go under the street.

MOTION: (Culbert/Montbleau) To accept for consideration the waiver to Section 11.04,C,1 – to allow yield lots 1,4, 12 & 14 to have building envelopes not have the required 100ftx150ft dimension.

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

MOTION: (Culbert/Montbleau) To accept for consideration the waiver to Section 11.11,B,2 – to allow the well radius on lots 12 & 13 to be within the 15ft side setback.

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

MOTION: (Culbert/Montbleau) To approve the waiver requests to Section 11.04,C,1 and Section 11.11,B,2.

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

MOTION: (Culbert/Montbleau) To approve the yield plan of 18 lots.

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

Mr. Gowan noted if the Board was going to move forward with a Special Permit, he recommended to proceeding with a conservation subdivision of 21 lots, with three of which being offsets in response to the proposal made during the meeting.

Mr. McNamara explained if the Board approves the Special Permit, the applicant will come back with an engineered plan. Mr. McDevitt replied the information was just provided to the Board and wanted the opportunity to give the request due consideration. He wanted time to review the proposal. Mr. Doherty agreed that some of the points needed additional consideration. The Board preferred to defer action at present. Mr. Gendron felt the applicant was giving substantial points of consideration, such as deeding 17 acres of open space and two wells that produce a lot of water. He had no problem working with Town staff to discuss an easement. Mr. McNamara said typically the Board needs ten days to two weeks to review and absorb the information. He said they could schedule the case for the next meeting. He told the Board if they had any specific concerns to send them directly to Mr. Gowan who would in turn provide them to Mr. Gendron.

Mr. Doherty asked that the easement and trail system be shown on the plan when it came back to the Board. Mr. Gowan noted he would get comment from the Highway Safety Committee.

The case was date specified to the October 17, 2016 meeting.

ADMINISTRATIVE

Zoning Subcommittee Volunteer Interviews

No one was present.

DATE SPECIFIED PLAN(S) – October 17, 2016
PB Case# PL2016-00018 - Map 39 Lots 1-54-2, 154-3, 1-54-4, 1-54-5 & 1-55 - RJ McCarthy Development LLC – Sherburne Road

MINUTES REVIEW

September 8, 2016
MOTION: (Montbleau/Olsen) To approve the September 8, 2016 meeting minutes as written.

VOTE: (6-0-1) The motion carried. Mr. McDevitt abstained.

September 19, 2016 – deferred.

ADJOURNMENT

MOTION: (Montbleau/Olsen) To adjourn the meeting.

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

The meeting was adjourned at approximately 9:15pm.

Respectfully submitted,
Charity A. Landry
Recording Secretary