

APPROVED

**TOWN OF PELHAM
PLANNING BOARD MEETING
March 1, 2010**

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

Mr. McNamara called roll:

PRESENT: Peter McNamara, Roger Montbleau, Tim Doherty, Jason Croteau, Selectmen Representative Robert Haverty, Alternate Joseph Passamonte, Alternate James McManus, Planning Director Jeff Gowan

ABSENT: Paddy Culbert, Paul Dadak

Mr. McNamara appointed Mr. Passamonte and Mr. McManus to vote in the absence of Mr. Culbert and Mr. Dadak.

ADMINISTRATIVE

Interviews of volunteer applicants for vacant Planning Board Alternate position

Mr. Lance Ouellette, Gaston Road, came forward to discuss his application for the vacant alternate Planning Board position. He stated that he was an alternate to the Zoning Board and had come to find the Planning Board interesting. He summarized his qualifications and asked for consideration. Mr. McNamara stated if the Board were to appoint him to the position, he would have to resign as an alternate to the Zoning Board of Adjustment; he could not sit on both boards.

Mr. Haverty asked if he would rather stay with the Zoning Board, or if he was interested in transitioning to the Planning Board. Mr. Ouellette stated that the Zoning Board was a strong board and didn't see a lot of movement with the permanent positions. He was willing to move to the Planning Board. Mr. Haverty asked if he would be interested in running for a position on the Planning Board. Mr. Ouellette answered yes.

Mr. McNamara asked if Mr. Ouellette owned any property in Town, other than his residence. Mr. Ouellette said he owned one investment property in the same neighborhood he resided.

Mr. Doherty said he had seen Mr. Ouellette taking classes (for land use boards) at the state and questioned if he would continue to take those classes. Mr. Ouellette said he would continue to take classes.

Because Mr. Ouellette conducted a business in Town, Mr. McNamara asked if he had any affiliations with major land owners, property owners or developers that would cause a potential for conflict. Mr. Ouellette stated he did not. Mr. Haverty asked what Mr. Ouellette's business was. Mr. Ouellette stated he had a handyman/landscaping company.

Mr. Ouellette was thanked for coming forward.

Mr. Erin Sullivan came forward to be considered for the Planning Board's alternate position. He discussed his employment history and qualifications. He felt the board would be a good way to get involved with the community and see in what direction it was headed. He felt strongly about being involved with the community and felt being an alternate would give him the experience needed to learn more about the community and eventually pursue an elected position on the Board.

Mr. Haverty asked how long Mr. Sullivan had resided in Town. Mr. Sullivan stated he resided in Pelham for two and a half years. Mr. Haverty questioned what specific experience Mr. Sullivan would bring to the Board. Mr. Sullivan reviewed his education and experience that he felt would benefit the Board.

Mr. McNamara asked Mr. Sullivan if he owned property in Town other than his residence. Mr. Sullivan answered no. Mr. McNamara questioned if he had any interest or ownership interest with any landowner, or businesses that might pose as a potential conflict. Mr. Sullivan answered no.

Mr. Gowan commented that the Board had recently been having light agenda loads and cautioned that it could change at any time. He questioned if lengthy meetings twice per month would pose a problem with his schedule. Mr. Sullivan said it would not. He said should he be selected for the position, he would be one hundred percent committed.

Mr. McNamara informed that the Board would address the items on the agenda and then meet in non-public to discuss appointing an alternate.

NEW BUSINESS

Map 17 & 24 Lots 12-148, 12-191 & 12-192-5 DHB HOMES, LLC & MEISSNER, Eloise & Maureen – Ballard Road & Wellesley Drive – Proposed 17 Lot Conservation Subdivision (14 House Lots and 3 Open Space Lots)

Mr. Doherty read the list of abutters aloud. There were no persons present who did not have their name read, or who had difficulty with notification.

Mr. Peter Zohdi of Herbert Associates, representing the applicant, came forward to discuss the proposed subdivision. He stated they would combine three parcels of land (lots 12-192-5, 12-148 and 12-B-191) and re-subdividing it to seventeen lots (13 buildable lots and four open space lots). Mr. Zohdi explained that lot 12-191 was landlocked and the Board (during the Ballard Road project) made sure that there was a right-of-way from Ballard Road to the parcel being discussed. His stated that his client, after the Ballard Road development, acquired lot 12-192-5 from Wellesley Drive and lot 12-148 to have another access for the parcel. He said the Board wanted another access from the subdivision because (minimizing) road lengths were important. The total acreage (including the right-of-way) is 19.45 acres; excluding the right-of-way the acreage is 19.1949 acres. The open space required for a Conservation Subdivision is 40%; the proposal in front of the Board showed a dedication of 10.627 acres (54%) which exceeded the Town's requirement.

Mr. Zohdi stated that the proposed lot sizes ranged from 21,000SF to 38,966 SF. He explained for an applicant to bring in a conservation subdivision, they had to do a preliminary conventional subdivision. He reviewed the conventional subdivision submitted with their application. It showed that they would be able to do twelve lots with houses containing up to four bedrooms. Mr. Zohdi then reviewed the proposed conservation subdivision that contained thirteen buildable lots and four open space lots (4.85 acres, 1.254 acres, 3.458 acres and 0.966 acre). He showed the wetlands which were flagged by Gove Environmental Services. The soil was also done by Gove. The proposed road to be built was 1100ft. from Ballard Road to the connection at Wellesley Road. There are two existing wells on the site that had been drilled for an adult community development that had not been done.

Mr. Zohdi provided further explanation of the yield plan. Mr. Gowan reviewed the provisions for the yield plan contain within the Subdivision Regulations (chapter 15) compared to the plan that was submitted. He felt there was enough information (with additional information to be added) to reasonably establish the yield plan. Mr. McNamara commented that the Board's engineering review firm would verify the information. Mr. Gowan stated that the application and the yield plan were complete (with additional information such as well location).

MOTION: (Montbleau/Croteau) To accept the plan for consideration.

VOTE: (6-1-0) The motion carried. Mr. Doherty voted no.

Mr. Gowan asked Mr. Doherty what issues he had with the plan because they may be relevant. Mr. Doherty said the applicant was supposed to have a legitimate yield plan of what could be built. He said the submitted yield plan didn't contain a list of waivers or drainage plan. He questioned how the water would be controlled. He said to build a conservation subdivision, it had to be earned. He reiterated that he didn't feel the plan was legitimate. Mr. Zohdi asked to be able to complete his presentation to prove to the Board what they were proposing; if the Board didn't like the plan, they would do a conventional subdivision.

Mr. Zohdi reviewed the plan set for the proposed conservation subdivision. He stated that they were aware of drainage problems on Ballard Road. He said it had been designed with a ditch line on the high side of the road. He said homeowners filled the ditch line and brought their grass to the street pavement. He said they were notified by Mr. Gowan of the problem. There was a meeting with Mr. Zohdi, Mr. Gowan, Town Administrator Tom Gaydos and Highway Road Agent Don Foss and it was decided to have closed drainage. A meeting was then held with the abutters and the Board; the conversation had gone back and forth. He said they made their bio retention and two detention areas large enough to keep the uphill drainage from going to Ballard Road. He said in the spring he would like to review the area with Mr. Gove to see if there was a ground water problem and come up with a resolution.

Mr. Zohdi continued to review the plan set. Mr. McNamara questioned how much roadway would be built within a conventional subdivision. Mr. Zohdi said the conventional subdivision would contain approximately 2400ft. of roadway. He told the Board that the fifty eight test beds they dug had been inspected by the Town's Health Agent; the results were indicated on the information contained within the plan set. He said under the conventional subdivision he may have to show the location of the wells, 4K area etc., to see how many waivers he may need, but he didn't feel it was fair to ask him for a drainage design because of the associated costs. Mr. McNamara said the applicant would need to show in the yield plan that they could legitimately put "X" number of lots on the property which would establish the number of conservation units they could put.

Mr. Gowan said there was no requirement in the Conservation Subdivision regulations to do a full drainage study for the yield plan. He said there were a couple things that needed to be added, once they were, he recommended that the Board take an official vote (regarding the conservation subdivision) once the yield plan had been reviewed by the Board's consultant. He said if the applicant was seeking the additional 20% density there would need to be a conversation of what was being done. Mr. McNamara said the Board had accepted the plan for consideration, but it didn't mean that they had accepted the yield plan, which would be subject to verification. Mr. Gowan was hopeful that the plan to intercept some of the water (problems on Ballard Road) would hold true to the proposed.

Mr. Doherty stated he wasn't opposed to going with a conventional subdivision and cutting the road down. He said with the density offset, the applicant did get 50% open space which would be an indication that they may be able to get some sort of an offset, but not 20%. He said when the open space was reviewed, it appeared to be scattered throughout the development. There was no indication as to what the open space would be used for. Mr. Doherty said there were a lot of things that still needed to be addressed.

Mr. Montbleau discussed the fact that conservation subdivisions were still new to the Board and they should keep their minds open to the regulation and how it worked. He saw a lot of positive aspects to the plan for both the owner as well as the abutters, such as less intrusion in the neighborhood, less roads for the Town to maintain, more aesthetics as well as wildlife areas. Mr. Montbleau felt there were a lot of merits to the amount of sizable land that would be set aside. He said the proposed plan looked like what the Board thought a conservation subdivision would accomplish.

Mr. Gowan stated he would be discussing the connection of Wellesley Avenue to Ballard Road with the Highway Safety Committee ('HSC') and bring their opinion back to the Board. It was noted that both plans reflected a connection of the roads. Mr. McNamara said a traffic study would be needed.

Mr. Zohdi addressed the road connectivity. He said he would work with the Board, Mr. Gowan and the Board's consultant to bring a plan back to the Board for additional consideration. He reviewed the plan and commented that all but three lots had access to open space. He said they would be glad to work with the Board regarding those three lots.

Mr. McNamara advised Mr. Zohdi that the Board would want the following: 1) traffic study; 2) plan review by the Conservation Commission; 3) review of plans by Keach Nordstrom; and 4) site walk. Mr. Zohdi questioned if a traffic study or a traffic count was needed. He explained the difference between the two types of studies. Mr. McNamara suggested that the HSC comment which they preferred.

Mr. Doherty reviewed the open space criteria and suggested that the applicant and the Board be cognizant of its requirements as the plan was reviewed.

PUBLIC INPUT

Mr. Jeremy Bedard, 3 Mammoth Road, Windham, NH (owner of property at 10 Bedard Avenue) reviewed a packet of information provided to the Board. The information contained a copy of the deed for lot 191. Mr. Bedard stated that the proper size of what the applicant was trying to develop was not what the property actually was.

Mr. Zohdi stated that the property had been the subject in Superior Court with fights and title searches. Mr. McNamara questioned which lot was being referred to. Mr. Zohdi said it was the whole area between Martinage and the abutter. He said he would forward all the documentation to Mr. Gowan for the Board's engineer to review. He said it had already been to court and settled. Mr. McNamara said the question raised by Mr. Bedard would be determined either legally or by a formal engineering survey. He said the information would be reviewed and verified.

Mr. Bedard said the information in the packet provided to the Board should be reviewed prior to anything occurring with the proposed plan. Mr. McNamara said if there was a legitimate question of ownership or the boundary it would be looked into. He commented that the plan had been stamped/signed by Herbert Associates. Mr. Gowan said that the Board could not challenge the validity of a plot plan. He said he would ask for legal opinion regarding the appropriate process.

Mr. Zohdi provided the Board with a copy of an Order of Notice from Superior Court dated March 24, 2008 which related to the property being discussed. Mr. McNamara reviewed the document and said the information would be reviewed. Mr. Zohdi stated when the previous owner (Martinage) was having a dispute with the abutter, his office was not involved. He said there was a plan at the Registry that the judge approved. He said they ran a boundary traverse and advised their client that everything didn't 'jive'. They went for a quiet title and the document presented to the Board was approved by the judge. Mr. Zohdi said he would be happy to sit with the abutter and the surveyor to review the information and resolve the question.

Mr. Bedard questioned if the abutters should have been notified. Mr. McNamara said the Board had gone as far as they could. He said they had a certified plot plan and now documents had been submitted challenging the property. He suggested having the abutter sit with Mr. Zohdi to try to resolve the questions. The matter was beyond the Board's control at this point. Mr. McNamara commented that this was the start of a long process, and nothing would be decided at this point.

Mr. Gary Daigle, 20 Wellesley Drive would like to see a traffic study done. He discussed the current problems with traffic and the rate of speed the road was traveled. He questioned how the ledge would be blasted at the end of the road and how the applicant proposed to get drainage. Mr. McNamara said the Board's engineer would review the information. Mr. Daigle told the Board that there was an old quarry in the area being discussed. He also told the Board that there was standing ground water almost year round. Mr. McNamara said the Board would walk the site at some point. Mr. Daigle stated that he had several

questions regarding the proposal. He questioned how the addition of homes and possibly families with children would affect the Town's infrastructure. He wanted to know if that type of information was reviewed prior to building permits being issued. Mr. McNamara stated that the Board was bound to the Town's Regulations and the laws of the state and couldn't restrict building. He said if the proposal showed four hundred lots the Board would need to decide if it was premature because of the possible effects, but in this case there were twelve lots proposed. Mr. Daigle reiterated his concerns regarding the blasting. He said his concern stemmed from the last subdivision that went in to the area because the blasting changed the water in the neighborhood; everyone has water softeners. He had great concern regarding the close proximity of proposed road to the abutter's properties.

Mr. Zohdi said most of the road was in the fill section. He said a little bit of blasting was needed for the underground drainage. There would be minimal blasting for the road construction. Mr. Zohdi said prior to blasting the abutters (within a certain radius) would have their water quality and quantity tested. He stated that the blasting company would have all the proper insurance; they would make sure that the work was done right.

Mr. Daigle said the blasting would be done within 125ft. of his property. He questioned what would happen once damage was done. He asked the Board to pay attention to the mountain at the end of the road because it was all ledge. Mr. McNamara said the Board's consultant engineer would take all the information into account. He noted that this was the beginning of a fairly long process. Mr. Daigle said his main concerns were the blasting and the traffic. Mr. Gowan commented that when the Board scheduled a site walk, it would be a public meeting that everyone was invited to attend. Mr. Daigle asked if the lots had to have a perc test because he wanted to know how they passed. Mr. Gowan said some test pits have been done. Mr. Zohdi noted that sheet 15 of 18 showed the perc rates that had been inspected by the Town's Health Agent. Mr. Daigle doubted the results based upon his knowledge of the area over the past twenty five years.

Ms. Liz Carrick, 44 Mulberry Lane stated that her home backed the proposed open space. She said every time a house was added they got more water on her property; they lost their basement during the last weekend. She said they didn't have a very good track record of building houses, diverting water and not fixing the problem after. She discussed the problems in the neighborhood that occurred after development. Mr. Gowan noted when the site walk was done it would be along the full center line of the proposed road. He encouraged the Board to also review Ballard Road. Ms. Carrick said the information found on the Planning Department's website indicated that the development was senior housing. Mr. Gowan reviewed the information and commented that it had slight mistakes that would be sorted out. He said the current application was not for senior housing. Ms. Carrick asked if the two wells in the open area would be used for the homes. Mr. Zohdi said they would. Ms. Carrick discussed the water problems; there was water everywhere but not enough in the wells. Mr. Zohdi said they would have to show quality and quantity of water if the subdivision was approved. He commented that his company didn't build houses, they represent clients for engineering. He said he wasn't involved with the construction of any home in the area. Ms. Carrick said the water was not always on the land and questioned if she could provide photos. Mr. McNamara answered yes.

Mr. Paul Martakos, 1 Regis Drive showed the Board where he lived in relation to the proposed development. He asked if the plan was in front of the Board for consideration. Mr. McNamara said the plan had been accepted for consideration by the Board, which allowed the Board to take jurisdiction on the plan. Mr. Martakos asked if the application was complete. Mr. McNamara said the plan was complete for acceptance. Mr. Martakos reviewed the regulations (Section 15.02) and questioned if the file contained the data for the natural features. Mr. Zohdi said there was an area on lot 12-191-10 that was an old quarry. Mr. Martakos stated that it had been approximately ten years since he was involved with Planning, so he had been doing research. He reviewed/highlighted some of the information he wanted the Board to consider such as: 1) relationship to neighboring properties; 2) spirit and intent of the subdivision; 3) minimum lot size; and 4) the location of the proposed development is not a candidate for this type of subdivision as contained within the Master Plan map.

Mr. Zohdi explained the criteria that had to be followed for a conservation subdivision. Mr. Martakos said he had a document composed by the soil scientist (Jim Gove) that stated 31,700SF was needed to support a septic, however the proposed lots were sized at approximately 21,000SF. Mr. Zohdi said as long as he could show the state that he could meet the loading, they would accept the plan. Mr. Martakos pointed out the location of his well and was unsure if its protective radius was outside of the area for the new lots. He was concerned about safety and health issues. He discussed the regulations pertaining to lot size and told the Board that the regulation had been put in place because of the necessary area needed to support a septic and a well. He wanted to know what his recourse would be in the event something went wrong in the area. Mr. McNamara said under Innovative Land Use they encourage conservation subdivisions and acknowledge that the lots would be less than one acre. Mr. Martakos questioned how small a lot could be; he had an issue with 21,000SF lots. Mr. McNamara said the argument (regarding lot size) would have been better served when the regulations were being put in place.

Mr. Martakos noted that there were no provisions for alternate locations of septic systems on the proposed lots. Mr. Zohdi said the plan showed a 4000SF area for the lots. In reviewing the conventional plan, Mr. Martakos saw that all the lots going down the high slope (on the right) were shown to be one acre. He doubted that the lots contained one acre. Mr. McNamara said the information on the plan was subject to verification by the Board's engineer. Mr. Martakos told the Board that there was standing water contained on the lots that occurred every spring through May. He said because of the ledge in the area, the perc rate wasn't as good as they would like. He reiterated his concern regarding the septic. Mr. McNamara encouraged Mr. Martakos to attend the site walk. Mr. Martakos said there were some comments made regarding the advantage to the Town because of less costs and less roads. He was in favor of reduced costs to the Town, but not at his expense. He told the Board that he didn't think people would use the road as a cut through because of the slopes. He said he wanted to voice his concerns. He questioned whether the plan was complete, but left that decision to the Board.

Ms. Tracy Mendes, 22 Wellesley Drive stated that she and her husband purchased their home (in November, 2009) specifically for what it provided to her young children. She was concerned that the Board didn't feel a traffic study was necessary. She disagreed with this because there would be a connection between two very large neighborhoods as well as to Route 38. She commented that she left Lowell, MA because of her children not being safe on the street. She said the road would be used not only by the proposed lots, but also the large neighborhood behind it. Ms. Mendes stated she was an abutter to the proposed property and currently had water on her property. She was concerned about where the water would be directed in the proposed development and how they would get rid of it. She wanted to know how blasting would affect her (40 year old) home. She stated that the proposed development jeopardized what she had moved to Pelham for. She hoped that the Board considered beyond what the potential could be for the land.

Mr. McNamara stated that the HSC would hear the matter and were familiar with the area and its constraints. He said the HSC would provide recommendations to the Board, such as what type of studies should be done. In terms of water, Mr. McNamara said the Board was aware of the water problems in the area. He said the standard set by the regulations was that the quality and quantity of flow off the site cannot be any greater after completion of the lots than prior to development. He urged Ms. Mendes to attend the site walk and inform the Board of specific problems.

Ms. Eileen Hegarty, 60 Ballard Road (lot 12-192-4) stated that her major concern was with water drainage. She said currently on Ballard Road there was a stream. She told the Board that the developer was ill prepared to deal with a small amount of wetlands when building the subdivision and couldn't imagine that they would be prepared to deal with a large volume wetland. She noted that the land beside her was under water and that the water table varied. Ms. Hegarty was also concerned with blasting because of the amount of granite in the area. She said her foundation could crack and devalue her home. She told the Board that she purchased her home at the end of a cul-de-sac because she didn't want any roads off it. She believed with the proposed development that there would be property damage, (change in) value, and inability to resell due to water. She discussed the work that had started in the fall of 2009 and the problems with freezing water (and pipes) as well as the unsightliness of having the construction equipment parked in the

neighborhood during the holiday season. Mr. McNamara said Mr. Zohdi had told the Board that some of the engineering on the proposed property would address the Ballard Road problem. He said that was one of the goals. Ms. Hegarty stated that she would like to see someone (and independent person), with expertise in the field of wetlands, address the issue. Mr. McNamara said the Conservation Commission would review the proposal and make recommendations. He said the Board would also have their engineer review the plans. Ms. Hegarty disagreed with the comment that the (conservation subdivision) plan would enhance wildlife. She said the wetland beside her was a breeding ground for birds and frogs. She said deer were also in the area and the development would drive the nature away. She felt the conservation land should be taken into consideration so as to preserve wildlife.

Ms. Naida Westwood, 22 Ballard Road agreed with Ms. Hegarty's comments regarding the equipment being parked in the neighborhood. She said the reason the work had ceased in the area was due to the excavating company hitting a sledge that was the greatest layer of granite that they had seen. She said the plan now had to be changed. Mr. McNamara said the Board heard testimony from the excavating company regarding the problem in the area. Ms. Westwood felt it was important that the Board know about the water problems (on Ballard Road). She told the Board that there was a home two acres behind her home that was impacted from the sheet drainage and flooding due to the poor construction (in the area). She was very concerned that her house would be washed away once the tree foundation was disrupted. Ms. Westwood said the blasting would crack house foundations and disrupt wells. She said she couldn't afford to have her well collapse again. She wanted the Board to be concerned about the neighbors and their wells. She believed the proposed development would be a nightmare for the developer and the homeowners in the area because of the impacts of flooding and blasting. She stated that she had lived all over the world and chose Pelham to be her final residence. She wanted the existing problems to be addressed before additional homes were constructed.

Mr. Gowan stated that he had driven around Town after the recent rain storm and took photographs at Ballard Road that he would share with the Board. He said the main reason he stopped the work on Ballard Road was concern over additional blasting. He described the problems that had been occurring.

Ms. Denise Beaurivage, 23 Wellesley Drive stated she purchased her home for the privacy. She said the proposed development would surround her property and remove that privacy. She was concerned that the blasting would create cracks in her home, which was full face brick. She questioned who would pay for the damage done to her property. Mr. McNamara explained the process that would be taken if blasting were to occur; a blasting company would contact abutters prior to work being done and conduct studies of their properties. He said the Board and their engineer were cognizant of the existing problems. He said if work could not be done safely, the applicant would lose a lot. Ms. Beaurivage reiterated that her privacy meant a lot to her. Mr. McNamara pointed out that there was a right-of-way and the cul-de-sac was not permanent. Mr. Gowan discussed the importance of connectivity and that residents don't always like that connection. Ms. Beaurivage believed Wellesley wasn't capable of handling additional traffic. She said when there was snow on the ground it was difficult (or impossible) to make it up the hill on Wellesley. Mr. Gowan said he would discuss with the HSC the problems on the hill and the connectivity.

Mr. Doherty said the depth of the ledge should be checked not just for ledge, but also for the individual foundations. He said with the conventional subdivision there would be a lot of blasting that would be up behind everyone's houses.

Mr. Chris Bedard, 10 Bedard Avenue questioned if the Town's engineer would attend the site walk. Mr. McNamara said with all probability they would, especially on a property such as the proposed. Mr. Bedard said the last house (on the left) on Ballard Road was 50feet from the water. He said the wetland was not shown on the subdivision plan. He said a variance was needed to move the leach field to the other side of the house. Mr. McNamara asked Mr. Zohdi if he had been involved with the development. Mr. Bedard told Mr. Zohdi which lot he was describing. He said the leach field had to be moved to the front of the house because it had originally been located too close to the wetland. He said he brought it to the Town engineer's attention because they looked at the plan and not the site. Mr. McNamara said the Board's engineer would review the site as well as the plan. Mr. Gowan said in knowing Mr. Keach, he would

probably walk the site on his own as well as with the Board. Mr. Zohdi said he would research why the leach bed was changed and get the answer back to the Board. He said on the proposed plan submitted to the Board there would be 4000SF areas designated for leach beds. He told the Board that he didn't have a problem inviting the Board's engineer to the site walk.

Mr. Bedard questioned if he would have access to lot 12-190 which was owned by his family. Mr. McNamara asked if the proposed development would land lock the parcel. Mr. Bedard answered yes. Mr. McNamara said if the development land locked the parcel, the applicant would have to provide access. Mr. Zohdi said they would go with the recommendation of the Board but pointed out that there was no buildable land on the lot once the wetland buffer was taken into account. Mr. Bedard reiterated the concern about blasting in the area. Mr. McNamara felt the Board understood from the testimony that the ledge and blasting in the area would be a problem. He said attention would be paid to it. Mr. Bedard said the same questions were raised when the Ballard Road development was being done and he had problems with his well after the work was done. Mr. Zohdi said maybe the best thing would be to send the test information to the Town's Deputy Health Officer.

Mr. Zohdi reviewed the direction he received from the Board which was to meet with the Conservation Commission and the Highway Safety Committee. He said he would ask Jim Gove to attend the next meeting to discuss the soils. He requested having the plan date specified to 45 days. (April 19, 2010).

The plan was date specified to the April 19, 2010 meeting. Mr. McNamara informed the abutters that no further notification would be done. He advised them to contact the Planning Department prior to the meeting to find out if it would still be heard.

REQUEST FOR NON-PUBLIC SESSION

MOTION: (Haverty/Montbleau) Request for a non-public session 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, unless such person requests an open meeting.)

ROLL CALL: Peter McNamara-Yes; Roger Montbleau-Yes; Tim Doherty-Yes; Jason Croteau-Yes; Selectmen Representative Robert Haverty-Yes; Alternate Joseph Passamonte-Yes; Alternate James McManus

The Board entered into a non-public session at approximately 9:20 pm.

The Board returned to public session at approximately 9:30 pm.

MOTION: (Montbleau/Haverty) To appoint Mr. Erin Sullivan to an alternate position on the Planning Board.

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

DATE SPECIFIED PLAN(S) – April 19, 2010

Map 17 & 24 Lots 12-148, 12-191 & 12-192-5 DHB HOMES, LLC & MEISSNER, Eloise & Maureen – Ballard Road & Wellesley Drive – Proposed 17 Lot Conservation Subdivision (14 House Lots and 3 Open Space Lots)

MINUTES REVIEW

February 18, 2010 – deferred to the next meeting.

ADJOURNMENT

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

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

The meeting was adjourned at approximately 9:40 pm.

Respectfully submitted,
Charity A. Landry Willis
Recording Secretary