

APPROVED
TOWN OF PELHAM
ZONING BOARD OF ADJUSTMENT MEETING
December 9, 2019

Chairman Bill Kearney called the meeting to order at approximately 7:00 pm.

Secretary Diane Chubb called roll:

PRESENT: Bill Kearney, Diane Chubb, David Hennessey, Peter McNamara,
Alternate Deb Ryan, Alternate Matthew Hopkinson, Alternate John
Westwood, Alternate Karen Plumley, Planning/Zoning Administrator
Jennifer Beauregard

ABSENT:
Svetlana Paliy, Alternate Heather Patterson

Mr. Kearney appointed Mr. Westwood to vote.

PLEDGE OF ALLEGIANCE

HEARING(S)

Case #ZO2019-00026

Map 18 Lot 12-16

MAKO DEVELOPMENT LLC - Old Gage Hill Road - Seeking a Variance concerning Article III, Section 307-13(B)(1) & (2) of the Zoning Ordinance to permit the subdivision of the subject parcel located at the east of Old Gage Hill Road into residential building lots from a public way located in the Town of Salem, NH known as Beechwood Road

Mr. Kearney explained the applicant would be invited forward and the list of abutters would be read. However, because of the case's impact the hearing will remain with the Board for a decision regarding 'regional impact'.

Representatives for the applicant were Attorney Patricia Panciocco and Shayne Gendron, Herbert Associates.

Ms. Chubb read the list of abutters aloud. There were no persons present who asserted standing in the case, who did not have their name read, or who had difficulty with notification.

Mr. Kearney read aloud a portion of RSA 36:54 (Regional Planning Commissions – Review of Developments Regional Impact). He explained the RSA essentially states because the proposed subdivision is not within Pelham's boundaries of accessibility, the Board should deem it to be of regional impact. He believed the proposed subdivision fell within the RSA of being regional impact. He stated the Board needed to vote to indicate if his assessment is correct, which would give the applicant an opportunity to fulfill the requirement.

Mr. Hennessey stated it 'hit' him on his way to the meeting the Board would have the stated issue in front of them otherwise he would have contacted the Planning Department prior to the hearing. He noted the RSA spoke about contacting regional planning commissions. Pelham is a member of the Nashua Regional

Planning Commission ('NRPC'); however, Salem is not. He was not sure about the procedure or if Salem was still affiliated with either the Southern or Rockingham Planning Commission. Mr. Hennessey believed more than one planning commission should be notified regarding the case.

Mr. Kearney asked for a Hand Vote of the Board – a 'Yes' vote indicates the case meets the definition of RSA 36:54 and would require the applicant to do more work in preparing for a Variance and fulfill the obligations; a 'No' vote indicates the case does not meet the definition of the RSA.

HAND VOTE – (5-0-0): Mr. Kearney – Yes
 Mr. Hennessey – Yes
 Mr. McNamara – Yes
 Ms. Chubb – Yes
 Mr. Westwood - Yes

Mr. Kearney asked the applicant if they understood the procedure. Attorney Panciocco answered yes. She felt the belief already was since they had taken the initiative to speak to the Salem Fire Department that they had already reached out to Salem; however, she deferred to the Board's decision. She understood they would make accommodations to work with Pelham to notify the planning commissions and the Town of Salem. They will return at a later date.

The case was date specified to January 13, 2020 and will be listed first on the agenda.

MINUTES REVIEW

September 9, 2019

MOTION (Hennessey/McNamara) To approve the meeting minutes of September 9, 2019 as amended.

VOTE: (4-0-1) The motion carried. Mr. McNamara abstained.

October 17, 2019

MOTION (Hennessey/McNamara) To approve the meeting minutes of October 17, 2019 as amended.

VOTE: (4-0-1) The motion carried. Mr. McNamara abstained.

October 21, 2019 - deferred to the next Board meeting.

DATE SPECIFIED CASE(S) - January 13, 2020

Case #ZO2019-00026 - Map 18 Lot 12-16 - MAKO DEVELOPMENT LLC - Old Gage Hill Road

ADJOURNMENT

MOTION: (McNamara/Chubb) To adjourn the meeting.

VOTE: (5-0-0) The motion carried.

The meeting was adjourned at approximately 7:16pm.

Respectfully submitted,
Charity A. Landry
Recording Secretary