

**APPROVED**

**TOWN OF PELHAM**  
**PLANNING BOARD MEETING MINUTES**  
**June 3, 2019**

Chairman Roger Montbleau called the meeting to order at approximately 7:00pm.

**PLEDGE OF ALLEGIANCE**

Secretary Cindy Kirkpatrick called the roll:

**PRESENT:** Roger Montbleau, Blake Clark, Cindy Kirkpatrick, Tim Doherty, Paul Dadak, Jim Bergeron, Selectmen Representative Hal Lynde, Alternate Derek Steele, Alternate Paddy Culbert, Alternate Samuel Thomas, Alternate Bruce Bilapka, Planning Director Jeff Gowan

**ABSENT:** Alternate Richard Olsen

**MEETING MINUTES**

**May 20, 2019**

**MOTION:** (Lynde/Dadak) To approve the May 20, 2019 meeting minutes as amended.

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

**NEW BUSINESS**

**PB Case #PL2019-00013**

**Map 22 Lot 8-140**

**HUARD, Alfred (Property Owner) - ROSSI, Charles & Doreen and NICKERSON, Gail (Applicants) - 15-17 Windham Road - Proposed Minor Site Plan Review for a Change of Use from the prior non-conforming Automotive-related Use to a Medical Use as a Wellness Center in the existing garage.**

Mr. Gowan stated there had been a number of defects in notification; the case would not be heard. The application is still valid and would be heard at a subsequent meeting.

Mr. Bergeron questioned if the RSA pertaining to notification had been changed. He wanted to know if notification was only required for adjoining lots or those across the street from the subject lot. Mr. Gowan wasn't aware that the RSA pertaining to notifying abutters within 200ft of a subject parcel had been removed. He noted that a town could go beyond what a statute requires. He will investigate the question.

Regarding abutter lists, Mr. Gowan noted that the obligation was on the applicant, not the Town to create the list. Once an applicant identifies lots within 200ft, they go to the Assessing Department to ensure they have the current owner of record.

**PB Case #PL2019-00014**

**Map 29 Lot 7-27-1**

**CROSSROADS BAPTIST CHURCH - 43 Atwood Road - Site Plan Review of proposed 46ft x 60ft modular building for use as a classroom**

Ms. Kirkpatrick 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. Peter Zohdi of Herbert Associates came forward with Attorney John Dennehy and Mr. Mark Giampa of Crossroads Church. Mr. Zohdi stated they had previously come in front of the Board (with a conceptual plan). The proposal is for a 46ft. x 60ft building. There are 113 existing parking spaces; although during weekday school hours parents only drop off and pick up children. In response to the Board's question regarding drainage, Mr. Zohdi provided the Board with the previous drainage study and their proposed drainage to show that nothing will change pre- and post-development. He also provided a design to show minor drainage improvements. He recalled Mr. Gowan speaking about snow storage during their previous meeting and agreed it should not be in the area of the existing detention pond. The plan now shows a special location for snow storage. Mr. Zohdi provided the Board with a plan of the proposed building.

Mr. Gowan recommended that the Board accept the plan for consideration.

**MOTION:** (Dadak/Doherty) To accept the plan for consideration.

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

Mr. Doherty questioned if the building would be on stilts or have a foundation. Mr. Zohdi replied on stilts. Mr. Doherty asked if the soils underneath the building could still absorb water. Mr. Zohdi stated he based his drainage calculation on having a full foundation. Mr. Gowan noted if the plan was approved the Building Inspector would require footings in appropriate locations. He believed the pre-fabricated building would have instructions as to where the footings would need to be located. He understood the Fire Department had reviewed the proposal and it appeared they would have good access to three sides of the building as required (the fourth side access from Dutton Road). Mr. Zohdi stated they wouldn't be granted an Occupancy Permit without satisfying the Fire Department.

Mr. Montbleau asked if any waivers were required. Mr. Zohdi answered no; Mr. Gowan agreed that the proposal was a permitted use. The applicant received a Variance many years ago to run a school from the location. Mr. Gowan stated he was involved in the conversation with the Zoning Administrator Jennifer Beauregard and the applicant; everyone agreed the proposed use was permitted.

Mr. Clark was concerned there was no wheelchair ramp depicted in the submitted building renderings. The applicant stated it would be ADA compliant.

Mr. Zohdi provided an overview of the proposed plan by making the comparisons to the existing conditions on site. He believed they had done everything per the Town's Regulations. He asked if the Board would consider granting an approval subject to Town engineering review since the church would like to move the process forward so the school would be able to open in August.

Mr. Gowan asked Mr. Zohdi to confirm there would be no further encroachment into the Wetland Conservation District ('WCD') beyond what was already approved by the Zoning Board years ago. Mr. Zohdi replied there was no WCD encroachment with the new building. The re-grading doesn't entail any further encroachment. Mr. Gowan had no objection to the Board granting an approval subject to Keach Nordstrom's (Board's engineering review firm) letter of satisfaction and the Fire Department's sign-off of the plan. He believed everyone understood the urgency to accommodate students. Mr. Montbleau agreed with Mr. Gowan that it was a straightforward simple plan.

Mr. Lynde wanted to know if the parking area had increased. Mr. Zohdi replied the parking remained the same. Mr. Lynde questioned if the impervious area (of the parking) remained the same. Mr. Zohdi answered yes. Mr.

Lynde inquired what would happen in the event of a 100-year flood. Mr. Zohdi didn't have a study for a 100-year flood. Mr. Lynde asked if they would be okay if there were floods similar to what had occurred during the last ten years. Mr. Zohdi answered yes; during that time there hadn't been any 100-year flooding. Mr. Gowan recalled in the past the Town wanted all plans to be designed for 100-year flooding. He said doing so would be over engineering; designs were done for a twenty-five and/or fifty-year flood. He noted that the drainage structures held onto runoff and discharged it slowly. In the event to a catastrophic event there were lots of structures throughout the Town that wouldn't work efficiently. He said they could ask Keach Nordstrom to review increased 100-year flooding during their review. Mr. Lynde just wanted to make sure they were remaining diligent based on recent storm events. Mr. Doherty wanted to know if he planned to ask every applicant the same question. Mr. Lynde said he wasn't sure, given the Board hadn't had the issue (of 25-year/50-year) come before them. He was sure it was in the Regulations but simply raised the question based on his concerns regarding changing weather patterns.

Mr. Bergeron inquired if the work being done on the bridges in Town would lower the probability number (of flooding). He felt they should seek information about what the totality of affects would be when the bridges were done. He said when the flooding occurred near the applicant's site the water backed up across Route 38. He understood the area of the Hannaford Parking lot up to Dunkin' Donuts was listed as a swamp on old maps. He said a lot of things that the Town was complicit in allowing to happen, along with upslope development, has affected the low land flooding. Mr. Lynde commented the alleviation of flooding would be achieved with the new Willow Street Bridge and Abbott Bridge. Mr. Gowan added that the work being done on the bridges was the result of an exhausted two-part flood study conducted years ago.

Mr. Montbleau opened the discussion to public input. No one came forward.

Mr. Bergeron proposed a motion to approve the plan subject to Keach Nordstrom letter of satisfaction. Mr. Clark seconded. Mr. Gowan suggested the plan be subject to favorable letter from Steve Keach regarding detention and Fire Department approval of the plan. Mr. Doherty didn't like the suggestion based on if Steve Keach doesn't provide a letter. He said if Steve Keach and the applicant could work things out there was no need for the plan to come back to the Board. He said it was a simple plan and didn't think it should go to engineering review. Mr. Bergeron commented this was the first modular building review by the Board; they didn't review the plan for the Town's schools. He said the proposed school was modular and there wouldn't be any soil removal. He noted the water table would remain the same. Mr. Bergeron stated he had done some research at the Fire Marshall's office and learned (modular) buildings had to meet Federal Fire Marshall Standards. The buildings come with pre-certification from the United States Fire Marshall's Office that will lend itself well with Pelham's Fire Department.

Attorney Dennehy commented the proposal was a simple site plan. They would still be working with the Town to be issued a Certificate of Occupancy.

Mr. Lynde didn't understand Mr. Doherty's concern about the plan needing to come back in front of the Board. Mr. Doherty explained the matter would need to come back to the Board if Mr. Keach wants a minor change to the retention area or a change in notes. He didn't feel the need for the plan to go to Mr. Keach. Mr. Lynde wanted to know what would happen if Mr. Keach saw a problem that needed to be addressed. Mr. Montbleau replied the Planning Director and Mr. Keach would correct it.

Mr. Gowan asked for clarification of the motion. Mr. Bergeron said his motion was to approve the plan. Mr. Gowan asked if it included any conditions. Mr. Bergeron replied he previously stated the condition. He understood Mr. Keach wouldn't hold up the plan for any minor detail; the applicant wouldn't have to come back again since they had previously come to the Board for preliminary review. He thought the preliminary review should have been treated as their first public hearing since they provided full notification.

For clarity, Mr. Montbleau understood the motion was to approve the plan subject to Mr. Keach working out any minor details with Mr. Gowan. Mr. Gowan believed the motion should be clear. He suggested it be worded: *To approve the plan subject to a favorable letter from Mr. Keach regarding detention and Fire Department approval of the plan.* There was no objection to Mr. Gowan's wording.

**MOTION:** (Bergeron/Clark) To approve the plan subject to a favorable letter from Mr. Keach regarding detention and Fire Department approval of the plan.

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

### **DISCUSSION - Zoning**

Mr. Gowan provided the Board with an information packet containing the results of the community survey conducted in advance of the housing charrette that recently took place. He was unable to attend the charrette but will provide the Board with the results of the housing workshop and community reveal.

Mr. Montbleau provided a brief overview of the activities/discussions that occurred during the recent housing workshop (charrette). The Nashua Regional Planning Commission (NRPC) representatives will be invited to meet with the Board to discuss (in detail) the information gathered during the housing workshop and the results of such. The Board discussed their initial thoughts about workforce housing and the information provided by Mr. Gowan.

The Board will continue their discussion at a later meeting with representatives of NRPC and New Hampshire Housing along with Steve Keach (Keach Nordstrom) and other housing charrette participants.

### **NON-PUBLIC SESSION - If requested in accordance with RSA 91:A:3**

Not requested.

### **ADJOURNMENT**

**MOTION:** (Clark/Dadak) To adjourn the meeting.

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

The meeting was adjourned at approximately 8:55pm.

Respectfully submitted,  
Charity A. Landry  
Recording Secretary