

**APPROVED**  
**TOWN OF PELHAM PLANNING BOARD**  
**MEETING MINUTES**  
**January 4, 2021**

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

The following notice was read aloud “A Checklist to Ensure Meetings are Compliant with the Right-to-Know Law During the State of Emergency” (*regarding access to the meeting*)

Secretary Cindy Kirkpatrick called roll:

PRESENT ROLL CALL:           Tim Doherty – present  
                                     James Bergeron – present  
                                     Cindy Kirkpatrick – present  
                                     Danielle Masse-Quinn – present  
                                     Alternate Paddy Culbert – present  
                                     Alternate Bruce Bilakpa – present  
                                     Planning Director Jeff Gowen – present

Via Telecommunication:  
Roger Montbleau – present via telephone; no one in the room  
Alternate Samuel Thomas – present via Zoom; no one in the room  
Alternate Mike Sherman – present via telephone; no one in the room  
Selectmen Representative Kevin Cote – present via Zoom; no one in the room  
Alternate Selectmen Representative Hal Lynde – present via Zoom; no one in the room

ABSENT/  
NOT PARTICIPATING:       Paul Dadak  
                                     Alternate Richard Olson

**PLEDGE OF ALLEGIANCE**

Mr. Doherty appointed Mr. Bilakpa to vote in place of Mr. Dadak.

**MEETING MINUTES**

**December 7, 2020**

**MOTION:**                       (Montbleau/Masse-Quinn) To approve the December 7, 2020 meeting minutes as amended.

**ROLL CALL VOTE:**           Mr. Doherty – Yes  
                                     Mr. Bergeron – Yes  
                                     Ms. Kirkpatrick – Yes  
                                     Ms. Masse-Quinn – Yes  
                                     Mr. Montbleau – Yes  
                                     Mr. Bilakpa – Yes

Mr. Cote – Yes

(7-0-0) The motion carried.

**December 21, 2020**

**MOTION:** (Montbleau/Masse-Quinn) To approve the December 21, 2020 meeting minutes as written.

**ROLL CALL VOTE:** Mr. Doherty – Yes  
 Mr. Bergeron – Yes  
 Ms. Kirkpatrick – Yes  
 Ms. Masse-Quinn – Yes  
 Mr. Montbleau – Yes  
 Mr. Bilakpa – Yes  
 Mr. Cote – Yes

(7-0-0) The motion carried.

**ADMINISTRATION**

Mr. Gowan gave an update on the Hudson, New Hampshire Amazon Logistics Center. He informed that the Hudson Planning Board has been meeting on this project since the Spring of last year and that he began to participate in the meetings around November when the information from the traffic studies were available. The next Hudson Planning Board meeting on the project will be on Wednesday January 13, 2021. Mr. Gowan stated that he sent the members links to the Hudson webpage where they can look at the full proposal as well as the peer reviewed analysis on the traffic impact from the project.

Mr. Gowan informed that this is a large project with regional impact, making Pelham an abutter. He stated that he has been working closely with the current and previous Principal Traffic Planner at NRPC, who are scrutinizing the project. Both have expressed some concern over the potential traffic impacts to the center of Hudson, but neither thought there would be a lot of impact to Pelham due to the project.

The Applicant is proposing three enormous buildings, where Amazon would occupy building one and two. There is currently no tenant for building three. The evaluations on traffic have not been based on the head count of anticipated employees but have been using the standards presented in the formal transportation document from ITE to calculate traffic and employees based on square footage of each building. Mr. Gowan informed that the applicants have taken what they call the “worst case scenario” which is the most conservative numbers from that study and from other studies their consultants have complete to generate the proposed traffic impact to Hudson and surrounding areas.

Mr. Gowan stated that if there were any questions or concerns, he would get the answers from either the existing information that can be found on the Hudson website or from his counterpart in Hudson and articulate the answers on the January 21, 2021 meeting.

Mr. Doherty asked if this project has been compared to the Demoulas warehouse in Tewksbury, which is of comparable size. Mr. Gowan stated that he was not sure that it was compared to that warehouse specifically but informed that the applicant has compared this project to other retail buildings of similar size in the area.

## **2<sup>nd</sup> PUBLIC HEARING ON ZONING AMENDMENTS**

### **Pelham Planning Board DRAFT zoning change to modify Article V – I MIXED USE ZONING OVERLAY DISTRICT (MUZD).**

Mr. Doherty informed that there were no changes made to this draft at the previous meeting. He opened the discussion up to public input. No one came forward and no one from the Board had any comments.

**MOTION:** (Montbleau/Cote) To approve putting the zoning change to modify Article V – I Mixed Use Zoning Overlay District (MUZD) on the ballot.

**ROLL CALL VOTE:** Mr. Doherty – Yes  
 Mr. Bergeron – Yes  
 Ms. Kirkpatrick – Yes  
 Ms. Masse-Quinn – Yes  
 Mr. Montbleau – Yes  
 Mr. Bilakpa – Yes  
 Mr. Cote – Yes

(7-0-0) The motion carried.

### **Pelham Planning Board DRAFT zoning change to add zoning Article XV RESIDENTIAL OPEN SPACE SUBDIVISION by Special Permit.**

Mr. Doherty opened the discussion up to the public. Mr. Paul Gagnon, the Chairman of the Conservation Commission, came forward. He stated that he wanted to reemphasize the changes that were made that he believes are the most significant. The first is that this ordinance removes all density offsets, eliminating bonus lots. This means that if a conservation subdivision were to be approved, it would have no more homes than the yield plan would allow for a conventional subdivision. He stated that the ordinance set the minimum lot size to 30,000 SF, which is 7/10 of an acre, meaning there would be no 0.4 or 0.5 acre lots. He wanted people to keep in mind that generally in conservation subdivisions there are no wetlands in the lots, as wetlands are typically included in the open space, so these lots would generally be the full 7/10 of an acre.

Mr. Gagnon continued that this ordinance set the minimum frontage to 125 linear feet along the road. He stated that there were many complaints that developers set aside wetlands to be put into the open space, leaving much of the open space undevelopable. This ordinance corrected that by requiring 50% of the open space be uplands, so only half of the open space could be wetlands. The ordinance also restricts the amount of open space that can be used for stormwater treatment to only 10%. This means that 90% of the open space will be open space, and not just detention ponds and retention ponds.

Mr. Gagnon stated that there was a significant language change added to avoid lots being clear cut before a subdivision is approved. This will keep developers from clear cutting lots and then bringing them to the Board after they have been cut to develop them. He informed that the ordinance requires the Conservation Commission to review the yield plans and finals plans, thereby giving the Board the option of saying they do not approve a conservation subdivision, but rather a conventional subdivision early enough in the process. He stated that all references to workforce housing were removed from the ordinance, as this ordinance is regarding open space subdivisions, not workforce housing subdivisions. The last change he found significant was that the name of the ordinance was changed to an open space ordinance for clarity.

Mr. Gagnon then stated that he had two final comments to make on the ordinance. The first being that in conventional subdivisions, all the property gets divided up, meaning all the wetlands and buffers become privately owned. This has posed a problem to the Town numerous times. The Code Enforcement Officer has had been instances of people cutting in the wetlands, filling the wetlands in, and building pools and sheds in the buffers. In conservation subdivisions, the wetlands and their buffers tend to be owned by the Town or the Homeowners Association and therefore are less likely to be encroached upon. He said that while this is not directly stated in the open space subdivision ordinance, it will be a direct result of the ordinance and aid in protecting the Town's wetlands.

Mr. Gagnon stated that the last comment he wanted to make was that this ordinance would protect the Town if a lot like Steck Farm came up for development. This lot is 243 acres of property, with 40% being over 100 acres. If this open space subdivision ordinance is on the books, there would be 100 acres of open space. He stated that if this ordinance is not on the books, then there could be roads and houses all over the place with little open space.

Mr. Gagnon urged the public and the Board to give serious consideration to this ordinance. He stated that while it is not perfect, it is far better than what was previously had. He thanked the Board and the public for their time, and stated that if anyone had any questions, he would be more than happy to answer them.

Mr. Gowan clarified that the situation that Mr. Gagnon described above was purely hypothetical. Mr. Gagnon stated that while it was absolutely hypothetical it was not an unrealistic scenario. Mr. Gowan offered up an additional hypothetical example of the Girl Scout's property leaving the ownership of the Town and then coming forward to be developed. He stated that it is far better to have the option for an open space subdivision rather than not.

Mr. Bergeron then came forward to add that most of the Town's that surround Pelham have some form of open space zoning. He stated that open space zoning is an encouragement given to developers of large parcels to set aside open space. He wanted to make it clear that he was the only member of the Board that was in support of repealing the former open space conservation subdivision ordinance. The voters were the ones that repealed it, so he felt that the Board may be a little anxious about something new. He wanted to assure the Public that he would not provide his support for this article to be on the ballot if he felt it did not meet what he thinks the residents of the Town would want from an open space ordinance. He emphasized that this ordinance would not create row housing, will not create lots of insufficient size, lots would have at least 125 FT of frontage, and a good amount of open space would be set aside as usable land. Mr. Bergeron thanked Mr. Cote for the addition of the language that would discourage people from stripping a piece of land and then brining that parcel forward to be developed as an open space subdivision. He reiterated that he is in full support of this article, believing that it is a conservative article that would preserve open space without creating some of the situations that previously arose with the previous ordinance.

Mr. Doherty stated that he wanted to point out that he did not agree with Mr. Gagnon's statement that there would be no wetlands on the lots in this type of subdivision. He stated that there will be some wetlands on the lots, as the open space is only able to contain 50% wetlands.

Ms. Masse-Quinn stated that she went to several of the subcommittee meetings. She wanted to go to see what changes could be made that would benefit the Town. She stated that she kept in mind the Resident's concerns when going to these meetings. She stated that while she appreciated all the hard work and dedication that went into this, she cannot justify the acre for each house as it averages out to  $\frac{3}{4}$  of an acre. She informed that she thinks it is too soon to bring this to the ballot, especially as a majority of the Town is in favor of the 1 acre – 1 house style.

Mr. Doherty closed the conversation to the public, as no one else came forward with any comments.

**MOTION:** (Montbleau/Cote) To approve putting the zoning change to add zoning Article XV Residential Open Space Subdivision by Special Permit on the ballot.

**ROLL CALL VOTE:** Mr. Doherty – No  
Mr. Bergeron – Yes  
Ms. Kirkpatrick – Yes  
Ms. Masse-Quinn – No  
Mr. Montbleau – Yes  
Mr. Bilakpa – No  
Mr. Cote – Yes

(4-3-0) The motion carried.

**NON-PUBLIC SESSION** – If requested in accordance with RSA91-A:3

Not requested.

**ADJOURN**

**MOTION:** (Montbleau/Masse-Quinn) To adjourn the meeting.

**ROLL CALL VOTE:** Mr. Doherty – Yes  
Mr. Bergeron – Yes  
Ms. Kirkpatrick – Yes  
Ms. Masse-Quinn – Yes  
Mr. Montbleau – Yes  
Mr. Bilakpa – Yes  
Mr. Cote – Yes

(7-0-0) The motion carried.

The meeting was adjourned at approximately 7:45 pm.

Respectfully submitted,  
Jordyn M. Isabelle  
Recording Secretary