

APPROVED
TOWN OF PELHAM PLANNING BOARD
MEETING MINUTES
July 7, 2022

Chairman Tim Doherty called the meeting to order at approximately 7:03 PM.

Ms. Masse-Quinn called the roll:

PRESENT ROLL CALL:

Tim Doherty – present
Roger Montbleau – present
Danielle Masse-Quinn – present
Scott Sawtelle – present
Bruce Bilapka - present
Kevin Cote – present
James Bergeron – present
John Spottiswood - present
Joe Passamonte - present
Jennifer Beauregard – present
Jennifer Castles - present

**ABSENT/
NOT PARTICIPATING:**

Samuel Thomas
Hal Lynde
Jaie Bergeron
Paddy Culbert

PLEDGE OF ALLEGIANCE

MEETING MINUTES

Regarding the meeting minutes from June 20, 2022; Ms. Masse-Quinn read off Mr. Lynde's requested edits. Line 247 to add the word 'length' after the word 'combined'.

MOTION: (Mr. Passamonte/Mr. Bilapka) To approve the June 20, 2022 meeting minutes as amended.

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

Mr. Doherty appointed Mr. Spottiswood to vote in place of Mr. Montbleau.

NEW BUSINESS

PL2022-00026, Map 14 Lot 4-85 – Pelham Baseball and Parks & Recreation – 27 Muldoon Parkway – Discussion and Site Plan review for construction of 2 T-Ball fields, adjacent to Coach's Way behind the center field of Major's field. This project will be funded by donations and built by donated labor at no cost to the Town. It has also already been presented to the Board of Selectmen and has received their approval.

Ms. Masse-Quinn read the list of abutters. Mr. Brian Johnson introduced himself as the Parks and Recreation Director for the Town of Pelham. He introduced Mr. Eric Ducharme, who is the current VP of Pelham Baseball. Mr. Johnson said they are looking to add two T-ball fields to Muldoon Park. Mr. Johnson said currently the t-ball players play in the outfield of the Babe Ruth field and they are looking to free up that space and give the smaller kids their own field to play on. This would have smaller versions of infields and outfields for the kids playing t-ball. Mr. Johnson said this area is about a 95' x 130' area that is along Coach's Way and it sits beyond the outfield fence of the Major's field.

Mr. Ducharme said they have been making adjustments over time to get the younger kids involved and bring them to the bigger fields. He said currently everything is around the snack shack area and T-ball is very isolated. He said the closer they can move the little kids towards the bigger kids and to be able to watch them play, the better it would be for them.

Mr. Passamonte asked if the section of the field should be 95' x 150' as shown on the plan. Mr. Johnson said yes that is correct, he just misread it. Mr. Doherty asked if it would be two spots where they could play side by side, at the same time. Mr. Johnson said yes. Mr. Doherty and Ms. Masse-Quinn both liked that idea. Ms. Masse-Quinn said she liked that the younger kids would be able to model the bigger kids. Mr. Doherty opened it up to the public. No one spoke.

Mr. Cote asked if this would all be done with donated labor. Mr. Johnson said yes and the fields won't cost the town anything, it will all be funded by Pelham Baseball and volunteer labor. He said they are looking into the possibility of adding a well out there at some point. He said currently there are six fields that are supported by one well. He said this has been talked about previously to handle the back half of Muldoon Park. He said if they added a well, that would be funded by the Parks and Recreation department. Mr. Cote said his concern was drainage where the fields would be built. Mr. Johnson said not where the fields are going, but there are some wetlands beyond the fields. Mr. Cote said he thought it was in a good spot.

Mr. Bergeron said their role is advisory and said he thought the Selectmen have gone over everything well and he thought it to be a very good idea.

Mr. Doherty asked about parking. Mr. Johnson said they would add a few spots there to park and currently by the Major's field there is plenty of parking there. They may add a few spots for coaches or umpires. Mr. Ducharme said there is a walkway behind the Major's outfield and it just needs to be cleared out. He said there are tons of parking spots. He said the kids play and practice on those fields on opposite nights, so the kids can walk by them and watch them play. Mr. Doherty asked if there was any place to bring equipment in along Coach's Way. Mr. Johnson said right along those fields they will add about a dozen spots. Mr. Doherty thought it would be something good for the town and gave his blessing. Mr. Bergeron asked if a motion was needed to approve this.

MOTION: (Mr. Bergeron/Mr. Cote) To approve the site plan as presented

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

Mr. Montbleau said this is a great community activity.

PL2022-00024, Map 29, Lot 7-102 – Stokers, LLC – 116 Bridge Street, Unit 4 – Site Plan Review to request approval for outdoor seating.

Ms. Masse-Quinn read the list of abutters. Mr. Jeff Burnham introduced himself as the owner and manager of Stokers. He said he is requesting a small area of outdoor seating to be added to their parking lot. He said it would be a 12x13x10 trapezoid area that would accommodate 16-20 customers on 4-5 tables seating 4 people each.

Mr. Cote asked what the distance would be between the outdoor area to the nearest resident. Mr. Burnham said that would be the apartment complex behind the plaza and it would be about 500 feet to the apartment complex. Mr. Cote asked if it would be tented. Mr. Burnham said no, just tables with umbrellas that would be broken down every night. Mr. Cote said the only issue he would have is with the abutting neighbors and noise. Mr. Burnham said when he met with the highway and safety department, police, and planning department, he said the outdoor seating hours would be; April 15 through Columbus Day weekend they would have everything down at 9 PM and from April 15 through Memorial Day they would have everything broken down at 10 PM and then from Labor Day through Columbus Day, it would be broken down by 9 PM. This would be in place, as to not disturb any of the neighbors. He said that 10 PM is the time at which most customers are done playing pool. The people that remain after that time will remain inside to be kept an eye on.

Mr. Bergeron asked if Mr. Burnham owns this real estate. Mr. Burnham said no, it is owned by Northwood Pelham LLC. Mr. Bergeron asked if the Planning Director had the release for Mr. Burnham to speak. Ms. Beauregard said yes, he got written permission to pursue this from the owner.

Mr. Bergeron said he heard from an abutter that there was a concern for the residential apartments, in regards to noise. Mr. Burnham said it came from the police corporal that said it is a great idea that he is shutting down at 10 PM. Mr. Bergeron asked if there would be loudspeakers or noise. Mr. Burnham said absolutely not and he would accept that as a condition for approval. Mr. Burnham said the reason for having the outdoor seating in the warm months is because that is usually a slow time for his business. He said he depends on pool leagues. He said his occupancy permit allows for 99 people and he said that amount wouldn't fit in the building. He would like to maximize the amount of space by using the outside section.

Mr. Passamonte asked about the hours and said in his letter of intent, that it said Monday through Saturday from 1 PM to 1 AM, and Sunday from 12 PM to 1 AM. Mr. Burnham said that is the hours inside only and will not be the hours for outside. He said for the people that stay past 10 PM, he wants to keep them inside.

Mr. Cote asked how the outside patrons will be monitored as far as serving themselves in that area. Mr. Burnham said that is something that has to be policed even without outside seating. Mr. Cote said he is maximizing that risk by adding outdoor seating. Mr. Burnham said as a business they are not outside now and they can't monitor people in the parking lot now. Mr. Burnham said he has put out an ad for two security people to monitor the outdoor section. He said this will help them to police the parking lot even more now. He said he designed this area where he did for safety. He said parking will be policed more and feels this will help them to be a safer and more responsible place. Mr. Cote said he thought he ran a very good operation.

Mr. Burnham said he runs this business himself and has changed the culture from about one year ago and has made some really good changes and improvements. He said his customers are 80% pool players and they are very responsible. He said he'd rather be safe than profitable. He said this outdoor area will be small, easy to monitor, and easy to break down. He said he will take every precaution possible and if it doesn't work, he will remove it.

Mr. Bergeron asked Mr. Burnham to show the board the sketch and describe it. Mr. Burnham showed the parking spaces, the building, the fire lane, and where the outdoor seating would go. He said the seating would begin at 8 feet off of the fire lane to give space in the event of an emergency. He said for safety, he slanted it up a little bit. He wanted to make room for deliveries that have to go behind the back of the building. He said he would have four tables made from cable spools. He would use bar stools and chairs for the seating around the tables. He said they are figuring for about 16 people for seating and maybe another four or five standing. He said he compared the outdoor seating at the Broken Yolk to his sketch.

He said the Broken Yolk has two, 6-foot barriers that go along the front and off to the side. He said he has found companies that make pier footings that weigh 750 pounds a piece and can withstand 115,000 pounds of pressure from the top. They are 2x2 at the base and 8" at the top. He said they have one now that protects their electrical meter. He would like to have four of these footings; 4 feet out on each side, and feels that would keep that area safe and would allow customers that utilize wheelchairs to use this area. He said the back area would be corded off so that people stay within that area.

Mr. Passamonte asked why he wants to stay 8 feet off of the fire lane. Mr. Burnham said he ran that by Mr. Hodge to give them more space and Mr. Hodge said it was perfect. Mr. Burnham said there are 21.5 feet from the side to the first parking spot and that is where they will start policing parking within the lanes. Mr. Passamonte asked if he wants to keep that space so cars can drive there. Mr. Burnham said no and that idea is to keep that area open for a more spacious fire lane. Mr. Passamonte said he doesn't understand why he has to stay that far away from the building. Mr. Burnham said there is a 12-foot fire lane now. Mr. Passamonte said he doesn't see why he can't go to the edge of the fire lane. Mr. Burnham said he could, but he would have to get back with Mr. Hodge. Mr. Burnham said that Mr. Hodge thought it was a very good idea to give the fire department more room with the fire lane. Mr. Passamonte said he's looking at it like someone can come out of the parking lot and wham.

Mr. Cote asked what the space is between the parking spaces and the outdoor seating area. Mr. Burnham said there are 21.5 feet from the first parking spot from the south edge of the outdoor seating.

Mr. Cote said he has two empty lanes, one for fire and one for continuing traffic. Mr. Burnham said yes. Mr. Bergeron said he also wants to know how his staff will access this area. Mr. Burnham showed where the 3-foot door that runs from 8-11 feet from the corner, which is a side door. Mr. Bergeron asked if he could slide those people in closer to the building because where it is now may put the public in jeopardy. Mr. Bergeron said if he tucked it in closer to his building it may be better for him. Mr. Cote added that there is a second entryway where the fire department could come in and have a straight shot from Bridge Street right up that alleyway to the fire lane. Mr. Cote understands the safety aspect and is okay with it. Mr. Cote asked if the intent was to have a waitstaff going out and serving people. Mr. Burnham said he intends to have a bar back or a security person out there every minute and a half. Mr. Cote asked if they would serve customers. Mr. Burnham said no, but they could take orders.

Mr. Doherty said right now that side door seems to be a hangout for the smokers. Mr. Burnham said yes it is. Mr. Doherty said people will still go out to smoke and maybe they will not block the entrance now and move out a little to free up the fire lane. Mr. Burnham said the reason they want to go 8 feet off is when Mr. Hodge met him, he indicated there was a lot of space and that it could be even moved further out without creating a problem. Mr. Burnham said Mr. Hodge said he loved it. Mr. Bergeron said once it's set up, the barriers can be moved. Mr. Burnham agreed to that. Mr. Doherty asked if he intended to put the barriers as two L-shape on the two front corners of the area. Mr. Burnham said what he wants to do is go approximately 4 feet, then another 4 feet, then 4 feet, and then on the corner, and then rope off the back.

Mr. Bergeron asked if that is a no-parking zone now. Mr. Burnham said yes, it is.

Mr. Cote asked to add one more of the concrete pillars to the back side. Mr. Burnham said yes. Mr. Cote said one more post would add more protection on the backside. Mr. Bergeron asked if there was going to be a tent over it. Mr. Burnham said no tent. Ms. Beauregard said different rules apply for tents in effect and the fire department requests that people go back to them if a tent is put up. Mr. Burnham said that was what he was told by the departments as well if he ever decided to put up a tent. He said, for now, he just wants to keep it light and have an area for people to go outside.

Mr. Doherty opened it up to the public and no one spoke.

Ms. Beauregard said the conditions she will read came about from the highway safety committee meeting. She said condition #1: Is a visible and weighted protective barrier to be installed in an L-shape in line with the front right corner of the building and along the south side of the parking lot of the 150 s/f area and the remaining area to be roped off to clearly mark the dedicated space. And per the suggestion of the members, she would add five pillars and make that part of the motion. Condition #2: Outdoor hours to be limited to the following: April 15 through Memorial Day 1 PM to 9 PM, Memorial Day to Labor Day 1

PM to 10 PM, and Labor Day to Columbus Day 1 PM to 9 PM. Condition #3: If in the future, the applicant wishes to add a tent, enclosure, or any type of heating unit to the outdoor space, they would need to contact the Fire Inspector and follow any necessary permitting process and regulations. She said the newly added #4: No speakers or outdoor music.

MOTION: (Mr. Montbleau/Mr. Cote) To approve the plan subject to the conditions.

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

Mr. Burnham asked if he has to send a copy of the approval to the Liquor Commission along with an application for expansion and then a site inspection and he asked if the Planning Board needed any documentation once that is done. Ms. Beauregard said for him to submit that for the file.

PL2022-00025, Map 29, Lot 7-27-1 – Crossroads Baptist Church – 43 Atwood Road – ‘Site Plan III’ review for proposed addition of a 27.5’x72’ modular building for classrooms on an existing developed site, and seeking a waiver to remove 7 parking spaces. Previously approved Site Plan Case PL2019-00014, approved on 6/03/2019, Site Plan II, Case PL2021-00012, approved on 6/07/2021.

Ms. Masse-Quinn read the list of abutters.

Mr. Passamonte said he is a member of this church and asked the board if they were okay with him sitting on this case or if he should recuse himself. Mr. Doherty asked if he was an employee, receiving or had received any money from the church, or had any financial interest in the church and Mr. Passamonte answered no to all of those questions. Mr. Doherty said he was fine with him staying.

Mr. Marc Giampa introduced himself with Crossroads Church and said he was expecting Shayne Gendron from Herbert Associates to be here tonight, but he was not.

Mr. Giampa said he is part of the church and said what they would like to do is add a third modular building on their property. He said part of the earlier approvals that they received was they had an area relative to where the first modular building would go, but that meant impacting the retention pond and the WCD. He showed this plan to the board. He said he is proposing to move the modular building onto the parking lot instead of moving the third modular near the WCD. This would make them lose seven parking spots, however, they currently have 110 parking spaces. This would leave them with 103 parking spaces to accommodate the addition of the third modular building.

Mr. Doherty asked him to point that out on his map. Mr. Doherty asked where the entrance would be to that building. Mr. Giampa said it will have a ramp and the entrance will be facing the parking lot and have egresses on both sides of the building. Mr. Doherty asked if these buildings touched each other. Mr. Giampa said the first building is not connected to the church. The second building is connected by a ramp and a deck. The third building will be stand-alone.

Mr. Bergeron asked Marc to spell his last name and he did as G-I-A-M-P-A. Mr. Bergeron said he would have 103 parking spaces after the third modular building went in. Mr. Giampa said yes. Mr. Bergeron asked what the church occupancy is. Mr. Giampa said the occupancy is 220. Mr. Bergeron said he was reading the administrative rules on parking for churches and he said churches are allowed up to 3 occupants for every car. That would give them 309 and it puts them in a very safe zone according to DES. He said they have more than adequate parking and with losing seven parking spots it wouldn't seem to have any negative effect on this new building. Mr. Bergeron said he is familiar with these buildings and they don't touch the ground or interfere with the ground. He thinks that where he wants to put this building is a good spot and a better choice because it won't affect the retention pond. He doesn't see anything negative with this proposal.

Mr. Doherty said the impervious area of the building is replacing the impervious area of the parking. Mr. Bergeron said it is a net gain/net loss of zero. Mr. Doherty asked if they would need to use the last 1.5 parking spots next to the building and would that area stay open. Mr. Giampa said yes. Mr. Doherty asked if they could get past that building to service the detention pond if needed. Mr. Giampa said yes.

Mr. Cote asked if these buildings were for schooling and would not be attached. Mr. Giampa said yes. Mr. Cote asked about the restrooms. Mr. Giampa said there are restrooms in the first modular building. Mr. Cote asked if they would have to leave that building to use the restrooms and Mr. Giampa said yes. Mr. Cote asked if they have a plan for safety and access into that building. Mr. Giampa said all of their buildings are locked and have a card access system for the students and teachers. Mr. Giampa said all of the younger students are always supervised and bathroom breaks are chaperoned by the teachers. Mr. Giampa said only the high school students are allowed to use the bathrooms alone. Mr. Giampa said the first modular area is where they have bathrooms. Mr. Giampa said most likely the older children will be in the building furthest away. Mr. Cote asked if they are in touch with the Pelham Police Department as far as safety protocols. Mr. Giampa said yes they are and the Police have come and done training with the children and the teachers.

Mr. Doherty asked if anyone felt the need to send this to Steve Keach for review. No one felt the need for that.

Ms. Beauregard said she heard from Mr. Gendron when he first applied for this plan and he originally mentioned he would need a waiver for the parking spaces. When he redid the calculations, he realized he did not need that, as they have adequate parking. She said the only thing she would add is the planting plan be done that the conservation commission had recommended prior.

MOTION: (Mr. Cote/Mr. Montbleau) To accept this plan for consideration.

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

Mr. Doherty opened it up to the public and no one spoke. Mr. Doherty said there were no waivers.

MOTION: (Mr. Montbleau/Ms. Masse-Quinn) To conditionally approve the plan subject to the plantings.

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

DISCUSSIONS

Ms. Masse-Quinn wanted to update the board on the Master Plan subcommittee. She said the committee received their tabling kits from Resilience. She said at the Town's Independence Day event, she set up a table with a banner and had coloring kits for the kids and she had a steady flow of people coming by. She said the banner stated "Our Pelham, Our Plan and the Master Plan for 2023" and she said that caught a lot of people's attention. She said she had kits with a flyer, a document describing the Master Plan, and a worksheet for the kids. She also had two posters for people to add comments to for feedback on what they like about Pelham. She said a lot of kids added requests for things such as a splash pad and a pool area. She said that Ms. Beauregard and Darby set up a table at the first concert on the green. Ms. Beauregard said she had a similar response and they attracted a lot of children. She said they had a lot of great suggestions such as parks for older children, bike paths, sidewalks, and small school classrooms. Ms. Masse-Quinn said the next meeting is Thursday and the topic would be natural hazards and resources. Ms. Masse-Quinn said the website was listed on the flyers she handed out, so people could look that up on their own.

Mr. Doherty asked about the golf course and said in the future we would be responsible for that. Mr. Cote said he believed that would be in five years. Mr. Doherty asked if there were any discussions on the Master Plan about bringing the golf course in. He thought maybe Resilience and maybe the high school kids could have some input on that.

Ms. Masse-Quinn said she will bring up that discussion with the committee. Mr. Bergeron said that was a very good point and if it is only five years out, it may want to be put into the CIP now for that. Mr. Bergeron said we should start requesting this now for that purpose and said it should be discussed at the next Master Plan meeting. He said the Selectmen will have to take the lead on that, as they would be the land managers. Mr. Cote said that was a good point and he will start getting all the facts. He said he will

work with Mr. Jaie Bergeron on this to get it in order. Mr. Doherty said maybe Resilience has experience with other towns and golf courses. Mr. Bergeron mentioned one called Hoodcroft in Derry, NH. Ms. Beauregard said Derry was the Master Plan of the Year at the NH Planning Association.

Mr. Bergeron said the citizens of this town have always been very supportive of any attempt for us to move ahead with the land. He said he thought the CIP committee would be happy to accept some form of numerical that we can ask the voters to support. Mr. Cote said they talked about creating capital reserve funds so that instead of asking for \$1 million, they would ask for \$200,000.00 over five years, as that is an easier hit on the tax rate. Mr. Bergeron said we can ask for it, but it's up to the voters to decide. Mr. Doherty thanked Ms. Beauregard for adding the discussion sections permanently on the agenda so we can have these discussions at the end of the meetings. Mr. Bergeron said he went over the top with Resilience on the part of protecting our natural resources.

Mr. Montbleau said that puts the balance on everything in our town. He said it's important to acquire the right land and to manage it properly and the biodiversity. Mr. Montbleau said we have a lot of trails and land for preservation and it is all about the quality of life. He said we really have improved in this area.

Ms. Beauregard said she heard from Dr. Kodali on Atwood Road as she is requesting to renovate the downstairs area of their building. She said originally the plan came in with having all of the doctor's offices on the first floor and if they ever planned on expanding downstairs, they would have to look at parking spaces. She said they are only looking to put offices downstairs for their staff. With the new COVID-19 rules, they have fewer employees, utilize teleconferences, and stagger their hours. They are looking to add one new practitioner to the office. Ms. Beauregard asked the board if they feel she should ask for an expansion of their use or if it is just the same use. The patient rooms and employee rooms will stay the same. They may move their kitchen downstairs.

Mr. Doherty asked if they have sidewalks that bring you down around the building. Ms. Beauregard said yes and the building inspector and fire department both went there to look to obtain their input. Ms. Beauregard read a letter from Doctor Kodali from Pelham Healthcare Associates, that is included with the file. The letter's points talked about were: Dr. Kodali is asking permission to build out the current, unfinished office area in the lower level of the building located at Suite 1, 48 Atwood Road in Pelham. She said this office has been in Pelham since 1964 under a different doctor. She said they are affiliated with Lowell General and they offer COVID-19 testing and treatments there. She said currently the staff office rooms, break rooms and patient rooms are on the main floor. They need to expand their space due to the new social distancing protocols following COVID-19. She said they've also had to carve out an isolated space for COVID-19. She said the patients and staff have become inconvenienced and they need to make changes to make things run smoother. They would like to move the staff offices and breakrooms downstairs following the buildout. Each staff member would have an individual, enclosed cubicle which would allow them to provide telehealth calls and still follow the HIPPA guidelines. The main floor would be patient exam rooms and the lower level would be for the staff, medical records, computer, and billing operations. She said a new primary care doctor would be joining the practice starting in September of 2022. She said there would not be an increase in parking or patients. Parking has always been plentiful since 2007. She said the septic system is of sufficient capacity to accommodate even if there is a marginal increase in patient traffic. She attached a draft copy of the proposed buildout. She asked for the board's consideration of her request. Ms. Beauregard said Dr. Kodali has asked to do this as soon as possible. Ms. Beauregard asked the board if they felt Dr. Kodali needs to come before them or if this letter was sufficient.

Mr. Bergeron said if Ms. Beauregard feels the fire and life safety codes can be met for the renovation of the lower section, then he doesn't see it would need site plan review.

Mr. Doherty said they are not changing anything outside and they may have to change the doors.

Ms. Beauregard said they are going to add a door based on recommendations from the safety inspector.

Mr. Montbleau said they are just going to build out the basement and as long as they meet the life and safety codes, there is nothing more that we would need to oversee, and said he would give them the green light.

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Mr. Cote said they are also not changing their influx of patients and the business is staying the same. He agrees as well.

Mr. Doherty said they are moving things downstairs to free up more patient areas upstairs. He asked Ms. Beauregard if she could handle this with the building inspector, fire department, and all the inspectional services. She said yes, she will and she just wanted to make it clear to this board that it is the same business, they are just reorganizing themselves. She said they can do all that through her office.

Mr. Bergeron said he respects Ms. Beauregard's transparency about things that are happening and is handling her office with a great deal of professionalism. Mr. Montbleau agreed. Mr. Doherty asked if the board thought a site plan was needed to come before them. No one said yes. Ms. Beauregard said she would handle this in her department.

ADJOURN

MOTION: (Mr. Montbleau/Mr. Passamonte) To adjourn the meeting.

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

The meeting was adjourned at approximately 8:26 PM.

Respectfully submitted,
Jennifer Castles
Recording Secretary