

**APPROVED**

**TOWN OF PELHAM PLANNING BOARD  
MEETING MINUTES  
August 15, 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  
Jim Bergeron - present  
Roger Montbleau – present  
Danielle Masse-Quinn – present  
Paddy Culbert - present  
John Spottiswood – present  
Jaie Bergeron – present  
Bruce Bilapka - present  
Hal Lynde - present  
Scott Sawtelle - present  
Jenn Beauregard – present  
Jennifer Castles – present

**ABSENT/**

**NOT PARTICIPATING:**

Joe Passamonte  
Samuel Thomas

**PLEDGE OF ALLEGIANCE**

**OLD BUSINESS**

**Case #PL2022-00009 Map(s) 7 & 8 Lot(s) 9-94 & 9-95, 9-96, 9-153-3 MENDES, David – 51 Hayden Road – Seeking approval to consolidate 4-lots and then to re-subdivide into 15 single-family lots.**

Mr. Doherty said this case will be continued to the September 12, 2022 meeting.

**MEETING MINUTES**

Mr. Lynde had one change to the August 1, 2022 meeting. Line 61 to change Ms. to Mr. Montbleau.

Mr. Doherty appointed Mr. Culbert to vote in place of Mr. Passamonte.

**MOTION:** (Mr. Montbleau/Mr. Bilapka) To approve the August 1, 2022 meeting minutes as amended.

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

### **OLD BUSINESS**

**Case PL2022-00006 (2) Map 18 Lot 12-16 Mako Development, LLC – Beechwood Road Extension (from Salem) – Seeking Planning Board approval of 15-lot subdivision to be built with no road access from the town of Pelham. The proposed access will be from Beechwood Road in Salem, NH. 7/13/22 Amended to add a Special Permit for construction of stormwater management improvements within WCD boundaries on proposed lots 12-16-1, 12-16-2, & 12-16-8 (Total WCD impact 7,403 s/f).**

Mr. Shayne Gendron introduced himself, employed with Herbert Associates along with Peter Zohdi. This is a 21.3-acre parcel and the plan is to have a 15-lot subdivision with access from Beechwood Road in Salem. Since the last meeting, he had met with the conservation commission and did a site walk with them. Mr. Gendron said they are now requesting a special permit. He said there are a couple of areas with WCD impact for drainage and detention areas for the grading of the ponds. He said last week they went before the ZBA and were granted relief to allow all the lots to be located on a private roadway.

He said there is a new letter from Steve Keach. He said they have some waivers for well radius, but have had conversations with Salem to allow them to bring in public water to this subdivision. He said it looks very promising to have this, but in case it does not, he is presenting the subdivision with wells on the lots. He said the intent is to not have wells, but to go with the community/public water from Salem.

Mr. Steve Keach said there is a letter in the file from him to the planning director, dated August 11, 2022. This was a response to revised drawings from Mr. Gendron's office in response to the June 20, 2022 letter report. His comments in summary were, #1, this application necessitates two state permits (one being state subdivision approval and two for alteration of terrain permit). He recommends each permit be received prior to application approval or as conditions for approval. He had four general comments: 1) The State permits. 2) Recommendation for condition of approval be the applicant provide a performance guarantee in the amount and form acceptable to Pelham to serve as financial security for full and final completion of improvements. 3) Recognition that the sole means of access to this subdivision be provided by Beechwood Road in Salem, NH. Pursuant to RSA 674:53, which requires Salem NH to take up this application, which they have already done and approved. 4. Acknowledgement that all roads within the current proposed subdivision be maintained as public ways. That would make a requirement that there be an HOA established for that road, along with covenants, declarations and easements. These documents would need to be reviewed by town council.

Mr. Keach said that relative to zoning matters, the first remark was a necessity of the two variances that are necessary and have been granted at this time. The second comment regarding the WCD and there is a correspondence in the package from the conservation committee about this. Regarding planning and design matters and based upon recent discussions with the

applicant's consultant that there have been discussions with the town of Salem regarding extension of public water supply. These have been fruitful and they are recommending the final plans include public water and utility main services and appurtenances. In the current plans, they are still including provisions for wells and a cistern for fire protection. Those would disappear from the final plans once it is confirmed that public water could come in.

Mr. Keach said there are provisions on the plans for both wells and some which would require waivers for their radius. Those can be found on comment 6 in his report. He said item 2 and 3 are minor with simplistic errors and changes. He said Mr. Gendron would submit a waiver request for comment 5. Section 203-4B talks about the cul-de-sac and on the drawings. He said neither of them conform directly with the standard. The southerly one is close and the northerly one is near wetland so those will be smaller in size. He said this will be a private road the fire department is good with the size of these cul-de-sacs. He said he has no reason not to support the waiver if it is granted, as he said it will work.

His 6th remark deals with water wells and protective radius placement on the lots, if they would be installed. His 7th remark is a labeling issue with under drain installation. His 8th remark is touching up site distance analysis to use a 400 stopping site for safe distance. He said he has checked those and they work. His 9, 10 and 11 remarks are all drafting level items.

Mr. Keach said the majority of his remarks remaining are simple and he was hoping to hear that the public water from Salem was a done deal, but it's not, but it is well underway. He asked the applicant to make a statement to the board on how they wish to proceed regarding the water. He said all his other remarks are drafting level items that Mr. Gendron can take care of quickly.

Mr. Doherty asked about point #5 on page 4, he asked if the fire department needs to be okay or are already okay with the size of the cul-de-sacs? Mr. Keach said his understanding is that Ms. Beauregard has possession of something that says they have no further remarks. Mr. Keach said he has a letter from Highway Safety, from a meeting on April 12, 2022. Mr. Gendron said nothing changed with the geometry of the roadway and they've been to Highway Safety two or three times and he said the letter from April 12, 2022 doesn't specify any problems with the layout with the project.

Ms. Beauregard said she hasn't heard any concerns from the fire chief about the size of the cul-de-sacs. Mr. Doherty said it's not with the length of them, but with the width of the cul-de-sacs and the size where they would turn. Ms. Beauregard said they did not comment on that. Mr. Doherty asked if they were aware they were smaller. Ms. Beauregard said she was not aware if they are aware of that.

Mr. Zohdi said many years ago he brought the fire department to examine these cul-de-sacs and that Mr. Keach said they are cul-de-sacs that will be fully paved. Mr. Zohdi introduced Attorney Pat Panciocco, and she is representing him on this project.

Mr. Jim Bergeron talked about the cul-de-sac circumference and what the deficiency difference is with these? Mr. Keach said in Figure 203-4 in the land use regulations which describe the recipe for a cul-de-sac and it shows the outside radius of a paved cul-de-sac. Mr. Keach said this is on sheet 4 and shows a radius of 62.5 feet. Mr. Keach said the regulations require a radius of 80 feet and part of that is to accommodate an island if one wants to install one. The southerly cul-de-sac will have a landscaped island, but the northerly cul-de-sac will not. He is not concerned with any vehicles being able to negotiate the smaller radius. He said there are much smaller cul-de-sacs in other communities than the ones that he is proposing and he said they should not be a problem. Mr. Keach said they went to a uniform standard due to ease of plowing

and maintenance was the primary reason they went with a larger radius. This will also be on a privately owned road and he said it will work.

Mr. Bergeron asked about the road that is going east and would it be constructed or would it just end. Mr. Keach said it would end and that is a paper street for now and the paper road to the south would connect to Methuen.

Mr. Doherty opened it up to the public.

Mr. Matt Derosa from 29 Beechwood Road, Salem introduced himself. He is the last house on the left of the cul-de-sac. His position as this plan is laid out is that it should not be approved. His major concern is the only access being from Beechwood Road. His first major concern is public safety. He said both Pelham and Salem fire departments have claimed first response for this development, but he said it takes a long time to get there. He questioned that residents would have to sign a liability agreement and he would wonder why they would do that. He is concerned with the construction timeline and construction traffic. He said currently kids, including his, play in the streets, so he is concerned about the years of construction activity on the street. He said his taxes may go up if his street gets ruined once the project is done. He is concerned that his property value may go down by adding this new development. He said especially if these new homes are on wells, which he feels are lower valued homes. He said there would be a lot for this HOA to maintain and feels the buyers of these homes might be blindsided. He is asking for the board to consider all his points.

Mr. Jim Bergeron asked if Mr. Derosa has town sewer and natural gas and Mr. Derosa said yes.

Mr. Jim Bergeron asked if he had heard about public water going in and he mentioned the HOA would be a large document. Mr. Jim Bergeron said that both Pelham and Salem have to consider is that in NH, that is protected. He said a land use board can't say someone can't develop their property if the developer can satisfy all involved. Mr. Derosa said he understood that. Mr. Derosa asked about who hashes out the cul-de-sac on Beechwood. Mr. Doherty said we don't have any control over that and that it would be between the applicant and the Salem Planning Board.

Mr. Jim Bergeron said that cul-de-sac would best serve everyone to remain the same, but can't speak for Salem. Mr. Derosa said he is the last house in his development and he abuts the Pelham line. He said there is a walking trail easement on the edge of his property that is on the Pelham side. He asked what he is supposed to do with that.

Mr. Zohdi said when he did the Salem side of the subdivision, they wanted a walking easement 15 feet wide and about 200 feet long. He said conservation commission came and they wanted it to go around the old parcel by Methuen town line and by the old railroad bed that was there and that is shown on the plans.

Ms. Masse-Quinn asked if that was part of an open space on the Salem side. Mr. Zohdi said yes. Ms. Beauregard said it is stated on the letter from conservation, describing where the easement should be.

Mr. Derosa asked if that would be moved. Mr. Doherty said he didn't know and that it was shown on the plan.

Mr. Zohdi said it would be on the final plan that will go to the registry to be recorded. Mr. Derosa said it is being addressed then. Mr. Derosa said he enjoys privacy in his backyard and he asked if they could leave some trees for privacy.

Mr. Doherty closed it to the public.

Mr. Doherty asked if there was a tree line to this property. Mr. Zohdi said yes and he is giving an easement to conservation, however if they decide to cut trees it would have nothing to do with

him. Mr. Doherty asked if that easement would run along the property line. Mr. Zohdi said along the property line and then at the right of way and there is no easement to Methuen. Mr. Gendron said he was at the meeting and originally had proposed a 10-foot easement, but conservation pushed him to get a 15-foot, only to give them leave way so they wouldn't have to cut extra trees.

Mr. Jim Bergeron said this originates in Salem and Mr. Zohdi said no.

Mr. Jim Bergeron asked if anyone uses this trail. Mr. Steve Keach said he didn't believe it was a trail today, but they have the easement so they can build the trail. Ms. Masse-Quinn thought the abutter referenced a trail. Mr. Jim Bergeron said if that is coming through private property, then how is it an open space subdivision? Mr. Gendron said he thought the walking trail easement that was part of the Beechwood Road subdivision was to access the open space behind their project off the cul-de-sac behind Mr. Derosa's lot. Mr. Gendron said Pelham's conservation commission pushed him to consider giving them a walking trail easement along the southern boundaries of this property to access out to the railroad bed. Mr. Jim Bergeron asked if an easement has been recorded already in this area. Mr. Gendron said yes and it's along the area of Mr. Derosa's lot and it runs along 147-275. Mr. Jim Bergeron reminded the board that the last time the board tried to do this many years ago the courts said we had no authority to do that. Mr. Jim Bergeron said he would like to get legal on this. Mr. Doherty said that was on a regular subdivision, not a private one. Mr. Jim Bergeron said this is a regular subdivision. Mr. Doherty said it is a proposed, private subdivision with an HOA on it.

Mr. Gendron said they've offered it up. Mr. Jim Bergeron said this board should ask for opinion on that. He said he recalled a request like this and subsequently they were not allowed to do that. Mr. Doherty said the board has not asked for this. Mr. Doherty said the applicant has offered this up with the conservation commission, which are only advisory.

Attorney Panciocco said from a letter, dated April 12, 2022, paragraph 3, that it is clear that Pelham is and will remain the first responder to this property and it is not being shared with Salem. She said the home values will remain the same or be even more. She said the road maintenance will be told to the buyers of these homes upfront and they will not be blindsided. She said she would not comment about kids playing in the street. She said she's been communicating with Pennichuck water and the town of Salem. She said the land that is owned by Mako is in Pelham and within the Pennichuck franchise approved by the PUC (Public Utilities Commission). She said Salem has expressed a willingness to take the water line through to Pelham and Pennichuck has agreed to relinquish it. She said that Salem needs to go to the Board of Selectmen to have them approve that effort. She said it will still have to go through the PUC. She said that would be a condition precedent under our regulations for which 202.7B allows only 12 months for satisfaction. She said that might be enough time, but the PUC is known to take forever. She said both Pennichuck and Salem have expressed a willingness to make this happen.

Mr. Jim Bergeron asked which select board she meant. Attorney Panciocco said it would be the Salem board to allow their water department to assume responsibility for the water line that would go into this property. She understands this is a straightforward application, parties are willing to do it and it's just a matter of the time it takes to get through the process. Mr. Jim Bergeron said Pennichuck would relinquish and there would be no conflict. Attorney Panciocco said there was no conflict and it looks very promising. She said under RSA 674.39, the vesting statute. She said it's not uncommon for a board to establish a substantial completion within the two years for vesting. She would like to put out there that they would be open to comments, but

they are asking for suggestions. She is proposing they get to rough grade and get the utilities in the ground, drainage, gas and water to get to a base. She said if they reached that in two years, they would qualify for that vesting. Mr. Doherty asked Mr. Keach to address the vesting piece. Mr. Keach said that Attorney Panciocco is correct and the way that is configured, you have to achieve a level of active development within two years to vest the approvals. Mr. Doherty asked within two years of what? Mr. Keach said within two years of planning board approval. Mr. Keach said our regulations don't create a default for defining active and substantial. It is defined on a case by case basis. Mr. Keach said if the level of work described, is done, then that proves the vesting question. Mr. Keach would support the possibility of the board doing site specific definition of active and substantial. He said that would be apart from the PUC situation. Mr. Jim Bergeron said on sheet 5, the easement shows it runs into the property to the north, 18-12-15. He said if it's not an accessible trail and it's not innovative land use, he wants an opinion if this is legally capable.

Attorney Panciocco asked if he means is it open to the public? She said perhaps or it is just open to the new lot owners. She would recommend the latter of the two. She said there is no protections for public access on private land. Mr. Jim Bergeron said this town had a case 25-30 years ago, where the exact same thing developed and later the court said no. Mr. Gendron looked at the plan Mr. Jim Bergeron was looking at. Mr. Jim Bergeron said he didn't want to get into a situation where they are saying yes to something and they've been told before they cannot do, unless it is innovative land use. Attorney Panciocco said she thinks the developer wasn't agreeable to what the board was asking him to do and that's why he took issue with it. She said they've agreed to reserve this area as a walking trail. Mr. Jim Bergeron wants her to consider that when the individual people take ownership of that, who realize something was done in their backyard and they don't want people in their backyards. He said when it is innovative land use or open space, we can deal with that, but this is not that. Attorney Panciocco said she thought it was fine and it is going to be in the HOA covenants, but will not allow public access.

Mr. Spottiswood asked why the conservation commission would try to do this trail if it wasn't for public access? Mr. Montbleau said in innovative land use it's dedicated to the people of the subdivision and it doesn't have to be open to the public. Mr. Montbleau said they've approved some subdivisions that have this. He agrees with the Attorney that this trail would only be for the people that own homes there and are part of the HOA.

Mr. Jim Bergeron said if Mr. Montbleau is fine with that, then he is also. Mr. Spottiswood said if you read the conservation thing, it says the trail easement will connect to an old trolley line trail and he asked if that had public access because now they will connect. Mr. Jim Bergeron said he knows people that own portions of that trolley track. Mr. Spottiswood asked if people will come up from that trail onto this property? Mr. Doherty asked why they would think they can wander into somebody's yard? Mr. Doherty said they can post it as private property. Mr. Jim Bergeron talked about a previous case 30 years ago regarding Peter Fisher and the trolley tracks.

Mr. Gendron handed out waivers to the board for their consideration. He said he is hoping the board would make some actions tonight. Mr. Doherty asked Mr. Gendron what his thoughts were on a timeline for the possible water connection from Salem. Mr. Doherty said the waivers were up in the air pending the water. Attorney Panciocco said probably 6-8 months. She said they have to get through the town of Salem and then prepare an application to go through the PUC. Mr. Keach said there are two timelines, one to get the commitment from Salem and second, is doing it and getting Mr. Doherty to sign the plan. Attorney Panciocco said the board

would have to presume the wells are going in at this point and then the waivers would go away if the public water gets approved. She said the Salem approval is conditioned on the PUC approval.

Mr. Jim Bergeron asked why the PUC wouldn't be in their court with this. Attorney Panciocco said it is in the public's interest to do this. She said it would be a long shot that they would deny this.

Mr. Culbert said as a representative, he doesn't know what the PUC would do. Mr. Jim Bergeron said it's in the public interest to extend the water line. Mr. Culbert agreed. Mr. Doherty said he would be more comfortable if he got a definitive answer from Salem. Attorney Panciocco said she anticipates getting to the Board of Selectmen in Salem within a month. Mr. Jim Bergeron asked to talk about the well waivers.

Mr. Doherty said he would rather wait a month, after they go before the Salem Selectmen, so he doesn't have to act on the well radius waivers. He said it will affect the public safety as far as fire protection services. Mr. Culbert asked to think about a two-stage approval, if the water line is going in or not. Mr. Doherty said they are far away from fire stations, so if the water line is extended then they don't have to worry about that part. Mr. Doherty said the bigger concern has been about public safety.

Mr. Zohdi said to read the fire department letter and it said that either they will make him have public water or he would have to put three cisterns in. Mr. Doherty said cisterns can go bad over a period of years, where fire hydrants do not. Mr. Zohdi said he wants to start building the road and he will put the water line in the road, with or without water. He said when he met with Mr. Sorensen and the Salem town engineer, his understanding was they didn't have a problem if Pennichuck surrendered their authority to Salem. He said he called Don from Pennichuck and he said Don had no problem with that. Mr. Zohdi said the Public work director wants to run it by the Selectmen and they want him to pay for all Attorney fee's. He just wants to start his work. Mr. Doherty asked the board what they want to do.

Mr. Montbleau said all these homes will have water systems for fire, so ultimately that is a good thing and he likes that. He said if we approve it subject to their own wells and cistern system then maybe we can get that out of the way now. He said it can be removed if Salem gives them water, which he is confident they will. Ms. Masse-Quinn agreed with Mr. Montbleau, saying either the houses will have fire protection or they will have town water and it can be subject to and or. Mr. Doherty asked the board if they want to give conditional approval tonight?

**MOTION:** (Mr. Jim Bergeron/Mr. Culbert) To accept Waiver #1, Section 203-1.B 2 (A), for consideration.

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

**MOTION:** (Mr. Jim Bergeron/Mr. Cote) To accept Waiver #3, Section 203-4.B 4 (A) for consideration.

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

**MOTION:** (Mr. Jim Bergeron/Mr. Cote) To approve Waiver #3, Section 203-4.B 4 (A).

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

**MOTION:** (Mr. Montbleau/Mr. Jim Bergeron) To approve waiver from Item #1, Section 203-1 B.2(A).

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

**MOTION:** (Mr. Cote/Mr. Culbert) To accept Item #2 from Section 203-1 B.4(4) of land use regulations, for consideration.

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

Mr. Cote said he is okay with approving this waiver and if the public water comes through then this waiver would be irrelevant. Mr. Doherty asked if any of these well radius were under 75 feet. Mr. Gendron said the well radius on Lot 12-16-2 falls off the lot to the back and this Lot also had a waiver on the 15K. Mr. Gendron said all the other well radius are on their lot lines, just not within the building setback lines. He said they all enjoy 75 feet within the lots. Mr. Doherty asked if this board even had the authority to grant a well waiver that goes into a different town? Mr. Keach said town boundaries would be irrelevant as long as they are all within New Hampshire. Mr. Gendron said back there is just an undeveloped area of someone else's lot. Mr. Gendron said he would have to record a well release, and he would do that in this case. Mr. Doherty said to Ms. Beauregard that would have to be a condition of approval. Mr. Keach said that would have to be a requirement of state subdivision approval. Mr. Gendron said that would go over the line by 15 feet. Mr. Keach said the state gives you 10 feet for free. Mr. Jim Bergeron asked about the person's land that is covering on and do they have to sign off. Mr. Keach said this would release them of any obligations. Mr. Keach said the state code of administrative rules allows a protective radius of 75 feet to extend 10 feet over a property line. This is so you're not permitted under the same code to construct a septic system within 10 feet of a property line. This 75-feet is for sanitary reasons. This would set up for the plan to show a release of liability to the adjoining parcel owner. Mr. Doherty asked if that well radius would need to be moved so the radius was under the road. Mr. Keach said it could and he would recommend that. Mr. Jim Bergeron said that well radius extends under the retention basin quite a bit. Mr. Keach said there is no issue there.

Mr. Cote said regarding the alteration of terrain permit, he asked if there were any issues with the request for the state on this. Mr. Gendron said no and there were no issues with having that done by November 22. Mr. Gendron said yes. Mr. Cote asked if that would require any changes to his plan. Mr. Gendron said he did not believe so. Mr. Cote asked about any issues with catch basins. Mr. Gendron said they've already been addressed. Mr. Cote wanted to make sure there wouldn't be major plan changes. Mr. Zohdi said alteration of terrain has been submitted to the town of Pelham and submitted to the state of NH and he is waiting. Mr. Keach said regarding the well radius waiver, he would suggest that lot be moved so that it doesn't extend more than 10 feet over the property line. Mr. Doherty said he would be comfortable with that. Mr. Cote asked about the alteration of terrain permit regarding drinking water and mentioned that this is in the area of the old Garabedian land fill. He read from the permit stating if the project encounters land fill material, then they need to reach out to DES. Drinking water from wells should be evaluated for contamination. He asked if they had a plan to address this? Mr. Gendron said no plan. Mr. Keach said public water. Mr. Cote asked if it is denied? Mr. Zohdi handed Mr. Cote



some research papers on that. Mr. Zohdi said it was looked at and when he applied for the mortgage, the bank sent papers and said he is not within Garabedian land. Mr. Jim Bergeron asked if there was any reports of contamination. Mr. Cote said no, but asked what if, because they are talking about drinking water.

**MOTION:** (Mr. Cote/Mr. Montbleau) To approve Waiver #2, Section 203-1B(4). Conditional to moving the well radius from Lot 12-16-2 an additional five or ten feet so the radius is going under the road instead of an abutter's lot.

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

Mr. Doherty asked to talk about the Special permit needed. Mr. Gendron said there are three areas they are looking for WCD impact. He has reviewed them with the Conservation Commission and they had no issues, and there is a note in the packets about that. He said there are three detention areas being proposed. The three areas have to do with grading around the back of the detention ponds. He said there is a total of 7,403 s/f of WCD impact. The way conservation looked at it, was it is temporary and after the ponds are established it will grow back with no problems. He said he submitted separate plans to the board for the Special Permit and they are on pages 8 and 9. Mr. Gendron showed the board the three areas impacted. Mr. Jim Bergeron asked about an abutter mentioning servicing the retention areas and he asked how they would they handle that. Mr. Keach said to look at the plan on sheets 4 and 5 and they will see the drainage easements. Mr. Keach showed this on the map and said he showed where there was a tail left there for access purposes. He said in the appendix to the drainage report and as part of the town's storm water regulations, there is a document appended to this in the rear called Storm Water Management System Inspection and Maintenance manual. This gives the how to on how things are supposed to be done. He said read off his comment #4. Basically he will require the same documents to include acknowledgment of that O&M manual for stormwater. He said the design engineer has given a checklist of how often inspections are needed. He will require those documents to be part of the HOA documents. Ms. Beauregard asked if we had the authority for our MS4 specialist to go out onto private property to inspect these on private properties. Mr. Keach said yes for anything that was approved subsequent to adoption of the regulations. He said prior to that time, it might be a gray area. He said he has required on private sites that this is part of the plan. He mentioned that was why the regulations were amended to satisfy the requirements by the government that the document has to show up on plans coming forward for stormwater management. Mr. Keach said there is only one permit for the entire project.

**MOTION:** (Mr. Cote/Mr. Montbleau) To approve the Special Permit.

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

Ms. Beauregard read off the conditions for approval. She asked about the mention of a potential for a condition for vesting and asked if that would be required. Mr. Keach said that would take care of itself through normal course. Attorney Panciocco said she likes to raise it and if things go awry she would propose the builder gets the underground utilities in and gets it to subgrade, that is substantially complete. Mr. Keach said he is good with that, but doesn't think it's necessary. He said it could read, for the purposes of administering RSA 674:39, active building

and development shall mean construction of one or more streets through subgrade including utilities and storm drainage improvements. Attorney Panciocco said that was fine. Ms. Beauregard read off the following conditions:

1. Receipt of all State Agency Permits including: (a) NHDES Subdivision Approval; (b) a NHDES Alteration of Terrain Permit; and approval numbers be depicted on the recordable plan.
2. Applicant to provide a performance guarantee, in the amount and form acceptable to the Town of Pelham, to serve as a financial surety for full and final completion of all future public improvements specified on the final project plan.
3. Acknowledgment of the Salem Planning Board granting application approval pursuant to RSA 674:53.IV on the final plan.
4. Receipt and favorable review by Town Counsel of: (a) draft homeowner's association documents outlining responsibility for common ownership and maintenance of interior streets, stormwater management improvements and related private infrastructure; and (b) draft declaration of covenants, easements and restrictions.
5. Applicant to provide escrow funds in an amount estimated by Town Engineer, for costs associated with construction monitoring and inspection services.
6. Receipt of correspondence from Town Engineer acknowledging all comments and recommendations, offered in correspondence dated August 11, 2022, have been satisfactorily addressed.
7. Addition of a note to the final project plans acknowledging waivers and Special Permit for WCD impact(s) granted by the Planning Board.
8. Receipt of correspondence from the Pelham Fire Department acknowledging favorable review of final project plans.
9. Receipt of confirmation of availability of public water service for both domestic use and fire suppression from Town of Salem

Ms. Beauregard added:

10. If an agreement with Salem for a public water supply is not successful, the cistern locations would have to be shown and approved by the fire department on the final plans.
11. Approval by the BOS under RSA 674:41 to allow building permits on a private road.
12. Recording of a limit of municipal liability be recorded and found satisfactory with Town Counsel.
13. For the purpose of administrating RSA 674:39, the term active and substantial building development shall mean construction of one or more streets through subgrade including utilities and storm drainage improvements.

She asked about if Salem doesn't come to fruition of water and would that be worded correctly? Mr. Keach said she did a nice job with that. Mr. Keach said we may not need the references to RSA 674:41 because that is an action that is independent of the subdivision, but is necessary for building permits. Ms. Beauregard agreed with him, but said they want the input from the Planning Board. Mr. Keach said that RSA involves buildings on streets and this is on a private road network. He said the BOS would have to vote to authorize the building code official to issue permits. He said in order for that to be given, there would have to be demonstration of release of municipal liability recorded at the registry of deeds in advance or as a condition. He

said he asked for that to be added to the plans. Mr. Gendron said yes. Mr. Keach said it was added on the cover sheet on the plans, so it would be recorded.

Mr. Doherty asked Mr. Keach if the planning board has to recommend to the Selectmen to issue that. Mr. Keach said they have the opportunity to do that. Mr. Doherty asked if we are required to recommend that. Mr. Keach said no and they could handle that. Ms. Beauregard said the notice of decision would substitute for that. She asked if they wanted those two conditions removed. Mr. Culbert said no, and to leave them. Mr. Jim Bergeron said normally the RSA is a singular act and they would have to construct it to be a collective act regarding all of the conditions stated. Mr. Jim Bergeron said a favorable recommendation is supposed to come out of this board and there are two selectmen here tonight. Mr. Doherty said recently they recommended the selectmen did not issue a building permit on a private road. Ms. Beauregard said it doesn't have to be a favorable review, but you have to provide comment to the board. Mr. Doherty said on the conditions, there should be a note on the plan that if the plan is approved and it is an automatic recommendation that all building permits should be issued by the selectmen. Mr. Keach said that would be most appropriate. Ms. Beauregard said she will add that.

**MOTION:** (Mr. Montbleau/Mr. Culbert) To approve the plan subject to the conditions listed.

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

Mr. Doherty said there will be a 15-minute recess.

**Case PL2022-00027 Map 8 Lot 9-144-5 Carol Clemens-Fox (Owner) / Daniel Luce (Applicant) – 466 Windham Road – Seeking approval for a 2-lot subdivision. One lot with an existing home will maintain access from Windham Road, and the new lot that is created will be accessed from Arlene Drive.**

Mr. Doherty said that Mr. Spottiswood would be voting in place of Mr. Culbert.

Mr. Kurt Meisner introduced himself with Meisner Brem Corporation and he is representing Carol Clemens and Daniel Luce.

Mr. Jim Bergeron mentioned that there is someone on this board that was there when the variance was granted and this gentlemen was not at that meeting and was he comfortable with that.

Mr. Meisner said he wasn't at that meeting, but said on the plans, he had copied the approval on that. He said the applicant had asked for a 3-lot subdivision without having to show zoning a plan. He said it is a 2.80 acre site and she was looking for a variance on Windham Road. He said the zoning board denied the 3-lot subdivision, but approved a variance to allow a reduced frontage lot. He shows on his plan the existing farmhouse with reduced frontage on Windham Road. The proposed new lot is at the intersection of Gordon and Arlene Drive and has both the required area and the required frontage. That lot doesn't require a variance. The existing home lot requires a variance because it has reduced frontage on Windham Road.

Mr. Jim Bergeron said this original farmhouse was the Emerson property and when the Gordon development was done this driveway continued to be used. Mr. Doherty asked if the driveway to Arlene was part of this parcel and Mr. Meisner said yes it was. Mr. Jim Bergeron said zoning thought this would be the best way to handle this lot, by giving the new lot the frontage. Mr. Jim Bergeron thought it was a good variance. Mr. Doherty said the way it's drawn, it is a very

peculiar shaped lot. Mr. Jim Bergeron said all that zoning did was grant the 50-foot frontage variance on the new lot and did not design the lot.

Mr. Doherty said we prefer rectangular shaped lots. Mr. Meisner said he was provided a map by the owner with the shape of the proposed lot and it had the small 50-foot tag on Arlene Drive. He showed the board the drawing of the lot. Mr. Doherty said the board always asks that the lines are straight, with no tails on them. Mr. Meisner said his plan shows a 1-acre lot that has NHDES subdivision approval and the soils are good and they are just cutting off a 1-acre piece of land.

Mr. Jim Bergeron said the 50-foot wing off the lot should be a matter that this board should consider. Mr. Doherty said to draw a line straight across and get rid of it and the 1-acre lot would be just over 1-acre. The board agreed with that. Mr. Doherty said that would be for ease of ownership. Mr. Meisner said by the nature of the parent parcel, whatever he does there would end up being a peculiar shaped lot. He said the difference is an area of land that would be 3,600 s/f and it would be inconsequential to the use and infrastructure of the proposed new lot or the existing dwelling. This land is covered by a well radius of the abutting property and he doesn't think it serves use either way. Mr. Doherty asked if he would have a problem changing that line. Mr. Meisner said it doesn't matter to either lot. He said he can change them if needed to get them approved. He just isn't sure what the gain is to Pelham.

Mr. Jim Bergeron said if he looked at tax maps from this development, he would see regularly formed lots. He said they do not want new lots constructed with less than 50 feet in any point. He said this lot has 50.54 feet that runs for 77 feet. He said he would vote in a way that is congruent with the rest of the neighborhood. He would be opposed to the current lot line as drawn.

Mr. Doherty said if the barn was not there, he would ask to draw the bottom lot line straight across which would dissect the top section of the barn, but is not suggesting he does that. He is asking to remove the tail line of the lot.

Mr. Meisner said that is fine with him and doesn't think he should be scolded about that. He said he can come back with a different plan.

Mr. Montbleau asked what the soil and topography of the lot are. He also wants to hear from the abutters.

Mr. Doherty said if he gave that lot configuration, then the big lot that's been used since the 1800's onto Windham Road, he could then put a driveway onto Arlene Drive and have two driveways.

Mr. Meisner said the soils are Group 1&2 with excellent water tables. He said they are Canton and Hinckley soils, which are two of the best soils in this area. He has done various test pits, submitted to DES and has received subdivision plan approval. Mr. Montbleau said he saw concerns from abutters about lines of sights and thought if the tail of the lot can be removed, it may make sense.

Mr. Doherty said a concern of an abutter was a driveway directly across from their driveway and he said normally as a board they like to see direct intersections. If they are staggered it makes them less safe.

Mr. Doherty asked Ms. Beauregard if we had anything in our subdivision regulations about driveway placements and said these are usually handled by the Fire Department.

Ms. Beauregard said yes they are and there might be something in the regulations and she will look for that. Mr. Doherty said that would be not be privy of this board.

Mr. Culbert asked what the line of sight was. Mr. Meisner said that would be about 170 feet from the intersection from the driveway. Mr. Culbert said 170 isn't adequate and he lives on a curve with 90 feet. Mr. Meisner said the driveway that is across the street from this one is the same distance and is adequate.

Ms. Masse-Quinn asked to read a letter from an abutter who can't attend tonight's meeting, included in the packet. Mr. Doherty said to wait until he opens it up to the public.

Mr. Doherty opened it up to the public.

Mr. Jerome Harbinson, from 7 Gordon Avenue introduced himself as an abutter. He said the property used to be a horse farm and there are now trees there and if they are removed, he will be looking at a side and a front of a building. He said that would be an eye sore for him.

Ms. Andrea Bernier on 4 Arlene Drive introduced herself. She said her concerns were for the precedent of the lots that are already on Gordon Heights. She said her children play around that corner and is concerned about safety and the line of sight. She said her husband wanted her to mention drainage, water usage and make sure it is not graded towards her property. She said this will take away her privacy, because now she sits on her porch and looks at trees. Mr. Doherty asked her if she looked at the plans to see the lines. Mr. Doherty said that the slopes go away from her property and she couldn't possibly get any water draining onto her property. She said if this got passed, she would like trees to be kept there. She said adding a home to that corner will take away her privacy. She said her lot is 1.98 acres. Mr. Doherty asked her if she knew of any other 2-acre parcels in the neighborhood that could be subdivided. She said yes, one on Gordon Avenue and that was owned by Mr. Birch and he got denied with his subdivision plan request. Mr. Montbleau asked how long she has lived there. She said 10 years. Mr. Montbleau asked if that land was overgrown since she's lived there. She said it was overgrown when she bought the house. Mr. Montbleau said the owner of the property can clear cut everything on his land right now. Mr. Montbleau said if the applicant meets all the regulations, they are allowed to do this and privacy concerns wouldn't bear out over the regulations. Mr. Montbleau said a nice home there would probably add value to her own home. Mr. Doherty said this option was opposed to them putting a duplex there and that the owner could do that as well. Mr. Doherty said this lot is big enough to add onto the existing house to create a duplex. Mr. Montbleau said this option, they can build something in the character of the neighborhood. Mr. Montbleau said there is enough land for them to build a duplex and that wouldn't fit with the neighborhood. Mr. Doherty said this option is what they are getting away from, rather than building the duplex. Ms. Bernier said she hopes that no one would allow them to build a duplex. Mr. Doherty said they are allowed to be built all over town.

Ms. Chris Hart-Brown from 3 Arlene Drive introduced herself. She said she isn't physically abutting this property, but is on the corner. She said that corner is very dangerous and there is no speed control there. She said she's lived there for 26 years and said people go very fast around that corner. She asked if it was legal to have a driveway right across from another driveway.

Ms. Beauregard said there is nothing in the regulations that addresses that. Ms. Brown said that seems to be dangerous. Mr. Doherty said they usually make all roads try and line up across from each other and not be staggered. Mr. Doherty said it is safer to have them across from each other. It also helps during snow and plowing season. Ms. Hart asked if a variance for a duplex has been granted. Mr. Doherty said they don't need anything to build a duplex on a 2-acre lot.

Ms. Hart asked where the driveway entrance would be for that. Mr. Doherty said it could either be on Arlene or Windham Road. Mr. Doherty said the board likes to see what is best for the neighborhood. Ms. Hart talked about the style of Gordon Heights and said this house proposal wouldn't fit there. She said there would need to be signage for speed and children. Mr. Doherty said it's an existing road, so that would be up to the Highway Department. She said the whole neighborhood is changing. Mr. Doherty asked if the cul-de-sac was at the end of Gordon or Arlene? Ms. Beauregard said that was Arlene.

Mr. Harbinson came back up and said he liked to scenery of the barn and horses.

Ms. Cindy Ronning from 8 Andover Street introduced herself as the land owner's realtor. She said she knows that corner and it is very wooded now. She said the new plan would be to cut down all the trees to give it better visibility and there won't be an issue. She said the sight distance will be much better.

Mr. Doherty said they usually ask applicants to clear the brush along the road or even into the embankments. He said this was done near Harris Inn. Mr. Culbert asked if the visibility would meet AASHTO regulations (which are the standard for transportation regulations). Mr. Meisner said they will and the driveway opening will meet the town of Pelham's requirements and he can add a note to make sure the police or safety officer shall inspect it to make sure it's a safe location. He said one abutter mentioned there were no safety or speed controls. He said by the AASHTO regulations for the 90-degree intersection at either end of this road is your speed control. He said that road is around 600-650 feet long and said someone couldn't really get to an unsafe speed there. Mr. Meisner said it's very possible that the new owners of this home may have young children of their own and be a very good neighbor. He said this home will be similar to the houses in the neighborhood and would be brand new and is the same size lot as the abutting neighbor from 3 Arlene Drive. He said he will follow the regulations and have a nice single-family home built there. He will work with the safety officer to make sure the driveway is safe.

Mr. Culbert said he lives on a 90-degree curve and he sees people going around it at 50 miles per hour.

Mr. Jim Bergeron said he's not a fan of subdivisions in subdivisions because the integrity changes. He said with that lot line, Mr. Meisner doesn't meet the well setbacks to the building setback distance. Mr. Jim Bergeron said Mr. Meisner will need to find a way to make the well radius stay in that lot. Mr. Meisner asked which well he was talking about. Mr. Jim Bergeron said it would be on the new 1-acre lot. Mr. Meisner is aware of that and he has requested a waiver for that. Mr. Jim Bergeron said if the board doesn't approve that waiver, can he reconstruct that lot to make it work. Mr. Meisner said not in the configuration it is in now. Ms. Beauregard said she has a waiver for site specific soils, but didn't see one for the well radius. Mr. Meisner said it is there.

Mr. Doherty said if the 4K area was slid down towards the tail and the proposed well was moved towards Arlene Drive it could fit in the lot. Mr. Meisner said he could potentially do that, but he also has two front yard setbacks on this site. Mr. Doherty said it could be done, but two neighbors have encroachments onto this lot with easements for their wells. Mr. Meisner said yes you would have that, but the state will allow 10 feet over the line. Mr. Meisner said the lot on the Bernier property has no easement and it does overlap onto this property. Mr. Jim Bergeron

said that may not have been a condition for that at that time. Mr. Jim Bergeron said we are now trying to pull the well radius in and make them as best we can, because there have been issues with this. Mr. Meisner said he can do that, as he has to change the lot anyways. Mr. Meisner said the well radius now is fully on their lot. Mr. Meisner said this already meets the DES requirements for the well radius. Mr. Jim Bergeron asked what his proposed loading is. Mr. Meisner said it is for a 4-bedroom home.

Mr. Ron Ferrera from 45 Arlene Drive introduced himself. He said he's lived at his house for 18 years and there have always been many children in this neighborhood. He said he's seen people drive 40-50 miles per hour on these roads. He said the sight view on Windham Road is very poor with overgrown brush. He can't understand how they want a driveway onto Arlene Drive when originally the driveway was on Windham Road? He asked why they can't use Windham Road for their driveway?

Mr. Doherty said this is a proposed subdivision, which would make it two parcels that would have two driveways. Mr. Ferrera said this proposed area initially was grass when he moved in there and now it is all overgrown. He said he goes to the town every year to ask for it to be cleared. He said there is a safety issue on this road with speeding cars. He said his main concern is the treacherous corner. He said most driveways on this road are offset from each other. Mr. Doherty said this board cannot stop people from driving at excessive speeds.

Mr. Mark Dupont from 462 Windham Road introduced himself. He said when he first moved there it was a nice property and well maintained. He said it has been taken over by invasive weeds and growth. He said he is not opposed to this new lot and that it is her property. He hopes that this property will be better taken care of than it is now. His hope is someone will improve the property and in his opinion will hopefully make it better.

Ms. Bernier asked if a duplex was built there, then would it stay as one lot and the driveway would stay on Windham Road? Mr. Doherty said he did not know, because they own frontage on Windham Road and Arlene Drive. He said if they decided to not subdivide the lot, it won't even come in front of this board.

Ms. Masse-Quinn read an email from Mark and Amy Wholley. In summary, it said they are located at 1 Arlene Drive, directly across from the proposed lot. They are uncertain if this is the final layout of the lot or not. They said driveways must be a minimum of 100 feet from a bisecting road. This corner lot abuts Gordon Avenue so a new driveway would need to be 100 feet in from that corner and would place their driveway directly across from theirs. They think the driveway should be moved further so they are not directly across. They are requesting more signage for safety and speed. There are a lot of large vehicles that drive on these roads. They are very concerned with safety of the children and want some protection for them. They asked for the condition of the road be noted now and reviewed post development. They are asking for the road to be returned in the same condition. They are also wondering if this was the final meeting for this development and if it was, then they would like to request that during construction there be no heavy equipment ran on Sundays during spring and fall. They would like consideration for the neighborhood.

Mr. Doherty closed it to the public.

Mr. Doherty made the following suggestions for the plan to be reworked to take off the tail. To look at the driveway alignments and see if he can offset them. Make a brush-cutting easement to the town on the corner of Gordon and Arlene. Mr. Cote said the town should have an easement from the center of the road, so he felt that part would not be relevant as far as the cutback.

Ms. Beauregard said there is a highway safety meeting coming up before the next planning board meeting and she can take this to them for review. Mr. Doherty said that would be a good thing to do.

Mr. Montbleau said naturally people don't want their neighborhood to change. He mentioned the neighbor thinking this would be an improvement. He also mentioned the applicant can build a duplex there if this doesn't go through. He said this board can only act on rules and regulations and not privacy issues.

Mr. Meisner said the next plan that he brings will have the tail removed and the property line adjusted back closer to the barn and may move the septic. Mr. Montbleau said the neighbors are worried about safety, aesthetics, and sight-lines and the board can act on those. Mr. Meisner said he can do what the board asked him to do. Mr. Culbert wants to make sure he follows the AASHTO regulations and not Pelham regulations. Mr. Meisner said okay and said he's still sure he needs to follow the Pelham regulations as well. Mr. Culbert said he needs to follow the most stringent ones "Buddy". Mr. Meisner said he's been doing this for 40 years and has never had someone call him "Buddy". Mr. Jim Bergeron asked him about changing the setback to the barn. Mr. Meisner said he mentioned the well radius and in order to push that forward, he needs to avoid the 30-foot set-back from Gordon Avenue. He would have to move it south and would have to pull that closer to the barn in order to slide the well radius over. He will make sure the barn meets the minimum requirement and will make the well radius out of the building setbacks. Unless this board would approve that waiver. He said he will try and work with what he can to try and satisfy all of the abutter's requests the best he can. Mr. Jim Bergeron asked if it was because of the elevation as to not to slide the 4K down? Mr. Meisner said no, he can do that too, but the neighbors are concerned about sliding things down towards them. Mr. Jim Bergeron said Pelham is very generous and our sideline setback are only 15 feet. He asked Mr. Meisner if he extended the line straight out to 9-69-10, would he have greater than 50 feet along that line? Mr. Meisner said the curve on the road is a tad more than 50 feet and it would be close to 50 feet. He said the line between him and the Bernier property is not necessarily radially to Arlene Drive, but could be a foot either way. Mr. Meisner said he is going to remove the lot line, the 77 feet and extend the back line over and he said he will have more than 50. Mr. Jim Bergeron asked if there would be a minimum of 3,850 he'd be taking out of 9-144-5 and putting it into 9-144-5A and Mr. Meisner said correct. Mr. Jim Bergeron asked what percentage would change and asked if that 1.84 includes the driveway? Mr. Meisner said correct. Mr. Jim Bergeron asked what his slope rate was and was it greater than 8%? Mr. Meisner said it is very flat. Mr. Jim Bergeron asked if he would drop down below 1.5? Mr. Meisner said no, not even close. He said it would be 77,000 s/f and 1.76. Mr. Jim Bergeron said that was inclusive of the existing driveway easement. He can address that with a direct answer when he is asked a direct question. Mr. Meisner said he is limited to what he can do with the lot on the front of Arlene with the location of the house, barn and well.

Mr. Lynde commented that where he has the driveway located, it is almost at the intersection of the two lots, which he thinks it is a proper place to put it. Mr. Meisner asked if it was for the lot across the street, then that's correct. Mr. Meisner said when he comes back, he will show us that on his plan. He asked if it is the board's directive to not have the driveways exactly across from each other. Mr. Doherty said it's not in our regulations, but the abutters are asking it not to be. Mr. Meisner said this plan is only an intention of what could be done. He said he will make sure the driveways are offset. Ms. Beauregard said our next meeting would be September 12<sup>th</sup>. Mr. Meisner said that is fine with him and will submit plans by then.



## **PRESENTATION**

Mr. Doherty said Mr. Thomas is not here tonight, so Ms. Beauregard and Ms. Masse-Quinn will be presenting. Mr. Doherty said we have to vote tonight to send the capital improvement project plan to the Selectmen. Ms. Beauregard said the board has to adopt the plan and then we can move on from there.

Mr. Jim Bergeron said Ms. Masse-Quinn is the vice-chair of the committee.

Ms. Masse-Quinn said Jay from NRPC put the capital improvement plan together for us. She asked to have Mr. Cote be added to the front page. She said the preparation and adoption of the CIP (Capital Improvement Plan) is an important part of Pelham's planning process. It is to identify and resolve deficiencies and existing public facilities and anticipate future demands for capital facilities based on current and expected population increases and use other public services. A CIP is a multi-year schedule that programs a series of projects and their costs. Over the 7-year period of a CIP, it shows how a town expands, maintains, renovate facilities and services as needed, to meet growing demands.

As a result of this, there is a Pelham CIP committee, consisting of 6 members and under 674:5-A they came together with the municipalities and the cost sheets and created Appendix A.

1. Administrative and General Government for Board of Selectmen:
  - 1) Main Street sidewalk expansion for \$190,000.00, starting in 2024 and recommended 1-year.
2. Police Department:
  - 1) Radio Infrastructure \$511,588.00 starting in 2023 with a finance method of 1-year. This is marked as (U) for urgent, which means it cannot be delayed and is needed for health and safety)
  - 2) Remodel expansion of gym, training room and evidence room, \$82,628.00, starting in 2023, financial method 1 year and is (N) for necessary.
  - 3) Animal Control Shelter \$274,709.00 starting in 2024 with a 1 year appropriation for finance and this is (N/R) for necessary and more research is needed.
3. Fire Department:
  - 1) Replace Ambulance #2, \$300,000.00 starting in 2026, (C/N), committed and necessary.
  - 2) Replace Engine #3, \$720,000.00 starting in 2026 (N) (necessary).
4. Highway Department:
  - 1) Catch basin cleaning clamshell truck \$318,522.00 starting in 2023 (Recommended by CIP) (D) desirable.
  - 2) Culvert replacement, \$128,156.00 starting in 2023 (N) necessary.
  - 3) 2010 dump truck replacement \$274,400.00 starting in 2024 (N) necessary.
5. Transfer Station:
  - 1) 1999 Trash compactor replacement for \$88,500.00 for 2023 under (U) urgent.
  - 2) New tractor for \$185,000.00 starting in 2023 (U) urgent.
  - 3) F-550 Back body dump with plow and sander for \$110,000.00 for 2023 (R) research. Ms. Beauregard said they wanted them to try and get a better price for that.
6. Parks and Recreation:
  - 1) Rest Restrooms at Raymond Athletic Field for \$200,000.00 starting in 2024 (D) desirable.

7. Library:
  - 1) Renovations for \$184,965.00 in 2023, finance recommended an offset appropriation. Ms. Beauregard said this money is already in reserve so it is (C) for committed.
8. Cemetery (No CIP requests at this time).
9. Senior Center (No CIP requests at this time).
10. Pelham School District (Ms. Beauregard discussed this) She said the bond schedules are already in place from prior years for the high school addition and Memorial school renovation.
  - 1) Pelham Elementary school is looking to do Phase II, A/C Systems on first-floor rooms in 2023 (N) necessary, but more research is required.
  - 2) Pelham Elementary School asphalt parking lot and roadways (N) \$208,600.00 for 2024 and would do in conjunction with the Memorial school parking lot. Pelham Elementary School Phase III, (gym and all remaining items) (N) necessary, but more research is needed \$600,132.00 for 2025. Pelham High School parking lot replacement (R) for 2026 for \$295,830.00.

For the Highway Department's request for their cleaning clamshell truck, that is a loan they are looking to get and the culvert replacement would be a grant. The loan would be offset by a grant, with a portion being paid for by the town. She said the reports do have some needed edits and if they accept the plans, then they accept them with the changes. They need to add Mr. Cote and Mr. Smith to the front page. Page 11, misprints in the cost of the Elementary school A/C Phase II, it should read \$584,790.00. On page 14, they need to remove the Muldoon Park renovations because Parks and Recreation have put some of those into their budget and split them up. Page 15, Elementary School Phase II A/C system is in 2023 and Phase III is in 2025 and it is ranked necessary but is needing more research. High school parking should be (R) for more research needed and not (N) for necessary and 2026 needs to be corrected. Page 16, Raymond park restrooms need to be added as desirable because it was missing. She said Jay will make all those changes. Mr. Doherty appointed Mr. Sawtelle to vote.

**MOTION:** (Mr. Montbleau/Mr. Cote) To recommend this to the Selectmen.

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

Mr. Cote said he will bring that to the Selectmen.

### **ADJOURN**

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

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

The meeting was adjourned at approximately 10:50 PM.

Respectfully submitted,  
Jennifer Castles  
Recording Secretary