

**APPROVED
TOWN OF PELHAM PLANNING BOARD
MEETING MINUTES
MARCH 20th, 2023**

Chairman Tim Doherty called the meeting to order at approximately 7:05 PM.

Secretary Danielle Masse-Quinn called roll:

PRESENT ROLL CALL: Tim Doherty – present
James Bergeron – present
Roger Montbleau – present
Danielle Masse-Quinn – present
Joe Passamonte – present
Bruce Bilapka - present
Alternate Hal Lynde – present
Alternate John Spottiswood – present
Alternate Scott Sawtelle - present
Planning Director/Zoning Administrator Jennifer Beauregard – present
Recording Secretary Heidi Zagorski – present

ABSENT /

NOT PARTICIPATING: Selectmen’s Representative Kevin Cote
Selectmen’s Alternate Representative Jaie Bergeron
Alternate Paddy Culbert
Alternate Samuel Thomas

PLEDGE OF ALLEGIANCE

ELECTION OF OFFICERS

MOTION: (Montbleau/Bilapka) To elect Ms. Danielle Masse-Quinn to the Secretary position.
VOTE: (6-0-0) The motion carried.

MOTION: (Montbleau/Bilapka) To elect Mr. James Bergeron as Vice-Chairman.
VOTE: (6-0-0) The motion carried.

MOTION: (Montbleau/Bergeron) To elect Mr. Tim Doherty as Chairman.
VOTE: (6-0-0) The motion carried.

MOTION: (Masse-Quinn/Montbleau) To appoint Mr. Samuel Thomas for an alternate position for a 3-year term to this Board.
VOTE: (6-0-0) The motion carried.

MEETING MINUTES

Mr. Joe Passamonte requested the following correction to the March 6th, 2023 Meeting Minutes: Change the name of Mr. Samuel Spottiswood to Mr. Samuel Thomas on Line 96. Mr. John Spottiswood requested the following correction

to the March 6th, 2023 Meeting Minutes: Change the name of Mr. Spottiswood to Mr. Thomas on Line 102.

MOTION: (Passamonte/Bergeron) To approve the amended March 6th, 2023 meeting minutes.

VOTE: (6-0-0) The motion carried.

OLD BUSINESS

Case #PL2022-00040

Map 22 Lots 8-39 & 8-85

Corbin, Lisa – 655 Bridge Street, and Gendron, Patrick & Kim – 579 Bridge Street - Seeking approval of a lot line adjustment between Map 22 Lots 8-39 and 8-85 and subdivide lot 8-85 into 2 lots. The existing house (on Lot 8-85) will remain on a 14-acre lot, and a 65-unit apartment building is proposed on the remaining 30.5 acres for which a separate Site Plan application has been submitted.

MOTION: (Masse-Quinn/Montbleau) To continue Case #PL2022-00040 to the requested April 17th, 2023 Planning Board Meeting.

VOTE: (6-0-0) The motion carried.

Case #PL2022-00041

Map 22 Lot 8-85-1

Bridgeside Commons, LLC – 579 Bridge Street - Seeking Site Plan review for a 65-unit apartment building on a 30.5-acre parcel subdivided off of the parent lot where the existing house will remain on 14 acres.

MOTION: (Masse-Quinn/Bilapka) To continue Case #PL2022-00041 to the requested April 17th, 2023 Planning Board Meeting.

VOTE: (6-0-0) The motion carried.

Case #PL2022-00031

Map 38 Lot 1-109 Cedar Crest Development, LLC (Applicant), Eleanor Burton Revocable Trust (Owner) – 243 Sherburne Road – Seeking approval of a *3 lot subdivision (previously 4 lot subdivision) consisting of 3 single-family/duplex lots accessible from Sherburne Road.

MOTION: (Passamonte/Montbleau) To continue Case #PL2002-00031 to the requested April 3rd, 2023 Planning Board Meeting.

VOTE: (6-0-0) The motion carried.

PL2023-00004

Map 28 Lot 2-12 and Map 34 Lot 2-13

Lamarre, Richard – 126 Marsh Road and an unaddressed lot - Seeking approval of a Lot Line Adjustment to add 2.95 acres from 34-2-13 to 28-2-12, leaving 34-2-13 with 1 acre and the existing house.

Mr. Kurt Meisner of Meisner Brem Corporation introduced himself representing Mr. Richard Lamarre for a lot line adjustment plan for 126 Marsh Road. Mr. Meisner stated that the property was created in 1981 as a single-family home. This home has an existing well and septic system. He stated that they are looking to adjust the lot line between this lot to cut a 53,000 square foot lot out of the 4 acres and add a 2.72-acre parcel 'A' as depicted on the plan presented to the property in the rear known as lot 2-12 which is 110 acres. He continued that when they add the 2.72

acres to this, there will be 113.22 acres. There were a few revisions made to the plan from the original date Mr. Meisner presented this plan to the Board. First, Mr. Meisner has determined the actual flood zone line of the property. In another revision to the plan, Mr. Meisner pushed the lot line as far to the East as he could which allowed the well radius to be completely inside the building setback lines for the property. This allowed Mr. Meisner to rescind the previously requested waiver for a lot line adjustment.

Mr. James Bergeron stated to Mr. Meisner that the 204.36' is to the lot line between 2-13-1 and the new lot 2-13, and it runs from that point to the end of the 60-foot radius. Mr. Meisner confirmed this statement.

Chairman Doherty asked if there were any other questions from the Board members.

Mr. Doherty opened the discussion to the public. As no one from the public came forward, Mr. Doherty closed the discussion to the public.

MOTION: (Passamonte/Montbleau) To approve the revised plan as presented.

VOTE: (6-0-0) The motion carried.

BOARD MEMBERS / PLANNING DIRECTOR UPDATES

Ms. Jennifer Beauregard presented the Board with copies of the revised zoning ordinances including the changes that were made at the town meeting along with the approved Sherburne Road Area Growth Management ordinance that was approved by the Board of Selectmen.

Ms. Beauregard included changes to the Planning Board meeting dates that will occur during the September and October meetings to accommodate all Board schedules and holidays. Ms. Beauregard stated these changes can be found online at [Planning Board Meeting Schedule for 2023](#).

The information for the virtual Spring Conference that the Office of Energy and Planning hosts was provided to the Board members by Ms. Beauregard. The event will take place virtually on April 29th from 8:45 AM to 3:30 PM. It will also become available on the Office of Planning and Development's YouTube channel for those who cannot attend.

Ms. Danielle Masse-Quinn spoke about the existing water regulations and her work on creating new regulations in conjunction with Mr. James Bergeron. Ms. Masse-Quinn explained that they received The Board of Selectmen's blessing for the Planning Board to update and amend the well ordinance. Ms. Masse-Quinn spoke about the Town of Windham's well ordinance having a very detailed well yield requirement section that was also known as a well completion report adding that Pelham's well ordinance does not currently have this. Ms. Masse-Quinn suggested that this testing page could be a good add-on for Pelham. Ms. Mass-Quinn questioned the verbiage on the well ordinance regarding the Board of Health and the Board of Selectmen. Ms. Jennifer Beauregard explained it does consist of the Board of Selectmen and is chaired by the Town Health Agent. Ms. Masse-Quinn suggested updating the well ordinance section to include the Board of Selectmen along with the Health Agent to clarify who was in charge of the ordinance.

Ms. Beauregard stated that the Planning Department does require a copy of the well data report that is also submitted to the State as part of their occupancy permit check-off sheet. Ms. Beauregard added that she thought it would be great to add the well data report to the well ordinance as well.

Ms. Masse-Quinn discussed the option of adding a third party to the well ordinance for inspection purposes. She added the Town of Windham uses their Building Inspector as well as the Board of Selectmen as their Board of Health.

Mr. Bruce Bilapka asked if it is required for a well to be drilled and tested before any building permits are issued and if not, should this be added to the well ordinance? Ms. Beauregard replied that currently a foundation can be completed and before the second portion of the permit is given for framing, a well test is required providing a certified sustained yield and it must meet the town's requirements in the well ordinance. Ms. Beauregard stated that the new language requires the well to be tested before any permits being issued should be added but also stated that the way it is currently worded, they could start operating that way anyway. Mr. Bilapka concluded that this should solve problems going forward for builders before any permits are issued.

Mr. Joe Passamonte asked what the rate per minute on community wells is. Ms. Beauregard replied that she could find this out, however, it is the State that regulates this. Mr. Passamonte stated that it should be added to the well ordinance that if it is a community well that they must meet a certain standard also. Ms. Beauregard stated that this can be added but they are strictly monitored by the State.

Mr. James Bergeron and Ms. Masse-Quinn asked Chairman Doherty if they could establish a sub-committee to work with Samuel Thomas for the well ordinance. Mr. Doherty continued to discuss the operations of how the sub-committee would work together. Mr. Doherty agreed on the sub-committee.

The discussion of concerns and suggestions to include in the well ordinance continued. Mr. Joe Passamonte discussed if the third-party inspector should video the testing to ensure the accuracy of the results. Mr. Roger Montbleau questioned if down the road, would the town be liable if they certify the test and suggested speaking with the town attorney for guidance. Ms. Beauregard added the third-party inspector may be considered more of a witness than an inspector.

Chairman Doherty opened the discussion with the Board members to discuss the need for implementing the Senior Housing ordinance.

Ms. Masse-Quinn shared information that the State of New Hampshire has State and Federal regulations for elderly housing. All towns must provide an adequate amount of elderly housing according to the Federal regulation statute under the fair housing act 42 U.S.C. section 3601. The state regulation for New Hampshire is following the New Hampshire RSA 354-A:15.

Ms. Masse-Quinn explained the findings of the current population by age report generated by the Master Plan committee. She continued to state that we have 2,289 residents in the 45–54 age bracket, 2,179 residents who are in the 55-64 age bracket, 1,380 residents who are in the 65-74 age bracket, and 723 residents over 74 years of age. Approximately 47.1% of the residents are 55 years of age or older. Ms. Masse-Quinn continued that the key findings of the proposed Master Plan under the Conditions Report stated that during the past 14 years, the number of residents that are 55 years of age and older has increased and now makeup 30% of the town's population. The residents within the 55-to-64-year age bracket are now the biggest age cohorts in Pelham. Ms. Masse-Quinn concluded that the last bullet in the key findings in the Conditions Report of the Master Plan stated that Pelham does not have adequate housing inventory for additional residents to accommodate the increasing age population in the years to come. Ms. Masse-Quinn asked for feedback from the Board on how to support elderly housing in compliance with the State statute and Federal regulations. She added that the town is not currently in compliance with that statute because there is no over 55 housing in our zoning.

Mr. Doherty confirmed that the numbers provided are part of the current Master Plan. Ms. Masse-Quinn confirmed this.

Mr. Roger Montbleau asked about how our elderly housing numbers compare to other towns. Ms. Mass-Quinn responded that she did not know. Mr. Montbleau asked Mr. Doherty if the Board should form small teams to work on this further.

Mr. Hal Lynde asked about the availability of elderly housing. Mr. Montbleau and Ms. Masse-Quinn explained how there is not anything available in zoning for elderly housing. Mr. Doherty confirmed that the town had systematically gotten rid of all higher-density zoning including the workforce and elderly housing zoning. Mr. Doherty continued to state that last year they brought back workforce housing in a different format along with the open space zoning. Mr. Doherty stated the need to discuss the elderly housing further by ways of working in small groups and coming back together as a workshop to discuss.

Mr. Doherty discussed with the Board ideas for following the New Hampshire state law for senior housing. He discussed the option to change the zoning to have a senior/workforce housing ordinance that covered both. This would make it more difficult for builders to sue the town. He added there are towns presently doing this. He stated that looking into this ordinance would cover more than the RSA 354 A:15 Fair Housing ordinance. He included that some towns have done senior-workforce housing under RSA 674:21 Innovative Land Use Controls which makes it so it is not a right of a builder to do this without a special permit. The builder would have to come before the Planning Board before moving forward with their plan. Mr. Doherty stated that the innovative land use ordinance would allow for sight walks before the building begins to approve the proposed site. Mr. Doherty discussed how to break into teams to discuss the senior housing ordinance further and finalized the groups as follows:

- 1.) Mr. Tim Doherty, Mr. Roger Montbleau, and Mr. Hal Lynde
- 2.) Ms. Danielle Masse-Quinn, Mr. John Spottiswood, and Mr. Joe Passamonte
- 3.) Mr. Bruce Bilapka and Mr. Scott Sawtelle

Mr. Bilapka asked about the group working on the Little Island Pond watershed project. Ms. Masse-Quinn said she would like to see this watershed item come back to the Planning Board because it would be all the ponds in town and not just one pond involved. Ms. Beauregard added that she has heard from residents of the pond associations who are working on forming a committee, hoping to get the support of the Planning Board, and working on obtaining a grant for a watershed plan that they are working on.

ADJOURNMENT

MOTION: (Montbleau/Passamonte) To adjourn the meeting at 8:18 PM.

VOTE: (6-0-0) The motion carried.

Respectfully submitted,
Heidi Zagorski, Recording Secretary