

**APPROVED**  
**TOWN OF PELHAM**  
**PLANNING BOARD MEETING MINUTES**  
**March 19, 2018**

Chairman Peter McNamara called the meeting to order at approximately 7:00pm.

The Secretary Paul Dadak called the roll:

PRESENT: Peter McNamara, Roger Montbleau, Paul Dadak, Tim Doherty, Jim Bergeron, Blake Clark, Selectmen Representative Hal Lynde, Alternate Paddy Culbert, Alternate Richard Olsen, Alternate Bruce Bilapka, Alternate Derek Steele, Planning Director Jeff Gowan

ABSENT: Alternate Samuel Thomas

**PLEDGE OF ALLEGIANCE**

Mr. McNamara congratulated Mr. Montbleau on his re-election to the Board. He then welcomed Mr. Clark to the Board. He thanked the voters for their support of the Zoning amendment.

Mr. Gowan told the Board that both Mr. Montbleau and Mr. Clark had been sworn in by the Town Clerk.

**MINUTES REVIEW**

**March 5, 2018**

MOTION: (Montbleau/Lynde) To approve the March 5, 2018 meeting minutes as amended.

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

**OLD BUSINESS**

**PB Case #PL2018-00001**

**Map 1 Lot 5-124**

**HERBERT, Christopher - Mammoth Road - Site Plan review of proposed 29-unit Elderly Housing Community and Seeking a Special Permit for Wetland Conservation District crossing for Grading and Drainage**

Mr. McNamara informed that a request had been received to date specify the case to April 16, 2018.

The case was date specified to April 16, 2018.

**PB Case #PL2018-00003**

**Map 35 Lot 10-351 & Map 41 Lot 10-312**

**DHB HOMES, LLC (applicant) / FINEMAN, Neil (owner) - 48 Currier Road & 56 Bridge Street - Special Permit application for yield plan to show a conventional subdivision of 41 lots to determine the base density for a conservation subdivision**

Mr. McNamara informed that the engineer representing the applicant submitted a request for the case to be date specified to April 2, 2018.

The case was date specified to April 2, 2018.

**PB Case #PL2018-00002**

**Map 22 Lot 7-1**

**DEBORAH ANN TRUST - 9 Atwood Road - Proposed 13-lot Conservation Subdivision with one open space lot and Seeking a Special Permit for the Conservation Subdivision and Wetland Conservation District impact.**

Representing the applicant was Karl Dubay of The Dubay Group, who was joined by the owner, Steve Doherty. Mr. Dubay provided the Board with a status update. He noted they had conducted a joint site walk with the Planning Board and Conservation Commission; they toured the existing farm house and barn, reviewed road alignments, reviewed Wetland Conservation District ('WCD') impacts, among other things. They have since received a review letter from Keach Nordstrom (Board's engineering review firm). He summarized the remaining items to be addressed.

Mr. Culbert spoke about the proposal to clear vegetation and questioned if black plastic could be laid down to stop growth from returning. Mr. Dubay replied that they could; the area was along Atwood Drive in front of the existing farm house within the right-of-way. Although, he felt if they did a proper gravel shoulder with a swale the area wouldn't grow in. He noted that the resident would keep the area mowed as part of their front yard. Mr. Gowan noted that the Highway Road Agent wouldn't like black plastic because the plows would rip it out. He understood that the 'clearing' would be for a sight distance easement and the Town could keep the area cut back.

Mr. Dubay told the Board they attended a Highway Safety Committee ('HSC') meeting and understood they were in favor of the area being 'cleaned' out of vegetation. He noted they were requesting eleven homes with no request for density bonus lots. There will be three small homes on Atwood/Peaceful Drive. The Town will be given an easement to retain the right to access the cemetery. Mr. Dubay understood that the remaining item was the 'pocket' neighborhood road configuration. He explained that the HSC recommended a small paved cul-de-sac (approximately 90ft. diameter) rather than having a 'T' configuration. He said in doing so the house locations would move. He felt they would end up with a better product and still provide buffering to abutters. He noted that the drainage would also be improved. The WCD impact would not change.

Mr. Dubay commented that his client would like to avoid any additional delays. He felt the boards and committees had worked well together. He would like the Board's support.

Mr. McNamara saw that the Keach letter indicated several waivers would be needed and questioned if they had been submitted. Mr. Dubay replied they had submitted the requests; however, as the review process progressed the number of waivers reduced. Mr. McNamara asked if there were requests for roadway standards. Mr. Dubay commented that they would be able to have a 50ft. width coming into the development, but they would be asking for a waiver of the cul-de-sac geometry. In summary, the lot geometry waiver would be reduced. Mr. S. Doherty noted that they had discussed 22ft. wide pavement with the HSC. Mr. Gowan confirmed for the Board that the HSC supported 22ft. wide pavement. He believed it wasn't unreasonable to have the remaining items 'wrapped up' by the Board's first meeting in April.

Mr. T. Doherty told the Board he had drafted a motion for the Zoning matter proposed to the site plan changes that were discussed. He provided the Board with a copy, which read as follows:

*"I would like to make a motion that the Planning Board authorizes the adjustment in frontage of the lots along Atwood Rd. and Peaceful Dr. from section 307-106 B.1.b to those shown on the plan. This reasonable adjustment in frontage is the result of the Planning Board working with the Abutters and the Applicant to relocate the proposed lot at the end of Heather Lee Lane to Peaceful Dr. and create a plan which is in the best interest of the community. Relocating the lot creates extraordinary Town owned open space which accomplishes the objective of permanent connection between "Pelham Conservation Land, Peabody Town Forest, and Pelham's Pine Valley Golf Course", creating one continuous track of Town Land. This motion if passed shall be added under section 307-94 as a submittal by the Planning Board as part of the Special Permit."*

**MOTION:** (T. Doherty/Montbleau) The Planning Board authorizes the adjustment in frontage of the lots along Atwood Rd. and Peaceful Dr. from section 307-106 B.1.b to those shown on the plan. This reasonable adjustment in frontage is the result of the Planning Board working with the Abutters and the Applicant to relocate the proposed lot at the end of Heather Lee Lane to Peaceful Dr. and create a plan which is in the best interest of the community. Relocating the lot creates extraordinary Town owned open space which accomplishes the objective of permanent connection between "Pelham Conservation Land, Peabody Town Forest, and Pelham's Pine Valley Golf Course", creating one continuous track of Town Land. This motion if passed shall be added under section 307-94 as a submittal by the Planning Board as part of the Special Permit.

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

Mr. T. Doherty commented that he had a draft motion in relation to the hammer head and asked the applicant if they would meet Zoning with a 50ft. width for the lots and meet the setbacks. Mr. Dubay believed they could make the setbacks work, but the 50ft. for the lots would be radial off the cul-de-sac and possibly reduced to less than 50ft. He said they will look to waive the cul-de-sac dimensional criteria, subject to approval by the HSC. Another waiver request is for pavement width to be reduced to 22ft. Mr. McNamara asked the Board if there was a general agreement that the suggested changes would meet with their approval. Based on the explanation and subject to review, there were no objections. Mr. Montbleau recognized the applicant's expense in making the changes suggested by the HSC and redesign. He commented that the applicant had done a lot to make the development work with the Board and felt the Board should help them get to the next level. Mr. Gowan commented that the redesign would go to the HSC and Keach Nordstrom for review. He felt the plan could be 'dialed in' within the next two weeks.

Mr. Dadak asked for confirmation regarding waivers. Mr. Dubay noted there was technically a traffic impact assessment (Section 12.03). He didn't feel there was need to do a traffic impact study as long as they performed the work in the easements as discussed. Mr. Dadak suggested that the applicant provide a full list of waivers being requested for the next meeting.

Mr. T. Doherty wanted it clear that the motion passed by the Board was for an adjustment in Zoning. He said he would possibly make another motion at the next meeting regarding 307-106, B to adjust the lot width on the cul-de-sac. He wanted the two motions on the record because the Board had never previously adjusted Zoning on a proposed subdivision (prior to the current meeting), and he wanted to be clear that the Board was doing so for the applicant because they had gone 'above and beyond'. Mr. Dubay replied he would work with Mr. Gowan regarding the waivers.

Mr. S. Doherty asked for additional information about the bond sequence and spoke about how he planned to do the development. Mr. Gowan explained that Keach Nordstrom would review the final plan provided to the

Board and briefly summarized the bond sequence. He will speak to the applicant 'off line' so they understand the process. Mr. S. Doherty told the Board that he spoke with the Fire Chief and had agreed to sprinkle all the houses and forego having a cistern. He also spoke with Cemetery Trustee Tim Zelonis regarding maintaining access to the cemetery.

Mr. Clark inquired if the applicant had experience sprinkling houses using private wells. Mr. S. Doherty answered yes; he uses a company out of Manchester. He explained they would design a system for presentation to the Fire Department for approval under the National Fire Protection Association ('NFPA') standards. In the past they have done some sprinkling using storage containers in the home to supplement the initial flow of water. Mr. Clark asked if there was some sort of pump to re-pressurize the tanks. Mr. S. Doherty answered yes; the whole system would be designed and approved by the Fire Department. Mr. Clark questioned if there were any issues with power outages and having the system function. Mr. S. Doherty believed the system held pressure for a short while.

#### **PUBLIC INPUT**

Mr. Michael Brawn, 15 Atwood Road was in favor of the current plan, which kept the barn and farm house and provided open space for the Town.

The plan was date specified to the April 2, 2018 meeting.

Mr. S. Doherty wanted to know if the Town would have enough time to review the revised plan by the April 2<sup>nd</sup> meeting. Mr. Gowan said he would pass the plan along once he heard from Mr. Dubay. Mr. S. Doherty was excited to begin the project. Mr. Dubay mentioned Plan NH and believed they would give recognition for the project. He also believed the Town could receive recognition from Big Tree NH for the preservation of a large tulip tree within the Sweet Birch Estates project.

#### **ADMINISTRATIVE**

##### **Continued discussion of Zoning and Regulation amendment priorities, subcommittees, etc.**

Pursuant to the Board's discussion at their last meeting, Mr. McNamara informed that he had sent out a letter to various Board chairmen and the public. Mr. Gowan said he had responses from people interested in joining the Zoning subcommittee and the Master Plan Committee. He's asked people to fill out a volunteer form for the Board to review. Mr. McNamara hoped to begin the Zoning subcommittee during April.

#### **DATE SPECIFIED BUSINESS**

##### **April 2, 2018**

- 1) PB Case #PL2018-00003 - Map 35 Lot 10-351 & Map 41 Lot 10-312 - DHB HOMES, LLC (applicant)  
/ FINEMAN, Neil (owner) - 48 Currier Road & 56 Bridge Street
- 2) PB Case #PL2018-00002 - Map 22 Lot 7-1 - DEBORAH ANN TRUST - 9 Atwood Road

##### **April 16, 2018**

PB Case #PL2018-00001 - Map 1 Lot 5-124 - HERBERT, Christopher - Mammoth Road

#### **ADJOURNMENT**

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

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

The meeting was adjourned at approximately 7:45pm.

Respectfully submitted,  
Charity A. Landry  
Recording Secretary