

APPROVED
TOWN OF PELHAM
PLANNING BOARD MEETING MINUTES
June 18, 2018

Vice Chairman Roger Montbleau called the meeting to order at approximately 7:00pm.

The acting Secretary Tim Doherty called the roll:

PRESENT: Roger Montbleau, Tim Doherty, Jim Bergeron, Selectmen Representative Hal Lynde, Alternate Samuel Thomas, Alternate Bruce Bilapka, Alternate Derek Steele, Planning Director Jeff Gowan

ABSENT: Peter McNamara, Paul Dadak, Blake Clark, Alternate Paddy Culbert, Alternate Richard Olsen

Mr. Montbleau appointed alternates Samuel Thomas, Bruce Bilapka and Derek Steele to vote.

PLEDGE OF ALLEGIANCE

ADMINISTRATIVE

Nothing was brought forward for discussion.

OLD BUSINESS

PB Case #PL2018-00017

Map 32 Lots 1-146, 1-146-2 thru 1-146-68 & 1-149

SKYVIEW ESTATES, LLC - Skyview Estates Phases 1 & 2 - The purpose of this plan is to seek revision of plan note #10 regarding restrictions on irrigation from the Community Well System for both Phase I and II plans. A proposed modification to the existing slopes within the Phase II open space may also be discussed.

Mr. Gowan stated that the applicant sent a request for the case to be date specified to July 16, 2018. He noted there was no need to read the abutter's list since the case was under 'old business'.

MOTION: (Doherty/Lynde) To date specify Skyview Estates, LLC (PB Case #PL2018-00017) to July 16, 2018.

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

The Case was continued to the July 16, 2018 meeting.

PB Case #PL2018-0001

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 WCD Crossing for Grading and Drainage

Mr. Gowan informed that the applicant had worked with Tennessee Gas for an alternative access on the back of the project; Tennessee Gas was not receptive. The applicant then worked with the industrial condo homeowner's

association (for access). The association took a vote which did not pass. He stated that the applicant has asked that the case be date specified to August 20, 2018.

MOTION: (Doherty/Thomas) To date specify Christopher Herbert (PB Case #PL2018-00001) to August 20, 2018.

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

The Case was continued to the August 20, 2018 meeting.

NEW BUSINESS

PB Case #PL2018-00020

Maps 35 & 41 Lots 10-351 & 10-312

DHB HOMES, LLC - 48 Currier Road & 56 Bridge Street - Proposed Lot Line Adjustment and Clarification on Density Offset

Mr. Gowan informed that the applicants representative submitted a request for date specification to July 16, 2018. He noted the case was listed under 'new business'; therefore, if the Board votes to date specify the case the abutter's list would need to be read into the record.

Mr. Doherty pointed out that the applicant had submitted an application but had not been in front of the Board. He did not want to accept the application for consideration because of the amount of lots it contained. The submission showed forty-nine lots and the Board had previous discussions on the yield plan for thirty-five lots, with a possible thirty-six lots. He commented that the applicant was automatically looking for a bonus density that the Board had not discussed. He did not want to accept the plan for consideration. He pointed out if the Board date specified the case the abutters would not be re-notified. He felt it would be inappropriate for the Board to date specify the case.

Mr. Bergeron inquired about the application. Mr. Gowan replied the applicant was coming in front of the Board to 'clean up' the lot line adjustment between industrial and commercial and to receive clarity from the Board on what density they may qualify for. He noted the Board approved the yield plan based on whether the applicant obtained a Letter of Map Amendment ('LOMA'). Mr. Doherty understood that the applicant had planned to submit a new application for conservation subdivision which would require notification of abutters. Mr. Gowan stated that the applicant had notified abutter for the new hearing (listed on the current agenda being heard). He said if the Board entertained continuing the case the abutter's list would need to be read into the record. If the Board does not want to entertain continuance the applicant will need to make a new application and abutter notification. Mr. Montbleau asked if there were any abutters present for the hearing. Mr. Gowan replied there had been four abutters present and he explained to them that the case was likely to be continued (to July 16th). He said if the Board decides to require a new application, the abutter will receive notification.

Mr. Bergeron agreed with Mr. Doherty. He commented that there had been a new home purchaser who just heard of the proposal and if the Board continued the case they would be stepping away from fairness to the public to notify. He felt a re-notification was in order. Mr. Montbleau agreed and recalled there had been a lot of concern by abutters (during a previous hearing).

Mr. Doherty recalled that the yield plan was barely passed by the Board in a (4-3) vote. He said the applicant submitted a minor plan and could have been present for comments regarding such. He felt the Board should send the plan back to the applicant and tell them to reapply with thirty-five or less lots.

Mr. Lynde understood the applicant was seeking clarification of the density offset and a lot-line adjustment. He asked if they would need to notify abutters for the lot-line adjustment. Mr. Gowan stated that the applicant had notified abutters for the items (listed on the agenda). Mr. Lynde questioned if the two items could be separated. Mr. Gowan didn't feel there was any distinction between the items being discussed. He was nervous about the Board telling the applicant what to put into their application. He suggested the Board react to what they bring and not necessarily tell them exactly what they want in the application because the Board hasn't answered the question about density bonus. Mr. Gowan understood that one of the (abutting) lots just sold. He said it was the applicant's responsibility to send notice to all property owners of record at the time of notification. One advantage of having the applicant reapply would be capturing the new owner with a fresh notice. He commented that it took approximately one month for the Assessor's records to update. Mr. Montbleau asked if that abutter would be included in re-notification. Mr. Gowan said now that he'd been made aware he would ensure the applicant includes the new abutter.

Mr. Lynde questioned if the lot-line adjustment could be a separate action. Mr. Gowan replied he had suggested to the applicant that they 'square away' the lot line while they figure out what the Board would allow for density. He noted that the applicant didn't know a number yet. He commented that the engineer (while working on Garland Woods) put together a compelling argument for bonus density; although he understood that the Board had a right not to give them any.

Mr. Doherty stated that the proposed lot-line adjustment had to happen because they couldn't allow one of the conservation subdivision lots to be zoned commercial, it had to be residential. He cautioned the Board in a conservation subdivision the Board didn't want applicants steering them 'down the road' without getting to the points of what the Board would like to see happen within the development. He said in a conservation subdivision they should make sure they were negotiating for the best interest of the neighborhood and the Town.

Mr. Doherty made a motion to not accept the plan and not date specify it; this will allow the applicant to come back and re-notify abutters. Mr. Bergeron seconded. He felt in this particular case it was unacceptable for the applicant not to be present and to ask for date specification.

MOTION: (Doherty/Bergeron) To Not accept the plan for consideration and to Not date specify it.

VOTE: (7-0-0) The motion carried. The Board members voted in the affirmative to Not date specify the plan.

The case was Not date specified.

NON-PUBLIC SESSION

Not requested.

DATE SPECIFIED PLAN(S)

July 16, 2018:

PB Case #PL2018-00017 - Map 32 Lots 1-146, 1-146-2 thru 1-146-68 & 1-149 - SKYVIEW ESTATES, LLC
- Skyview Estates Phases 1 & 2

August 20, 2018:

PB Case #PL2018-0001 - Map 1 Lot 5-124 - HERBERT, Christopher - Mammoth Road

APPOINTMENT OF ACTING SECRETARY

Mr. Montbleau appointed Mr. Doherty as Acting Secretary so the Board could conduct business with signing plan sets.

MINUTES REVIEW

June 4, 2018

MOTION: (Bergeron/Bilapka) To approve the June 4, 2018 meeting minutes as written.

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

ADJOURNMENT

MOTION: (Bergeron/Bilapka) To adjourn the meeting.

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

The meeting was adjourned at approximately 7:21pm.

Respectfully submitted,
Charity A. Landry
Recording Secretary