

APPROVED
TOWN OF PELHAM
PLANNING BOARD WORK SESSION MINUTES
August 6, 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, Tim Doherty, Jim Bergeron, Blake Clark, Selectmen Representative Hal Lynde, Alternate Paddy Culbert, Alternate Bruce Bilapka, Planner/Zoning Administrator Director Jennifer Beauregard

ABSENT: Paul Dadak, Alternate Derek Steele, Alternate Samuel Thomas, Alternate Richard Olsen

Mr. Culbert was appointed to vote in Mr. Dadak's absence.

ADMINISTRATIVE - WORK SESSION

Mr. McNamara stated this was the Board's second work session and asked that the Board make a decision whether to continue with the existing land use regulations or to make a motion to have a hearing to adopt the set of new Subdivision Regulations that Steve Keach put together a couple years ago. He recalled during the last work session the Board had discussed the options.

Mr. Lynde felt the Board should go forward with the new regulations with the understanding that the language is the same, or that the Board agrees the language is the same. Mr. McNamara replied he had read enough of the new regulations to see that the language was almost the same. He reminded the Board that Mr. Keach informed the Board that he didn't add language; he tried to organize the existing language into a more logical order and make it easier to follow. He said he knew some members asked that an attachment ('cheat sheet') be added to the regulations that listed the RSAs for reference. He had no objection to having an attachment but didn't feel they (RSA language) should be included in the regulations.

Mr. Montbleau agreed. He liked the manner in which Mr. Keach organized his thought process during meetings and how he brings things forward to the Board. He believed he had a good feel and interpretation of the regulations. He noted Mr. Keach was funded as an assignment to review the regulations. In his opinion, Mr. Keach has been the best engineering review consultant the Board ever had. Given this, Mr. Montbleau was inclined to be in favor of using his review format of the regulations.

Mr. McNamara believed Mr. Keach laid out the case for using the new format and didn't feel the Board should 'reinvent the wheel' and revise the regulations in a different manner. He felt that Mr. Keach knew more about land use, zoning and the New Hampshire Statutes than probably everyone present. He added that Mr. Keach was well respected in the New Hampshire communities.

Mr. Culbert voiced his agreement for using Mr. Keach's format and said if they needed any corrections in the future they could do so at that time.

Mr. Clark stated he was new to the process and would continue to learn on the old regulations or would learn through Mr. Keach's format. He said it was the same information presented differently. He understood Board members needed to be familiar with where things are located, or it would be difficult to comment with any authority. From an administrative standpoint, Mr. Clark felt it made sense to cite the RSA rather than continually researching and keep the regulations up to date with new language. He was concerned with timing

and implementation during the change-over for applicants. Mr. McNamara replied anything coming in after the approval date would be subject to the new regulations. Mr. Clark said he was referring to people in process that hadn't yet come in front of the Board. Mr. McNamara said public notice and hearing would be conducted. He reiterated that Mr. Keach didn't change anything, he reorganized the regulations. If the Board takes action it would be to vote to set up a public hearing on whether to change the regulations.

Mr. Bergeron wanted to see the regulations in their entirety. The Board reviewed the copy of the regulations previously provided. Mr. McNamara said the only action the Board would take was to make a motion to put them forward to a public hearing. Mr. Bergeron questioned when the Board would discuss their questions about the regulations. Mr. McNamara replied if they were adopted, the Board could make changes; it would only take one meeting to do so. He felt the proposed version (by Mr. Keach) was close enough to the original that it would be easy to do so. Mr. Bergeron's opinion was close to Mr. Clark's given he was also relatively new to the Board. He said he hadn't gone through the entire document yet. He asked if the Board would have the opportunity to sit with Mr. Keach and ask questions prior to adopting the new format. He said he was okay with moving forward. Mr. McNamara suggested noting questions/comments.

Mr. Montbleau pointed out that the Board's engineer was given the assignment to go through the regulations based on a grant the Town received. He said Mr. Keach had done his assignment and the Board has the document. Mr. Montbleau was inclined to go forward with a public hearing. He pointed out if the Board sees things that need correcting they could do so as they move forward.

Mr. McNamara said after the public hearing if a majority of the Board wasn't satisfied, they could continue it to another date.

Mr. Doherty stated he didn't have a copy of Mr. Keach's amended regulations; he threw it away after the last meeting because the Board was so involved with working on the old regulations and that was the consensus during the last meeting. Now suddenly, they were back to looking at Mr. Keach's version. He said he was prepared to discuss the existing regulations and had no idea that they would undo the last meeting. Mr. McNamara replied they hadn't decided that. Mr. Culbert also stated they hadn't agree to do so. Mr. Doherty questioned why the Board wasted the entire meeting if they weren't going to work on the existing regulations. Mr. McNamara stated the Board was trying to decide what to do and made no decision which version of the regulations to take. Mr. Lynde believed the work Mr. Doherty was doing would still be valid since Mr. Keach had only reallocated the format and the language had remained the same. Mr. Doherty spoke about the questions that may be raised by the Board if applicants requested waivers and no one knew which section of the ordinance they were requesting a waiver to. Mr. Lynde believed the waiver provisions were cited in the beginning of the document. Mr. Doherty noted that the entire subdivision regulations could be waived. He questioned why the Board would change a good thing that people had put together over decades. Mr. McNamara replied Mr. Keach had been paid to review and reorganize the regulations. Mr. Culbert asked Mr. Doherty if he believed in Mr. Keach. Mr. Doherty said he did when he was first hired, but over the last couple years he started to wonder and doubts.

MOTION: (Culbert/Montbleau) To schedule a public hearing to adopt the new regulations (re-organized by Steve Keach)

SHOW OF

HAND VOTE: (5-2-0) The motion carried.

ADJOURNMENT

MOTION: (Culbert/Montbleau) To adjourn the meeting.

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

The meeting was adjourned at approximately 7:27pm.

Respectfully submitted,
Charity A. Landry
Recording Secretary