

Town of Pelham Planning Board Written Findings and Recommendations for Temporary Moratoria
(RSA 674:23)

Pursuant to the RSA 674:23, the Pelham Planning Board finds that the legislative body of the Town of Pelham should adopt an ordinance establishing a moratorium on the issuance of building permits for new Single Family Residential Housing, Duplex Housing, Multi Family Housing, Apartment Housing and Condominium Housing and the granting of site plan and subdivision approvals for a period of one year on the Sherburne Road areas, within the Town of Pelham beginning at Map 39 Lot 1-103 (to include Scenic View Drive) and including all Map 39 Lots on Sherburne Road to the west of Lot 1-103, and all Lots included on Map 38 and all Lots included on Map 32.

These findings are forward-looking. Applications that have been approved prior to the date of any ordinance adopted based on these findings are exempt from the proposed ordinance.

Based on information provided by the Pelham Water Commission and the 2022 Pelham Water Commission Survey, continued development will significantly impact the natural resources for the existing private wells and community wells of the Sherburne Road residents located from Map 39 Lot 1-103 (to include Scenic View Drive) and including all Map 39 Lots on Sherburne Road to the west of Lot 1-103, an all Lots included on Map 38 and all Lots included on Map 32.

Based on information provided by the Pelham Water Commission the Sherburne Road areas from Map 39 Lot 1-103 (to include Scenic View Drive), and including all Map 39 Lots on Sherburne Road to the west of Lot 1-103, and all Lots included on Map 38 and all Lots included on Map 32, have been declared a hardship area within the Town of Pelham and deemed a Public Safety and Welfare Concern with water, lack of water, repeated fracking, private wells running out of water, community wells running out of water, contaminated wells and one family currently displaced from their home because they have no water

Due to the potential for the unplanned stress on the natural resources within the Sherburne Road areas from Map 39 Lot 1-103 (to include Scenic View Drive) and including all Map 39 Lots on Sherburne Road to the west of Lot 1-103, and all Lots included on Map 38 and all Lots included on Map 32, the Pelham Planning Board recommends that any ordinance(s) adopted by the legislative body under the RSA 674:23 include the following:

- Establish a moratorium on the approval of site plans and subdivisions in the Sherburne Road areas, within the Town of Pelham, which includes the following properties:

Beginning at Map 39 Lot 1-103 (to include Scenic View Drive) and including all Map 39 Lots on Sherburne Road to the west of Lot 1-103, and all Lots included on Map 38 and all Lots included on Map 32 for a period of one year.

- Establish a moratorium on the issuance of building permits for new Single Family Residential Housing, Duplex Housing, Multi Family Housing, Apartment Housing and Condominium Housing for the Sherburne Road areas beginning at Map 39 Lot 1-103 (to include Scenic View Drive) and including all Map 39 Lots on Sherburne Road to the west of Lot 1-103, and all Lots included on Map 38 and all Lots included on Map 32 for one year
- Building permits for lots created by subdivisions approved prior to the adoption of any ordinance based on these findings are exempt from this moratorium
- Applications that have been approved prior to the date of the adopted ordinance are exempt from this moratorium
- The Pelham Planning Board may repeal this temporary moratorium sooner than the expiration date if, in its judgment and after appropriate public hearings, the usual circumstances require its enactment no longer apply and its repeal is justified if the property owner can demonstrate that the owner's property has access to a fully suitable public water supply source.
- The Pelham Planning Board shall work with the Pelham Water Commission in their continued efforts of research and discovery by and through independent contractors to provide a solution on the inadequate suitable water supply issues pertaining to the Sherburne Road area as described in Section III
- The Pelham Planning Board shall work with the Pelham Master Plan Subcommittee and Resilience Planning and Design, LLC in completion of the 2023 Pelham Master Plan

