

CANDIA PLANNING BOARD
MINUTES of October 17, 2012
APPROVED

Present: Sean James, Chair; Ginny Clifford, Vice Chair; Albert Hall III; Judi Lindsey; Fred Kelley, BOS Rep; Amanda Soares BOS Alt Rep; Mark Siemonsma, PB Alt; Dennis Lewis, Road Agent; Dick Snow BOS

Absent: Kim Byrd; Steven Bradley

Chair James called the meeting to order at 7:00pm immediately followed by the Pledge of Allegiance.

Minutes September 19, 2012

A.Hall **motioned** to accept the Minutes of September 19, 2012 as amended. F. Kelley **seconded**. Chair James, J. Lindsey, G. Clifford, F. Kelley and A. Hall **were in favor**. M. Siemonsma abstained.

Chair James opened the public hearing for the following application:

Lot Line Adjustment: Richard Holt, 79 Diamond Hill Road, Candia NH 03034; Property Owner: Same; Property Location: 79 Diamond Hill Road, Candia NH 03034, Map 409 Lots 162 & 228; Intent: To adjust boundaries giving parcel B .772+/- acres to Map 409 Lot 162 and Parcel A .76 +/- acres to Map 409 Lot 228 to create a 60 foot access to front on Diamond Hill Road. Abutters present were Ronald Weiss, 114 Patten Hill Road; Justin Edgerton, 143 Diamond Hill Road; Donald & Linda Bergeron, 149 Diamond Hill Road and Deborah Bussiere, 103 Diamond Hill Road. Applicant Richard Holt and surveyor Jim Franklin were present.

J. Franklin said they are requesting approval to transfer a sixty foot wide strip of land from lot 162 to 228 and at the same time requesting land be conveyed from lot 228 to lot 162. The sixty foot strip is to gain access to lot 228 and the land conveyed to 162 squares off the lot.

Lot 228 presently has frontage on Patten Hill Road and is a large parcel reaching almost to Diamond Hill Road and gaining access to it requires crossing the rail road bed property. The sixty foot wide strip will provide access from Diamond Hill Road instead of an easement to allow access. Then lots 228 and lot 162 will be completely separate without encumbering each other.

Chair James said the application is straight forward and he sees no issues but does have questions on potential future use. He said the reason he brought it up is because there is the potential to put a road in and if there would be a public safety concern. D. Lewis said he looked at the site distance and it does meet the requirements for a driveway.

Chair James said the zoning regulations read access to the lot on a public way has to be on the bonds of the lot used for the width and frontage which is Patten Hill Road but you can get an exception made if there is a safety concern with accessing the lot from Patten Hill. J. Franklin said it is almost impossible to get to the northerly portion of the property and with the rail road bed cutting across the lot it essentially makes lot 228 two separate parcels. R. Holt said they have rights to cross the rail road beds from the 1800's but not sure how it would work. R. Holt said it has a swamp down near Patten Hill Road.

Chair James opened the hearing to the public and read into record a letter from abutter Frank Albert, 117 Diamond Hill Road, *"Regarding Richard Holt's proposal to lot 228 on Map 409. I have been an abutter for over 34 years. During that time the Holt's have been great neighbors and responsible stewards of their land. I have no objections whatsoever to his proposal and I wish him good luck."* D. Bussiere said she is not necessarily opposed but pointed out that in the future if the land was sold and developed whether it would cause water issues as they currently already have

severe water issues. Chair James said he did bring up an issue related to future development but tonight they are discussing the LLA only and if the land was to be developed there would be another application. D. Bergeron asked to have the LLA explained again. Chair James said the LLA is so they can gain access from Diamond Hill Road. J. Edgerton said people should be able to do what they want with their land and is in favor of the LLA. J. Lindsey asked what the frontage was on lot 168 and J. Franklin said it will be 269 feet. J. Lindsey said it requires 200 feet of frontage to create a lot, having a 60 foot right of way, could that potentially created a lot without 200 feet of frontage. Chair James said the issue he was talking about is under regulation 2.04 where access needs to be on the public way. The exception would be if you have public safety concern then you could put access in off Diamond Hill Road instead of Patten Hill Road where the lot has the required 200 feet of frontage.

A. Hall **motioned** to approve the Lot Line Adjustment as requested. F. Kelley **seconded**. **All were in favor**. J. Franklin said he needs to set the granite bounds. Chair James closed the public hearing.

Other Business

Minor Subdivision 112 Lane Road Sarah Giles

J. Franklin said he was going out last week to set the granite bounds and finish the drawing and found the Giles no longer owned the property as of last week. So he told the Giles he could not finish the work if they were not the owners and would need authorization for any additional work from the new owners. He said he has not been able talk directly with the new owners and that Mr. Giles said he would call the new owners. J. Franklin said he has tried to get the new owner's name but has not found any record of the new owner at the registry.

J. Franklin asked if the Board would entertain granting a two month extension until the first meeting in December to be able to see if he can contact the new owners F. Kelley was in favor of giving the extension. J. Franklin asked if the Planning Board could send the Giles a formal letter informing them of the December 5, 2012 extension. He said if nothing is done the Board could revoke without prejudice.

F. Kelly **motioned** to grant an extension until the December 5, 2012 Planning Board Meeting. A. Hall **seconded**. Chair James said for discussion the original NOD stated conditions to be met in 90 days. He said he had received state subdivision approval last week and had received the wetland approval at the last meeting. **All were in favor**. J. Franklin thanked the Board.

CIP Update Discussion

Aaron Lachance from Stantec was present. He discussed an email he had sent that outlines the next steps on updating the Capital Improvement Plan. He said what they have done to date is a lot of information gathering from all Departments. He said most departments have submitted capital project worksheet and submission forms which have been organized and now the CIP committee needs to rank these forms to what the town's priorities are. He said the forms have the year requested for each project. He said it is a collaborative process where you get the department heads involved to decide on ranking. He said getting the heads of departments, decision makers together to explain their projects will help with the ranking.

A. Lachance said he had not received any feedback from the BOS or the parks and recreation. G. Clifford suggested looking at all the town owned buildings and seeing what might be needed to be done. A. Lachance said they could look at energy usage, age of buildings and when they can anticipate when improvements would need to be made. F. Kelly and SNHPC did an energy audit on town buildings. A. Lachance said this would be different they would be looking at all town owned facilities, performing an evaluation of their condition of the buildings and determining when improvements might be necessary and what the cost of those improvements might be. He said they could try to plan repairs/projects beyond the CIP 6 years to a 20 – 30 year period so when repairs need to be done they would not be an emergency such as a roof replacement or a boiler reached its

life span. They are outside the scope of the CIP but were included in the recommendations in last CIP. He feels it is important to include in the update.

A. Lachance said one of the major reasons for a CIP is how to spend the town's money wisely. He said planning to set money aside so when the need arises would eliminate the need for bonds. He said fiscally with a CIP it easier to write a budget each year because you can use the CIP tool as a guideline.

A. Lachance said the population growth and property value of taxable property drives the income the town is going to derive which helps the town know how much money the town will have to spend on CIP projects. He said the CIP committee can figure what the growth rate is by looking at past figures. Discussion ensued and it was decided to be conservative and realistic and not assume to have more money then what town may have. Everyone was in agreement to use the population growth rate .5% and 1.5% on taxable valuation.

G. Clifford said the last few years the economy has been bad and a lot has been deferred. F. Kelley said he felt the paving was catching up to them. D. Lewis said he has been saying that every year when he does his budget that sooner or later they will have to spend a huge sum of money which will cause a large tax increase. He felt it would be easier to do in smaller increments. A. Lachance said the most effect use of money is in pavement management, he said it is more cost effective to keep roads in good condition. He said which goes for town buildings and infrastructure as well.

D. Lewis said the list of roads to be repaired he submitted is for the CIP the maintenance plan is in the operating budget. He said he is 3 years behind on their 10 year cycle. He said he can add this to the CIP list. A. Lachance said some maintenance projects are not considered capital improvements. D. Lewis said the repaving budget is \$60,000 and asphalt is \$73 a ton which does not go very far. He asked if a catch up plan for maintenance be considered a CIP project. A. Lachance said it could be part of the plan but doesn't have to be a CIP project. D. Lewis said the CIP could pick a year to catch up.

Chair James said they started on the CIP update process because of the impact fees and understands the fees are collected on the building permit and held for 6 years. After 6 years if that project doesn't go forward and has not been spent the money is returned. A. Lachance said he does not know the legality of the order that has to be followed. He said CIP has to be in place as one of the legal requirements to be able to collect impact fees.

Chair James said he felt some of the projects listed were not a lot of money and would be more of an operating cost then a CIP project. A. Lachance said the threshold for CIP projects for small communities like Candia would be \$10,000 and higher in larger communities. A. Lachance quoted from Page 4 paragraph 4 of the CIP draft: *"For the purposes of this document, a capital improvement is defined by its cost and its useful life. Items included have a cost of at least \$10,000 and generally have a useful life of at least five years. Eligible items include new buildings or additions, land purchases, some studies, substantial road improvements and purchases of major vehicles and equipment. Operating expenditures for personnel and other general costs are not included. Expenditures for maintenance or repair are generally not included unless the cost or scope of a project is substantial enough to increase the capacity of a facility, or an improvement is a major long-term repair that maintains the useful life of a capital facility."* A. Lachance said Appendix D summarized where money is coming for example the Fire Department will show funded by warrant articles.

There was a discussion of when they could get all the departments together to discuss and rank the projects. Currently it is Budget season then there is the town meeting in March. Everyone was in agreement to have the CIP meeting with the all the departments in April of 2013. It was the consensus of the Board to have meeting in April of 2013. This would allow for more projects to be added and allow enough time to put a CIP committee in place.

G. Clifford read the Board of Selectmen are given the authority to put together a CIP committee under RSA 674:5 “ *Authorization...the governing body of a municipality to appoint a capital improvement program committee, which shall include a least one member of the planning board, the budget committee, or the town or city governing body, to prepare or amend ...municipal capital improvement..*”

F. Kelley asked if they should have the BOS pick a member from each board or see if they could get a volunteer from each board and they could see if they could get residents to volunteer. He said he could bring this to the BOS. Chair James agreed and said once they have a CIP committee they will be able to go forward and hopefully finalized the CIP by next summer or before the end of the year.

Chair James thanked A. Lachance who said if there are any questions in the interim to email him. He also suggested having a meeting between now and April 2013. Chair James said he would send a memo to the Board.

Planning Board Budget Update

Chair James said he submitted the budget of \$1852.00 to the select board which they moved on to the budget committee. Two line items went up, the phone line when up because the phone costs went up, and he put some more money into special projects for a total of \$150.00.

AT & T Major Site Plan Extension

Chair James said they had received a letter from AT & T regarding the North Road, Major Site Plan Approval in which they are requesting an extension of their approval from October 13, 2012 to October 13, 2013. He said they do not have to vote on it tonight but he has been advised by counsel that the Planning Board is able to extend the approval even after the fact that it has expired. He said they are on the agenda to be heard on November 7, 2012.

Candia Crossing Letter 119 High Street

Chair James said they received a waiver request from John Cole & Scott Komisarek, Candia Crossing asking for a waiver on single story height requirement. He read part of the letter, “....*They would like to request a waiver provision 14 maximum building height all buildings shall be a single story in height for the project known as Candia Crossing...*” They would like to have a full basement and a second story which is not allowed. Chair James said he has talked to counsel and the Planning Board has the authority to grant the waiver. He said the way he read it was it applied during the application hearing process but because it hasn’t been approved technically and doesn’t have final approval the Planning Board has the authority to grant the waiver. He said he is going to write a letter to them saying the process is to have a noticed Public Hearing. Discussion ensued on what a single story meant. Chair James said they will have the Building Inspector give his opinion according to building regulations on what is meant by a single story.

The next scheduled Planning Board meeting is November 7, 2012 at 7pm at the Town Hall.

F. Kelley **motioned** to adjourn at 8:35pm. A. Hall **seconded**. **All were in favor**.

Respectfully submitted,
Sharon Robichaud
Land Use Secretary