

**CANDIA PLANNING BOARD**  
**MINUTES of March 19, 2014**  
**APPROVED**

Present: Sean James Chairman, Ginny Clifford, Vice Chair; Judi Lindsey; Ken Kustra; Michael Santa; Mark Siemonsma; Amanda Soares, BOS Rep; Dave Murray, Building Inspector; Dick Snow, BOS

Absent: Albert Hall III. Chair James asked M. Siemonsma to sit for A. Hall III.

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

Minutes March 5, 2014

J. Lindsey **motioned** to accept the Minutes of March 5, 2014 as amended. K. Kustra **seconded**. S. James, G. Clifford, K. Kustra and J. Lindsey **were in favor**. M. Siemonsma, M. Santa and A. Soares abstained. Motion passed 4-0-3.

Chairman James welcomed the new Planning Board member Michael Santa to the Board.

Chairman James opened the public hearing for the Continuance of Minor Site Plan/Expansion/Change of Use at 7:02 pm. Chairman James reopened the hearing from the last meeting and said the application will be discussed by the Board first then it will be opened up to the abutters and the audience for discussion/comments.

**Continuance of Minor Site Plan/Expansion/Change of Use** Applicant: Kevin Dumont 446 Raymond Road, Candia NH 03034; Property owner: 446 Raymond Road LLC, 446 Raymond Road, Candia NH 03034; Property location: 446 Raymond Road, Candia NH 03034; Map 408 Lot 031; Intent: to add an outdoor digital movie theatre using the existing parking lot, to construct a 12 x 12 projection booth in the parking lot and 2 movie screens on poles within the Light 1 Industrial Zone.

Kevin Dumont, 446 Raymond Road, Candia NH 03034 and Adam Gerhard & Regina Franz, Capture the Dream LLC 204 S. Main Street, Newmarket NH 03857 were present. No abutters were present. K. Dumont said they have the updated plans with all the revisions and additions requested from the last meeting. A. Gerhard said they added a legend that describes parking lot rows and that the dots were to divide the parking spaces and added the missing abutter on the plan. Chairman James said on page 3 other changes that were requested were added; the size of the ticket booth, projection booth, dimensions of the screens, details of the parking lot, signature block and the vehicle turn around area was marked. Chairman James commented the travel ways are 18 feet and the parking spaces were 20 and but the plan shows 17 feet. He asked about the PVC poles. K. Dumont said the PVC poles are 2" and are stuck in the ground and will knock over if accidentally run into by a car. A. Soares said at the ZBA meeting they had talked of having concessions on the first floor of the projection booth and are they definitely going with that idea. K. Dumont said yes but the first year they may not utilize the concession stand but will as funds permit and will utilize the concessions in the water park until then. Chairman James asked about the water and power to the projection booth. K. Dumont said they are running underground, tapping into existing utilities from the park. Chairman James asked if they have had any further discussion with DOT on the sign and he said he had not as he has already satisfied their requirements the first time.

Chairman James said he wanted to make the Board aware of a Local River Advisory Committee that D. Snow had brought to his attention. He said they are to be notified of any activity or any projects within a quarter mile of the river. He said they have an advisory role to review projects and advise DES. K. Dumont said the screen within the setback was approved by DES. He said he spoke to DES about not putting the sign in the setbacks and they told him they are not involved anymore because the exemption they had originally asked for is not being used. Chairman James said technically it falls within the quarter mile limit and he asked them to notify them about the project. K. Dumont asked who to contact and D. Snow said he will get them the information.

Chairman James asked if there were any other questions or comments and asked if there were any abutters present and there were none present. Chairman said hearing no objections he would like to talk about conditions then close the public hearing and vote. He said variances for the proposed movie screens and entrance sign are required from the Candia Zoning Board of Adjustment and should be a condition. He said another issue was if there is a large traffic flow with a big event that they would coordinate with the police but not make it mandatory to have police there.

A. Soares said she knows they are going to use down cast lighting but are they aware that the lights have to be turned off at a certain time. Chairman James said that is tied into the signs as part of the illumination. He said they had discussed general hours of operation at the last meeting where they would be open from May to September and general time frame they would be open is 6pm to 1am.

G. Clifford made a **motion** to grant approval for the Minor Site Plan, Starry Night Digital Drive In with the following conditions: variances for proposed movie screens and entrance sign are required from the Candia Zoning Board of Adjustment and the Owner of the facility shall routinely consult with the Candia Police Department and secure a Police Detail for traffic control when requested by the Police Chief. A. Soares **seconded**. S. James, G. Clifford, K. Kustra, A. Soares, J. Lindsey, M. Siemonsma were in favor. M. Santa abstained. Motion carries 6-0-1.

Chairman James said a Notice of Decision will be mailed within 5 days. He asked the applicant to bring in plans to the secretary with a better signature block for the Board to sign. K. Dumont thanked the Board.

Chairman James closed the public hearing for the Continuance of the Minor Site Plan at 7:25pm. He then opened the public hearing for the following Major Site Plan at 7:26pm.

**Major Site Plan:** Applicant: Scott Komisarek 39 Fieldstone Lane, Candia NH 03034; Property owner: Pensco Trust Co., P.O. Box 173859 Denver CO 80217-3859; Property location: Main Street, Candia NH 03034 Map 409 Lot 204 ; Intent: To construct a year round farm stand with several outdoor venders to market produce & products from local farms & home makers within the Mixed Zone. For additional information, please call the Land Use Office at 483-8588.

Scott & Amy Komisarek 39 Fieldstone Lane, Candia NH 03034, John Cronin of Cronin Bisson & Zalinsky Law Firm 722 Chestnut Street, Manchester NH 03104 and Alden Beauchemin, Keyland Enterprises, L.L.C. 412 West River Road, Hooksett NH 03106 were present for the applicant. Abutters Richard Fitts Sr & Richard Fitts Jr, 23 Main Street, Michael & Shirley Vaillancourt, 14 Main Street were present.

Chairman James said for the public present the Board has opened the public hearing and the Board will vote to accept the application as complete to discuss then they will discuss the application. After the Board discusses the application it will be opened up for discussion for any questions or comment from abutters and the audience. Chairman James said he had met with the applicant last Thursday for the project review meeting and they went over the plans and the applicant has revised copies tonight that were passed out with a copy for the audience to look at. Chairman James said the plans are complete with most of the information requested on the plans, 3 waivers. He said the applicant still had some questions to discuss. He said the first waiver was to not pave the parking under section 8.03a the second was a landscaping plan under section 4.03N and the third was lot size prior non-conforming under section 2.02.

A. Soares made a **motion** to accept the plan as complete for discussion. J. Lindsey **seconded**. **All were in favor**

J. Cronin said they are before the Board to propose a good old fashioned farm stand at the intersection of two important roads here in town. He said it is their view after studying the site and after researching around the area of how these farm stands operate that this is an ideal location for one. He said the lot is a shade under 2 acres and has been a long standing non conforming lot before the 2 acre requirement and therefore would not be required a waiver and to the extent you disagree I hope that you would entertain the waiver and deem it as close enough. He said for housekeeping matters they want to make a comment and a correction on note #8 easement for water the applicant, they are in fact going to drill a well. He said the building is relatively small 500 +/- sq ft, the size of a garage and at first wanted to

do an easement for water which is not all uncommon on small lots. He said for sewer there are port potties that are rather elaborate that require service and initially be allowed to use them until the business gets off the ground and they will have a proposed at septic site which they could make a comment.

A. Beauchemin said he did revisions to the plan after the review meeting. The original plan was 1" equals 40'. He added an additional sheet 1" equals 20' to give more detail with benchmarks and additional trees which are marked in the field. He said Jim Franklin is not quite done with the boundary survey plan but once it is recorded he will give a copy to the Board. Chairman James said the boundary survey is required and will have to be completed and record and referenced on the plans. A. Beauchemin said they added the limit of clearing and disturbance of the site which is approximately 34,500 sq ft. He said there will be selective cutting throughout the site to open up a few windows where necessary in particular a few large pines that are potential problems the logger will remove. They also added missing DOT signs and a couple of utility poles that were missing. He added the power supply to the building from the street and proposed silt fence with detail on sheet #5. Also after discussion that the driveway was too small they are finalizing with DOT with the driveway enlarged to 30' with curve radius now shown on the plan. He said the driveway as shown on the plan complies with DOT requirements. He said he has his permit ready to be submitted.

A. Soares asked about paving and A. Beauchemin said typically what they do is pave in 50' then transition to gravel. He said the notes on the lights were added to page #4 with additional lights including lights near the exit doors and lights in the parking area lights that are granite posts (4) staggered around the parking area. He said there are flood lights on the building security motion detector. He said they are not planning on having dumpsters and any trash generated will be kept in a secure place within the building or in a lean too as well. The porta potty note is on plan 3 and page 6 and will be out of site. He said they will maintain a buffer to the adjacent neighbor in also shifted the building 10-12 feet further away eliminating 3 of the 15 parking spots which is still more than enough and includes one for handicap parking. A. Beauchemin said he has been able to mark areas for a future well location and leach bed and being a septic designer was able to figure out where to go and important to show where a future leach field would be. He said the site grading will have a slight build up and will blend in with the existing grade. He said locating the building where he did he was able to keep majestic trees and he has been able to work in a number of them around the parking area.

J. Cronin said the hours of operation would be Monday through Sunday 7am to 8pm and snow storage is addressed on the plan as well. He said going by traffic experience of other farm stands the majority of the activity there and peak hour work traffic he does not see traffic movement being a problem and said there is ample site distance and with 12 parking spots a modest amount of traffic won't change the level of service at any of these roadways.

K. Kustra said if the parking is not going to be enough for the crowd that you get people parking on 43 what are you going to do? A. Beauchemin said he can't see parking requirement greater than what they have available. J. Cronin said you can only control so much in these situations internal to your site, external sometimes people do things that they shouldn't and he believes there is a state ordinance that prohibits people from parking in the shoulders of Route 43.

A. Beauchemin said being familiar with farm stand built in Hooksett similar to this one, it is doing very well and they typically do not have more than 4 to 5 cars at a time. He said this farm stand will have 12 spots and if additional parking was needed they could be park around the building and even in the grassy areas for overflow with no problem.

A. Soares asked about the type of lighting they may use on the sign or where they thinking of the overhanging lights as the picture presented. A. Komisarek said they have not researched the lighting for the sign yet but she does like the colonial goose necks. A. Beauchemin said they can add more detail. Chairman James asked if the sign shown on sheet 4 is 40 sq ft and if so it meets the regulations. Kustra said if it is to be a gravel parking area what do you mean by stabilizing after grading. A. Beauchemin said under construction sequence stabilizing on page 4 there is detail where the gravel parking lot is topped off with crushed bank run which compacts firm. Chairman James said looking into parking spaces, the site

plan regulations requires one space per 200 sq ft and per the regulations they only need 3 parking spaces and they are putting in 12 parking spaces. He said the plan still needs to be reviewed by Stantec which is the next step. He asked if the benchmark at the end of the property and percentage of impervious cover had been added. A Beauchemin said he did locate the benchmark and will add to the plan and the impervious cover had been added to the plan on sheet 3.

Chairman James said they had received the review letters from the Fire Department, Police Department and Building Inspector. He read from the March 4, 2014 letter from the Police Department, *“I have reviewed the site plans and the site distance seems more than sufficient. The only item I see is the possibility of vehicles having some difficulty entering and exiting the property during peak traffic hours.”* He said that is more DOT domain. He read from the Fire Department review letter dated March 18, 2014, *“On March 18, 2014, I reviewed the plans referencing a Major Site Plan for a Farm Stand, Map 409 Lot 204 at 20 Main Street, site plan submitted by Scott & Amy Komisarek 38 Fieldstone Lane, Candia NH 03034. Based on my review, I see no issues with the addition of this Major Site Plan to 20 Main Street.”* He continued with the Building Inspector’s review letter dated March 17, 2014 saying the letter is longer and the Building Inspector is in the audience for comments. D. Murray said most of his questions in his review letter have been addressed. One of the issues was the lot being 1.906 acres less than 2 acres minimum required and the applicants have a waiver pending for that. He said they still need to submit drawings for the building. He said the signage and lighting and hours of operation and DOT permission of the driveway have been discussed.

J. Cronin said on sheet 3 there the proposed hours of operation are 7am until 8pm Monday through Sunday. He said once they start operating they may reduce the hours significantly but that is what they are asking for. G. Clifford said you had mentioned you will meet the requirements of food service how do you do that without running water. A. Soares said they are not required to have running water. J. Cronin said they have changed to have a well. G. Clifford said if they have a well don’t they have to have a septic for the waste water to go. A. Beauchemin said she brings up a valid point. S. Komisarek said they could use portable water. A. Beauchemin said if they tie in water here they will need a septic. He said they stayed away from tying in water to the farm stand in Hooksett so they were not required to have a septic. He said in Hooksett there have water and bathroom facilities they use in an adjacent building. J. Cronin told the applicants they will have to decide if they want the well and septic. A. K. Kustra asked if they are year round how they are heating the building. A. Beauchemin said the building will be heated by electric like the farm stand in Hooksett and because it is a small and well insulated just the heat from the refrigeration will keep the building warm. He said the heater is up in the corner and hardly comes on even on the coldest days. He said you don’t want to keep it too hot as you need to keep it cool enough to keep the vegetables fresh.

Chairman James asked if any abutters or the audience had any questions or comments. R. Fitts Sr. asked if you look at the plan it abuts up to his driveway and he said he has lived there 40 years and has seen the traffic and said they are going to have problems. He said as far as having water he had a farm stand there for years and you have to wash the vegetables no matter who you get them from. Chairman James said on the full size plans his driveway is offset from theirs. R. Fitts Sr said edge to edge lines up to almost within a foot. Chairman James asked if they had stakes out on site and A. Beauchemin said he does and is 20 to 30 feet apart. R. Fitts Sr was basing it on stakes he has seen onsite and Chairman James shows the edge of his driveway about 10 feet away on the plan. R. Fitts Sr. said anyone has the tendency to take a wide turn when you come out of a driveway onto the road and he said if he was trying to get out of his driveway anyone turning into the farm stand would hit him no problem and there is not enough room to turn there and their sign is going to shine right into their house from what he can see. J. Cronin said the modern fixtures have the deflection on them to avoid that problem. R. Fitts Sr. asked about a privacy fence behind the farm stand for the neighbor behind them as people will be gawking at them and walking on their property which is the problem he had for years with Moore Park with people coming right over onto his property.

S. Vaillancourt said they about the property and one of their main concerns is the proposed well and septic. She said their well is about 10 feet from their lot line. A. Beauchemin said he will get together with the abutter and get the exact location of their well to properly locate the septic and properly well on the proposed lot.

S. Vaillancourt said she is concerned with the tree clearing which is what they have to do. She said she said there are dead trees along the edge of their driveway. She said if you go and cut down a lot of trees then these trees are not protected against winds and will come down on her property. A. Beauchemin asked if they wanted them to take these trees down at the same time. S. Vaillancourt said and once the trees are cut there will be no screen and they will be looking at porta potties, garbage and a parking lot. M. Vaillancourt said people are people and they will throw things out in the parking lot and the garbage will end up in their yard and they already get garbage from Candia Pizza and the road. A. Beauchemin said they will take down dead trees and said the logger can open up some windows and save the hard woods but drop all the big pines which will also have the potential to fall on the farm stand. S. Vaillancourt said those are not their pines on the edge of the driveway from the land survey they had done it appears part of their driveway is on their lot. They were told by the last owner the pines were on their property and they thought they had a larger parking area which is not the case. She said if the pines had been theirs they would have had them removed already. A. Beauchemin said it is no problem the logger and can drop these on their lot and run them through the chipper.

S. Vaillancourt said her other problem was the hours of operation; 7am to 8pm with workers getting there earlier. A. Komisarek said that the hours most likely will be shorter more like 10am to 6pm. J. Cronin said the hours they are seeking and what they may end up being will most likely be less. Chairman James said on the plans there states there will also be limited maintenance after hours. A. Beauchemin said they put this note in, in case for example, if a refrigeration unit needed to be repaired after hours they would be able to get in to do maintenance.

S. Vaillancourt said garbage and a privacy screen is also one of their concerns. She said they will be looking right at the coolers, porta potties possibly heating systems. Chairman James said he summarized her concerns saying privacy screening, people crossing, garbage are not addressed on the plans. J. Cronin said that he recommends they talk with the abutter and sometimes in these situations they will grant an easement to an abutter who has particular concerns and allow them an easement to put up a fence if they want too. He said there are potential issues of encroachment of the abutter's driveway but he knows the survey is not completed the abutters may need an easement of some sort to put up a fence of their choice. He said they can discuss various screening options such as plantings that may provide a more colonial style green screen but tonight they are not properly prepared to give specifics but will at the next meeting.

S. Vaillancourt said is it a movable building? A. Beauchemin said it is on piers/sono tubes. S. Vaillancourt said it doesn't sound movable if the building will have electricity and plumbing. She asked if the state requirement is not to have running water if you have a porta pottie. A. Beauchemin said the certain units have running water. S. Vaillancourt asked about the size of the sign and Chairman James said the ordinances allow up to 40 sq feet. A. Soares said they sign could be larger if there were multiple businesses.

S. Vaillancourt asked if they had tested the soils as it is wetlands back there. A. Beauchemin said yes he did and he is a licensed wetland engineer in the State of NH. S. Vaillancourt said there are endangered species on the property as well such as lady slippers. A. Beauchemin said he would check for them. Chairman James said another concern was the well placement and distance to wetlands and A. Beauchemin said he would look into that as he may have worked off an old plan.

D. Snow said the applicant and the Board should be aware of the southern end of the intersection triangle area is significant concern to DOT and the town has requested a safety audit for that intersection and the last information he has from DOT is that this will take place this spring. He feels there is enough room at the triangle below if DOT does something.

Chairman James said they can vote on the 3 waivers tonight. He said the first waiver requested is for a prior non-conforming lot of 1.906 acres. He said under section 2.02, 2 acres is required. He read, *“This lot has an existing lot of recorded with 1.906 acres, and appears to be exempt from the 2.0 acre requirement as outlined in the Candia Zoning Ordinance (Section 2.02E).”*

A. Soares made a **motion** to accept the waiver Section 2.02 as this lot has existed long before the ordinance and feels it is grandfathered in. J. Lindsey **seconded**. **All were in favor**. Chairman James said for the audience they are not voting the plan just the waiver requests.

Chairman James read from the second waiver request, Section 4.03N full landscaping plan, *“Since the proposed use is a farm stand which will have perennial flowers to display outside, and natural vegetation exists we would like to respectfully request a waiver of the applicable regulations pertaining to the preparation of a full landscape plan.”* He said the proposed site plan has paving from the road 50 feet in transitioning to a gravel parking area and the remaining area is grass. A. Beauchemin said the remaining area will be maintained grass. J. Lindsey said how about natural grasses you don’t need to mow or put pesticides on and S. Komisarek agreed with her about natural grasses. A. Komisarek said they will have seasonal items such as pumpkins placed out front and asked if this need to be specified on the plan. J. Cronin asked to have this stayed until the next meeting to see where the best way to go would be.

Chairman James said the third waiver is under section 8.03A paving parking. He read, *“waiver of Candia’s Site Plan Regulations which require parking lots to be paved. Since the proposed use is a farm stand, we are proposing that all parking and drive areas shall be gravel surface, with the exception that the main entrance shall be paved. A gravel parking area is part of the character of a farm stand and is less likely to be damaged from farm tractor use.”*

A. Soares made a **motion** to accept the waiver under Section 8.03a to allow a gravel parking lot. M. Santa **seconded**. M. Santa asked about the detail of the gravel parking lot and A. Beauchemin said there is detail on page four that shows a cross section of material being used. M. Santa said he heard bank run on top and that is subsurface just wanted to clarify. He said a gravel parking area is nice and softer but hard to identify parking spaces on and to identify an isle walkway and the handicap parking spot. He said they would need to put up signs and they should think about how to address that. A. Beauchemin thought about using pavers in the isle/walkway area to highlight it. He said he can show that in better detail. Chairman James said timber curbs are shown on the plan that could be marked with paint. J. Cronin said it could be painted like a tennis court but will take away from the rural charm of the farm stand. A. Beauchemin said in Hooksett the parking spaces are not marked and they have no issues with parking, cars come in and line up reasonably. He said there is plenty of space at the proposed farm stand if someone was to park in the wrong spot. He said they at least wanted to show on the plan what the intent was where 4-5 cars could park in front. **All in were in favor. Motion passes 7-0-0.**

Chairman James said architectural renderings are usually in with landscaping. J. Cronin said they are not asking for a waiver on the architectural standards. A. Beauchemin said he will provide full architectural and elevations drawings for the Building Inspector.

Chairman James said the next step would be to get the plans to Stantec for review them before the next meeting. He said the next two meetings are on April 2<sup>nd</sup> and the 16<sup>th</sup>. Chairman James said that Stantec should be able to get comments back by the April 16<sup>th</sup> meeting. J. Cronin said for cost considerations the more complete a plan the less it will cost. A. Beauchemin said there are a couple loose ends need to tie up such as the well location before it goes to Stantec.

Chairman James closed the public hearing at 8:20pm and continued the public hearing to April 16<sup>th</sup> at 7pm. He informed the abutters this is the only notice that the public hearing has been continued to April 16, 2014 7pm.

#### Other Business

#### Rules of Procedures for rescheduling a meeting when a meeting is cancelled

Chairman James said per the RSA’s the Planning Board is required to have one meeting per month. He said he went through the Planning Board’s Rules and Procedures and they do not have

anything addressing a cancelled meeting. He read under amendments in the Rules and Procedures, *“Article IX: Amendments: The Rules of Procedure may be amended by majority vote at any duly noticed meeting of the Board, provided that the proposed amendments are read at one meeting preceding the vote.”* He said he would like to read the amendment then the Board can vote on it at the next meeting. He said it will be added under Article 6.03 Notifications of Meetings, *“603.c In the event that a regularly scheduled Planning Board meeting is cancelled due to weather, lack of a quorum or for any other reason, that meeting will be rescheduled for the following evening at the same time and location. If the rescheduled meeting is cancelled, the meeting will be held one week from the original meeting date at the same time and location. A description of this procedure shall be included in all Planning Board Agendas and in all abutter notification letters.”* Chairman James said it will be emailed to everyone so they can take a look at it for the next meeting. D. Snow asked what if the meeting you are cancelling and rescheduling is outside the 60 days the Planning Board has to act on an application. Chairman James said they would have to contact the applicant and request in writing for an extension.

#### Capital Improvement Plan Update; ranking projects

Chairman James said for the benefit of the new member, they have a CIP plan which they periodically need to update it. Stantec has updated the plan and the last thing needed to be done was to rank the projects. He thought Stantec was looking for ranking projects 1-20 but that was not the case it was to make recommendations using categories; U-Urgent, C-Committed means it is part of something that is legally required, N-Necessary, D-Desirable, F-Deferrable which means it could be placed on hold after the 7 year period, R-Research, I-Inconsistent which conflicts with what is recommended by the CIP. A. Soares feels that the Smyth Library should be an R as they need more research on what needs to be done as the warrant article failed and they want to restore the building. J. Lindsey asked why they were ranking all the other department projects without any information to rate them and Chairman James said because there is no CIP committee so per state law it falls back on them. M. Santa said in the City of Concord and most towns or cities the requested project comes with a narrative on what the request is for and why. D. Snow said you cannot have impact fees without the CIP. Chairman James said as far as he remembers the last time this happened the Chair pretty much filled it out. He said he is trying to get more input which is taking forever and to some degree doesn't matter as D. Snow pointed out the projects not rated are not covered by an impact fee. He said the form that is filled out for the request may need to be amended to add a narrative. J. Lindsey suggested adding a section asking why they want it with justification so they can better rank the projects. Chairman James suggested rating the ones not rated to “D or “N”. A. Soares said the Horizontal Bailer is not necessary but urgent as the current one will most likely fail this year. She said they will most likely get a grant for \$5,000 from NH the Beautiful and the cost for the bailer will be about \$77,000 not \$100,000 as listed in the CIP for the bailer. She said the bailer is necessary as they get more money for baled commodities. She said they may have to encumber the money at the end of the year as it needs to be replaced. After discussion it was the consensus to change the projects not rated to “N”

J. Lindsey made a **motion** to change “not rated” to “N”, the Smyth Library from “N” to “R” and the Bailer at “U”. A. Soares **seconded. All were in favor.** Chairman James said he will have Stantec finalize the CIP. He said they should be thinking about a different process to update the CIP so they don't find themselves in the same situation and suggested they do it annually.

#### Solid Waste & Traffic Impact Fees

Chairman James said the Solid Waste Impact fee is good through 2017 then it goes away. The purpose is to help pay down the bond on the recycling facility only. He continued the Traffic Impact Fees is open ended and that can keep going. D. Snow asked about the use of the impact fees collected on Crowley Road for upgrades to roads in the area and could the upgrades be done this year. The secretary said the projects must be brought forward to the BOS for approval and the impact fees must be used in the zone collected and used within 6 years or the money is returned. Chairman James said they have to keep good records of the money collected as there have been court cases in other towns concerning this as the money has to be returned if not used within 6 years.

Chairman James said after going through rating the projects for the CIP, he noticed there are a lot of school projects and he suggested a School Impact Fee. He was not sure what the reason was why they did not do a School Impact Fee when they did the other two impact fees. He said he looked around at other towns; Bedford, Deerfield and Hooksett and they have School Impact Fees. He said there is a list per State RSA's of what an impact fee can be for; police, fire, public recreation, traffic, school, solid waste, water/sewer. He said he checked with Southern NH Planning (SNHPC) and they said would cost about \$4,000 to put the impact fee together. He said SNHPC is looking into the NH Charitable Foundation Grant that is due in June which is for \$20,000 and would be for Candia, Weare and one other town. There would be \$6,700 dollars for each Board which could be used to set up a school impact fee. Chairman James said SNHPC also has \$500-\$1000 in a block grant. Chairman James said originally he thought they could use the block grant from SNHPC to provide a quality assurance review on the Land Use Regulations once the document is put together.

K. Kustra asked what the rate of return would be on an average throughout the other towns that have a school impact fee. Chairman James said he did look at Hooksett's website that have well over a million dollars in most of those funds but said they have a much larger growth in development and commercial. M. Santa asked how the impact fees were calculated now. The secretary said on the average a new home the Solid Waste Impact Fee is approximately \$600.00 and the Traffic Impact Fee is \$550.00. M. Santa said Bow is close to \$10,000 for all their impact fees. Chairman James said our impact fees are low as there are no large projects to justify higher fees. A. Soares said she seems to think they looked into a school impact fee when they did the other two and the school did not turn out to be worthwhile or viable to pursue per SNHPC but she said she could be mistaken. G. Clifford said she seems to remember that too maybe based on declining enrollment or under capacity of the school it was not pursued. K. Kustra said it is inevitable that Candia Auburn and Hooksett will build a high school and A. Soares said it was not likely. Chairman James said he will check with Jack Munn if viable and if so go will have SNHPC go ahead with applying for the grant.

#### Election of Chairman and Vice Chairman

Chairman James asked if G. Clifford would like to be nominated for Vice Chair and she declined and suggested M. Santa who also declined. J. Lindsey also declined as well as K. Kustra and A. Soares. Chairman James said Al Hall might want to be Vice Chair but he is not here tonight. He said he would still consider being Chairman. It was the consensus of the Board to defer the elections until the next meeting.

J. Lindsey **motioned** to cancel the meeting on April 2, 2014 due to lack of applications. M. Santa **seconded. All were in favor.** The next scheduled Planning Board meeting is April 16, 2014 at 7pm at the Town Hall.

J. Lindsey **motioned** to adjourn at 9: 10 pm. A. Soares **seconded. All were in favor.**

Respectfully submitted,  
Sharon Robichaud  
Land Use Secretary