

CANDIA PLANNING BOARD
MINUTES of October 1, 2014
APPROVED
Public Hearing

Present: Sean James, Chairman; Ginny Clifford; Judi Lindsey; Michael Santa; *D. Lewis Road Agent; Dave Murray, Building Inspector*

Absent: Amanda Soares, Ken Kustra; Albert Hall III

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

Minutes September 17, 2014

The minutes were postponed until November 5, 2014.

Other Business

Discussion on adding 2nd entrance and additional lights to Mylars to the Major Site Plan for the Farm Stand at 20 Main Street Scott & Amy Komisarek owners were present.

Chairman James said the farm stand is up and running. He said there were a couple of changes from the approved plan which the Board talked about at the last meeting. There was a second entrance added and additional lighting to the site. He said he had discussed this with S. Komisarek and asked him to have the plans revised to reflect the changes and bring the changes in so the Board could discuss them which he did tonight.

S. Komisarek said he wanted everyone to understand he wasn't trying to circumvent the Planning Board or be disrespectful in any way. He said he had received his certificate of occupancy for the original site plan and he was operating under the assumption that for the second entrance because of the amount of disturbance, it was not going to trigger a minor site plan review. He said when he talked to the Chairman and the town engineer there was a different interpretation. He said he thought he done what he was supposed to do by having the certificate of occupancy per the original plan and then he dealt with the DOT on the safety issue and importance of having a second entrance and per the regulations he was not triggering a minor site plan.

Chairman James said he understands when you are constructing there are minor changes here and there and the Building Inspector would work with you and deal with that. He said the two things that were added were things that were talked about during the design process and he told the Board he was not going to do them and then he changed his mind which is okay but the driveway was a big change.

Chairman James said DOT has approved the driveway but his concern with the second entrance is that it will become a cut through for people leaving the CYAA. A. Komisarek agreed that it has been used as a cut through. S. Komisarek said during construction it became evident that the speed is fast on Route 43 and standing there observing it became evident a second entrance was necessary. He said on the original entrance there were small obstacles such as the neighbor's mailbox blocking view as you exit when trying to take a left so he spoke with Bill O'Donnell about it and he came out and agreed it was a real safety issue. He said he came up with the other entrance and they were 100% for it. His whole idea was to keep everything all right hand turns for safety and he showed how it worked on the plan. He said all the exits are right hand turns and the only left hand turn would be coming from Deerfield; you have to take a left to get in. S. Komisarek said again when he looked at the minor site plan regulations; the disturbance doesn't trigger a minor site plan. He continued if he had had the luxury of more time he would have come in and talked to the Planning Board. He said the plan he brought in tonight shows the second entrance.

Chairman James confirmed that the plan presented included 4 extra lights from the approved plan. S. Komisarek said the original plan had two and they added 4. He said the lighting is very subdued when you go by at night and also they are on a timer to go off at 7pm. He said honesty he didn't even think about it. He just thought it was a good thing to have more lighting and now thinking back he probably should

have had a discussion on the additional lighting. Chairman James said his concern is that the lights are subdued and questioned if they are bright enough. He said they had mentioned putting a gate across and if they did would there be enough lighting to see the gate so people would not crash into it. S. Komisarek said initially they were trying to minimize everything but when they were running the conduit, he felt they should run more conduit for additional lights while they were doing the underground work because at the time he thought it would be a good idea to have more lighting.

Chairman James said they typically have a lighting plan that would take into account how it would affect the neighbors etc. He said their business is seasonal and daylight hours only and asked if their intention is not to have traffic there at night. He also asked if they wanted to add the gates to the plan. A. Komisarek said they may further down the road but not right now. S. Komisarek clarified a broad line on the plan, granite curving and a right hand turn and stop sign on the plan.

G. Clifford asked if the updated plan will become the new plan for the Board to sign and does the Board have to vote on the changes. S. Komisarek said he came with the modified plan for discussion before he had the Mylar done. Chairman James said after talking with Rene LaBranche, town engineer he felt the plans should be resubmitted for review. He said the review should not take long and once the plans are reviewed by the town engineer they can be brought back to the Board to discuss and vote on.

S. Komisarek said he didn't want to get into another whole engineer review for such a small disturbance because during the last review there was a lot of back and forth on the storm water retention area so many times. He said the engineer looked at and sized the culvert and he felt quite confident it is adequate and did not want to have re-size the storm water retention area for the small amount of disturbance. Chairman James said that could be a comment from Stantec about resizing the storm water retention but the Board doesn't have to do anything about it and there could be abutter concerns on the additional lights as lot of the trees are gone now and will not be able to block the light. S. Komisarek said he is on very good terms with neighbors.

Chairman James said he understands things come up in construction but these were things they talked about during review and they had one driveway and now they have two and additional lights which he felt was enough to warrant a review. Chairman James asked S. Komisarek to get a plan to Stantec to look at. He said the next meeting is November 5, 2014 when they can talk about the comments and can vote on them. M. Santa asked if the town plowed Raymond Road and it was confirmed that the state plows both roads the farm stand is on.

D. Snow had questions on traffic flow and felt there was confusion on the signs and the placement of the signs. Discussion ensued. S. Komisarek said the design was for the flow to be all right hand turns with the exception of the left hand turn into the farm stand coming from Deerfield. A. Komisarek said they applied for the blue state directional signs so you would know the farm stand was coming up but they were denied saying the business is on a state road and continued the state gave the blue signs to Liquid Plant and Charmingfare who are also on state roads. A. Komisarek said she wanted the signs for safety to be able to warn people the stand was coming up so they could head up RT 43 to make a right turn into the farm stand. She said the state doesn't think it's a safety issue. Chairman James said as far as he knows DOT is not planning to put up any signs and there are two signs shown on the plan saying do not enter. S. Komisarek said the only condition on the permit from the state is the state may change the triangle intersection in the future and square it up and at the time they may have to move their second entrance or eliminate it. He said this has only been a discussion and not sure if it will happen in 2 years or 20 years and it may not happen. G. Clifford asked if the town put any restrictions on the sign or the curve of the entrance. S. Komisarek said he came up with the design for the right hand turns only and felt that was the safest. Chairman James said it has become a cut through for the CYAA. S. Komisarek thanked the Board for their time.

20 Main Street Bond Release Update

Chairman said they have received the bond release request at the last meeting. He said since the Board wanted to see the issues of the additional driveway and lighting resolved they did not recommend the release of the bond. A. Komisarek asked if he felt comfortable where it was headed. Chairman James said

he does not know what Stantec may have to say and they have 3 members missing tonight and unless there is some undue hardship he would like to wait before discussing the release of the bond. A. Komisarek said she needs it released in full by October 15, 2014 to pay the taxes. She said they received a CO they are acting in good faith and are here for the long term. She said they have other projects they want to do and they do not want to mess it up.

M. Santa asked why the bond was required. Chairman James said it was for the site improvements. He said Stantec did a calculation for restoration of the site and it was roughly \$35,000. M. Santa asked why the Board did not sign the original plans and apologized for so many questions but this is the first meeting he has sat on for this project and has missed some of the previous information and is just trying to catch up. Chairman James said they never received the Mylars. M. Santa said it was done without final documents. Chairman James said they were given conditional approval and he confirmed all the conditions were met and they were waiting for the Mylars to sign when the addition of the driveway and lights came up.

G. Clifford said the Board is realizing it is time to change their procedure and not issue conditional approvals until they have a Mylar to sign as there have been other projects with the same issue they move forward and things change. She said there needs to be a policy change to address this.

Chairman James asked if Dave Murray, Building Inspector had any concerns on releasing the bond. D. Murray said he does not have any concerns and felt Stantec will be more than happy with the driveway and other than that the lighting is minor. S. Komisarek said the farm stand is seasonal and is noted on the original plan, May through October. S. Komisarek said once you get into the project it seems things change and the site work was so much more expensive as the grades changed to accommodate the septic. He said he paid out of pocket and would really help to be able to free up the bond money.

S. Komisarek said the public response about the farm stand has been incredibly positive, everyone appears excited and people have thanked them for doing something so nice with the design saying they are setting a good tone for what they want to see in town. M. Santa said the project is great and has definitely improved the site. G. Clifford agreed saying it looks nice and shows his commitment on his wanting to develop the downtown for years. S. Komisarek said they also have other property they want to develop and another vacant lot and are trying to come up with a concept that makes sense for Candia. M. Santa said the property with the house has some nice architectural features to it and they could really do something with the property.

Chairman James in regards to the bond he sees no issue in releasing it as it seems not much to change if anything and would be in favor of it.

G. Clifford **motioned** to recommend to the Board of Selectmen to release the Bond on 20 Main Street. M. Santa **seconded**. **All were in favor. (4-0-0)**. Chairman James said the Board will send a memo to the BOS and then it is up to the BOS to release the bond.

Southern NH Planning Commission Solar Pilot Project

Chairman James said Jack Munn had previously done a survey on solar and wind renewable energy and said that Candia is a good candidate to carry out a pilot project on. He said SNHPC has funding to carry out the pilot project which is to assess the town's ordinances, regulations and policies identifying where opportunities exist to improve the regulations concerning renewable energy. He said this is an advisory memo only and would be at no cost to the town. He said Jack Munn will prepare a short memo for the Planning Board and BOS to review. He continued there would be no requirement that the town has to act on any of the suggestions. M. Santa thought it was good idea. J. Lindsey said it's always a good thing when you can go through and review the regulations and improve them. Chairman James said if there is no objection from the Board he will have J. Munn go ahead and do it. He said the town doesn't have any regulations that prohibit renewable energy systems and said there are state laws for wind renewable energy systems. He said as long as the state laws are met the town has no issue. He said the project will be completed by the end of the year.

Capital Improvement Plan (CIP) update

Chairman James said they have been working on the updates for the CIP for some time now. He said Rene LaBranche at Stantec should be done with the update and have it to the Town by next week. He said the CIP will be put on the agenda to discuss at the next meeting. M. Santa asked about the CIP being done by Stantec. Chairman James said they do not have a CIP committee which is part of the hold up. He said when it came time to update the CIP, there was talk of having a CIP committee but it did not happen. So the Planning Board got input from all of the departments and ranked the projects. M. Santa thought it would be good to have a committee made up of different people from the town. Chairman James said questionnaires were sent out to the different departments, highway, school etc and they got input that way. He said he agrees with having a committee.

Planning Board Alternate Members

Chairman James said the Board does not have any alternates right now and asked everyone present if they knew anyone that might be interested. He said they need alternates because nights like tonight if they had one less person there would not have made a quorum. He said they will also post at the town, post office and the web.

Live Free and Farm and Independence in the Granite State Law SB-141

Chairman James said they received an email from Michele Zydel up at the State on a new state law SB-141 Granite State Farm to Plate. He said the SB is a policy of the State of New Hampshire to encourage and support local food and farming, and the processing of the product of local food and farming, wherever it occurs throughout New Hampshire. He said there is also a free downloadable book called Live Free and Farm: Food and Independence in the Granite State written by UNH Professor John Carroll. He said if anyone is interested an email will be sent out with the down load link.

The next scheduled Planning Board meeting is November 5, 2014 at 7pm at the Town Hall. The October 15, 2014 meeting was cancelled at the September 17, 2014 meeting.

M. Santa **motioned** to adjourn at 7:45 pm. J. Lindsey **seconded**. **All were in favor. (4-0-0)**

Respectfully submitted,
Sharon Robichaud
Land Use Secretary