

October 13, 2019

TOWN OF CANDIA
ROAD AGENT'S REPORT
Month of September 2019

Work Summary:

- Patching was done as needed
- Paving was done in Moore Park
- Paving was done in Holbrook Cemetery
- Finished work on Adams Road – shoulder work & seeding



Dennis Lewis
Road Agent

Offense Listing
01/01/2019 - 09/30/2019

10/10/2019

Offenses (State Law) By Month

	<u>JAN</u>	<u>FEB</u>	<u>MAR</u>	<u>APR</u>	<u>MAY</u>	<u>JUN</u>	<u>JUL</u>	<u>AUG</u>	<u>SEP</u>	<u>TOTALS</u>
2nd Degree Assault; SBI- Domes	0	0	0	0	0	0	0	1	0	1
Simple Assault; Physical Conta	0	1	0	0	0	1	0	0	0	2
Simple Assault; BI	0	2	0	0	0	0	0	0	0	2
DV; Simple Assault; Physical C	0	0	2	0	0	1	1	0	0	4
Criminal Threatening - Conduct	0	1	0	0	0	0	1	0	0	2
Criminal Threatening - conduct	0	0	0	0	2	0	0	0	0	2
Criminal Threatening - conduct	0	0	1	0	0	0	0	0	0	1
Crim Threat Against Person	0	0	0	0	1	0	0	0	0	1
Burglary	0	0	0	0	1	0	0	1	0	2
Theft by Unauthd Taking \$0-\$10	0	0	0	0	0	1	0	0	0	1
Theft by Unauthd Taking \$1501+	0	0	1	0	0	0	0	0	0	1
Attempt To Commit	0	0	0	0	0	1	0	0	0	1
Theft by Unauthd Taking \$0-\$10	2	0	0	0	2	3	2	1	2	12
Theft by Unauthd Taking \$1001-	0	0	0	0	0	0	1	0	0	1
Attempt To Commit	0	1	0	0	0	0	0	0	1	2
Burglary	0	0	0	0	1	0	0	0	0	1
Theft by Unauthd Taking \$0-\$10	1	2	1	0	0	1	1	0	1	7
Theft by Unauthd Taking \$1501+	0	0	0	1	0	0	0	0	0	1
Forgery Govt Instrument, Check	0	0	0	0	0	0	1	0	0	1
Attempt To Commit	1	0	0	0	0	0	0	1	0	2
Theft by Deception \$0-\$1000	0	0	0	0	0	2	0	0	0	2
Theft by Deception \$1001-\$1500	0	0	0	0	0	1	0	0	0	1
Theft by Deception \$1501+	0	1	1	0	0	1	0	0	0	3
Credit Card Fraud, \$0-\$1000	0	0	1	1	0	1	0	1	0	4
False Personation	0	1	0	0	0	0	0	0	0	1
Identity Fraud; Pose to get In	1	1	0	0	0	0	0	0	0	2
Identity Fraud; Pose as Anothe	1	0	0	0	1	0	1	0	0	3
Identity Fraud; Obtain Persona	4	2	0	1	1	1	0	0	0	9
Identity Fraud; Obtain Info fo	1	0	0	0	0	0	0	0	0	1
Identity Fraud; Pose to get In	1	0	0	0	1	0	0	0	0	2
Criminal Mischief	1	0	0	1	0	3	1	1	0	7
Child Sex Abuse Image; Sell, T	0	0	1	0	0	0	0	0	0	1
Issuing Bad Checks \$0-\$1000	0	1	0	0	0	0	0	0	0	1
Disorderly Conduct	0	0	0	0	0	0	0	1	0	1
DUI - impairment	0	0	2	0	3	3	2	0	0	10
DUI 2nd; Impairment	0	0	0	0	0	1	0	0	0	1
PROTECTIVE CUSTODY OF INTOXICA	0	0	0	0	0	0	1	0	1	2
Endangering Welfare of Child	0	0	0	0	0	0	1	0	0	1
Criminal Trespass	0	0	0	0	1	0	0	0	1	2
ARREST ON ANOTHER AGENCY'S WAR	1	0	0	0	0	0	0	0	0	1
Involuntary Emergency Admissio	0	0	0	0	0	0	1	0	1	2
Unlawful Activities; Litter Co	0	0	0	1	0	1	0	0	1	3
Violation of Protective Order	0	0	0	0	0	1	0	0	0	1
Violation of Restraining Order	0	0	0	0	0	0	1	0	1	2
Dog; Menace, Nuisance, Vicious	1	0	1	2	2	1	1	0	4	12
Breach of Bail Conditions	0	0	0	0	0	1	0	0	0	1
DEATH INVESTIGATION	0	0	0	1	0	0	0	0	0	1
CRIMINAL LIABILITY FOR CONDUCT	1	0	0	0	0	0	0	0	0	1
Reckless Conduct	0	0	0	0	0	1	0	0	0	1
Harassment	0	0	0	1	0	0	0	0	0	1
DOG RUNNING AT LARGE-Candia T.	1	0	1	0	0	0	0	0	0	2
DAN ILLEGAL DUMPING	0	0	0	0	0	0	1	0	0	1
ARREST ON ANOTHER AGENCY'S WAR	0	0	0	0	0	0	1	1	0	2
Protective Custody; Drugs	0	0	0	0	0	0	1	0	0	1
OHRV; Conduct After Accident;	0	0	0	0	0	0	1	0	0	1
Suspension of Vehicle Registra	1	1	3	0	1	2	0	0	0	8

Offense Listing
01/01/2019 - 09/30/2019

10/10/2019

Unregistered Vehicle	0	0	0	0	0	1	0	0	0	1
Operate after Cert as Habitual	0	0	0	0	0	0	0	1	0	1
License Req'd; Op w/o Valid Lic	0	0	0	0	0	0	0	0	1	1
Drive after Rev/Sus	0	0	0	0	0	1	0	1	0	2
Drive after Rev/Sus; DUI	0	0	0	0	0	0	1	0	0	1
Drive after Rev/Sus; Reckless	1	0	0	0	0	0	0	0	0	1
Drive after Rev/Sus - subsqt	1	0	0	0	0	0	0	0	0	1
Drive after Rev/Suspension	0	1	3	0	2	2	0	0	0	8
Conduct After Accident	1	1	2	0	0	0	0	0	0	4
Lane Control	0	0	1	0	0	0	0	0	0	1
Fail/Yield @ Stop or Yield Sig	0	0	1	0	0	0	0	0	0	1
Stop Signs; Yield Signs	0	0	0	0	1	0	0	0	0	1
Disobeying an Officer	0	0	1	0	0	0	0	1	0	2
Speeding 16-20 mph over 65 lim	0	0	0	0	0	1	0	0	0	1
APPEAL OF ADMINISTRATIVE LICEN	0	0	2	0	2	1	1	0	0	6
Uninspected Vehicle	0	0	1	0	0	0	0	0	0	1
Spillage of Material by person	0	0	1	0	0	0	0	0	0	1
Arrest - Bench Warrant	0	0	0	0	0	0	0	2	0	2
TOTALS	21	16	27	9	22	34	22	13	14	178

No Crime Incident Event Breakdown

Event	Description	Total	%
911	911 Hang Up	1	00.3
ACP	Animal Complaint	1	00.3
AFE	Assist Fire/EMS	1	00.3
AIM	Aided Motorist	1	00.3
AL	ALARM	0	00.0
AOA	Assist Other Agency	29	10.1
ASC	Assist Citizen	36	12.6
BEA	BEAS Investigation	1	00.3
CF	Dog License Civil Forfeiture	0	00.0
CIN	Child In Need of Services	0	00.0
CIV	Civil Standby	2	00.7
COM	Community Outreach	0	00.0
CP	Community Policing	1	00.3
CRA	Cruiser Accident	0	00.0
DCF	Discharge Firearm	0	00.0
DCI	DCYF Investigation	1	00.3
DIS	Disturbance	5	01.7
DOG	Dog At Large / Loose Dog	0	00.0
FIN	Fingerprinting	0	00.0
FPR	FOUND PROPERTY	2	00.7
IEA	INVOLUNTARY EMERGENCY HOSPITALIZATION	0	00.0
JUV	Juvenile Complaint	0	00.0
LPR	Lost Property	12	04.2
MED	Medical Call	5	01.7
MIP	Missing Person	1	00.3
MVC	MOTOR VEHICLE COMPLAINT	5	01.7
NC	Noise complaint	2	00.7
NDT	National Drug Take Back	1	00.3
NED	Neighbor Dispute	1	00.3
NO	NOTIFICATION	0	00.0
NTO	No Trespass Order	0	00.0
OD	DRUG OVERDOSE	2	00.7
OF	FATAL OVERDOSE	0	00.0
OHR	OHRV COMPLAINT	0	00.0
OTH	Other	2	00.7
PDB	Prescription Drug Box	0	00.0
PIN	Police Information	73	25.5
RAD	RADAR ENFORCEMENT	0	00.0
RH	Road Hazard	1	00.3
RPO	RETURN PROPERTY TO OWNER	0	00.0
SC	SHOOTING COMPLAINT	0	00.0
SDA	Suspected Drug Activity	0	00.0
SDT	Sudden Death	1	00.3
SEC	SECURITY CHECK	10	03.5
SGA	Suspected Gang Activity	0	00.0
SP	SERVE PAPERS	39	13.6
SPA	SUSPICIOUS ACTIVITY	10	03.5
SPM	SUSPICIOUS MOTOR VEHICLE	3	01.0
SPP	SUSPICIOUS PERSON	3	01.0
SR	Safe Schools Report	0	00.0
SSA	SAFE SCHOOLS ACT	5	01.7
SUI	SUICIDE	0	00.0
SX	Sex Offender Registration	15	05.2
TE	Traffic Enforcement	0	00.0
TRU	Truancy	2	00.7
TWD	Tree / Wires Down	0	00.0
VIN	VIN VERIFICATION	1	00.3

WB	Well Being Check	10	03.5
---	Not Specified	1	00.3

Grand Total: 286

MEMORANDUM

To: Candia Board of Selectmen
From: Candia Police Chief Michael McGillen
Subject: Part Time Officer Serena Shuter
Date: October 9, 2019
CC: Personnel File

On September 9, 2019 the Board of Selectmen hired Serena Shuter as a part time officer pending additional requirements are completed by October 15, 2019. A Conditional Offer of Probationary Employment has been agreed to and signed by Serena Shuter. Ms. Shuter will have a one-year probationary period. Ms. Shuter is a Lieutenant in the Army National Guard. She has a college degree in criminal justice and is certified as a full-time officer from the New Hampshire Police Standards and Training Council. She has approximately 1-year experience as a full-time officer. I recommend that the Board set her pay rate as Grade 5, Step 3 \$19.81hr, effective immediately.

**Candia Volunteer
Fire Department
11 Deerfield Road
Candia, NH 03034
603-483-8588
603-483-0252 fax**

Memo

Date: October 14, 2019
To: Board of Selectmen
Re: Monthly Report

September 2019 HIGHLIGHTS

- 1. Regular Truck and Building Maintenance
- 2. Truck equipment familiarization
- 3. EMS Training

Candia Fire Rescue

Candia, NH

This report was generated on 10/2/2019 10:06:33 AM



Incident Statistics

Start Date: 09/01/2019 | End Date: 09/30/2019

INCIDENT COUNT			
INCIDENT TYPE		# INCIDENTS	
EMS		21	
FIRE		7	
TOTAL		28	
TOTAL TRANSPORTS (N2 and N3)			
APPARATUS	# of APPARATUS TRANSPORTS	# of PATIENT TRANSPORTS	TOTAL # of PATIENT CONTACTS
TOTAL			
PRE-INCIDENT VALUE		LOSSES	
\$0.00		\$0.00	
CO CHECKS			
TOTAL			
MUTUAL AID			
Aid Type		Total	
Aid Received		3	
OVERLAPPING CALLS			
# OVERLAPPING		% OVERLAPPING	
2		7.14	
LIGHTS AND SIREN - AVERAGE RESPONSE TIME (Dispatch to Arrival)			
Station	EMS	FIRE	
Station 1	0:11:43	0:12:30	
AVERAGE FOR ALL CALLS		0:11:48	
LIGHTS AND SIREN - AVERAGE TURNOUT TIME (Dispatch to Enroute)			
Station	EMS	FIRE	
Station 1	0:06:54	0:05:30	
AVERAGE FOR ALL CALLS		0:06:45	
AGENCY		AVERAGE TIME ON SCENE (MM:SS)	
Candia Fire Rescue		18:54	

Only Reviewed Incidents included. CO Checks only includes Incident Types: 424, 736 and 734. # Apparatus Transports = # of incidents where apparatus transported. # Patient Transports = # of PCR with disposition "Treated, Transported by EMS". # Patient Contacts = # of PCR contacted by apparatus. This report now returns both NEMSIS 2 & 3 data as appropriate.



Candia Fire Rescue

Candia, NH

This report was generated on 10/2/2019 10:07:09 AM



Incident Type Count per Station for Date Range

Start Date: 09/01/2019 | End Date: 09/30/2019

INCIDENT TYPE	# INCIDENTS
Station: 1 - STATION 1	
118 - Trash or rubbish fire, contained	1
140 - Natural vegetation fire, other	1
320 - Emergency medical service, other	1
321 - EMS call, excluding vehicle accident with injury	17
322 - Motor vehicle accident with injuries	1
324 - Motor vehicle accident with no injuries.	2
622 - No incident found on arrival at dispatch address	2
735 - Alarm system sounded due to malfunction	1
745 - Alarm system activation, no fire - unintentional	2

Incidents for 1 - Station 1: 28

Only REVIEWED incidents included.



September, 2019 Building Activity Report Summary

	<u>September 2018</u>	<u>September 2019</u>
Permits Issued	29	40
New Code Enforcement Cases	0	0
Open Code Enforcement Cases	6	4
Code Enforcement Cases Closed	0	0
Inspections Performed	128	99
CO's/CC's & Closed Permits	45	29
Renewed Permits	6	3

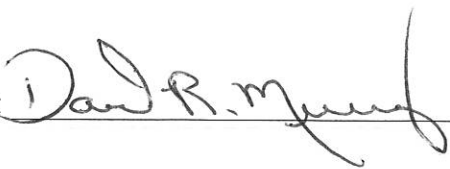
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Revenue September, 2018
 $\$2,621.00 + \$615.00 = \$3,236.00$

Revenue September, 2019
 $\$3,336.00 + \$814.64 = \$4,150.64$

Revenue YTD, 2018
 $\$17,767.40 + \$3,236.00 = \$21,003.40$

Revenue YTD, 2019
 $\$17,291.03 + \$4,150.64 = \$21,441.67$

Submitted by: 

Date: 10/14/2019

September 2019INSPECTION BREAKDOWN including CO'sCommercial, Mixed, L1, L2

Building (BP)	1
Electrical (EL)	1
Place of Assembly (POA)	1

Residential

Building (BP)	34
Electrical (EL)	16
Gas Burner (GB)	1
Gas Piping (GP)	2
Mechanical (ME)	2
Oil Burner (OB)	1
Plumbing (PL)	4
Roofing (RF)	2
Septic (SE)	1
Sprinkler (SP)	2
Underground Tank (UG)	2
CO's and Closed Permits	29

Total Inspections: 99

BREAKDOWN PERMITS ISSUED

Building (BP)	9
Chimney (CH)	2
Demolition (DE)	1
Electrical (EL)	8
Gas Burner (GB)	3
Gas Piping (GP)	7
Oil Burner (OB)	1
Place of Assembly (POA)	3
Plumbing (PL)	2
Septic (SE)	1
Sign (SI)	1
Sprinkler (SP)	1
Underground Tank (UG)	1

Total Permits: 40

August 2019

Candia Recycling Center Monthly Report

	<u>August, 2018</u>	<u>August, 2019</u>
M.S.W. (Trash)	61.53 tons	65.45 tons
C&D Debris	50.15 tons	65.48 tons
Total waste	111.68 tons	130.93 tons

Recyclables

	<u>August, 2018</u>	<u>August, 2019</u>
Mix Paper	8 bales 6.22 tons	10 bales 7.90 tons
Cardboard	9 bales 6.60 tons	8 bales 5.75 tons
#1 - #7 plastics	3 bales 1.87 tons	4 bales 2.46 tons
Alum. Cans	2 bales .76 tons	2 bales .85 tons
Tin Cans	0	3 bales 2.03 tons
#2 natural plastic	1 bale .49 tons	0
Total bales	22 bales 15.93 tons	27 bales 18.99 tons
Glass -	1 load 11.37	0
Electronics -	3.1 tons	2.9 tons
Total weight	30.40 tons	21.89 tons

Revenue

August 2018
\$1549.99

August 2019
\$0

2018 YTD - \$49,386.23

2019 YTD - \$30,081.13

my folder

Andria Hansen

LOOK

PLEASE READ

From: Patricia <aggie4@comcast.net>
Sent: Wednesday, October 02, 2019 12:47 PM
To: Andria Hansen
Subject: Fwd: Tower Hill Road and flat tires

RECEIVED
OCT 02 2019
By

SY
RD
BEB
CIR

Hi Andria,

A quick update, in reviewing the NH RSA's I realize there has been an update, so I will write a formal complaint in accordance with NH RSA 231:90 and get that to both the town clerk and the selectmen. Please forward this to Brien. Respectfully, Patricia Silveira

Sent from Xfinity Connect Application

-----Original Message-----

From: aggie4@comcast.net
To: ahansen@townofcandia.org
Sent: 2019-10-02 11:13:50 AM
Subject: Tower Hill Road and flat tires

Hi Andria,

This is a follow-up to our phone conversation this morning regarding Tower Hill residents and other drivers who have had flat/sliced tires as a direct result of the sharp, inappropriate stone that was used by Dennis Lewis this past spring. Please pass this onto the Selectmen.

As per NH RSA 231:90 Tower Hill Road is in a state of insufficiency due to: hazardous sharp stone dropped at the direction of the road agent Dennis Lewis and other issues such as no ditching for drainage, etc. Other insufficiencies exist.

My daughter-in-law who lives at 111 Tower Hill got her 2nd flat tire yesterday. My husband and I have now have 3 flat/sliced tires. The total for the road is at least 24. We need immediate relief from this sharp stone.

We spoke at a selectman meeting March 25 this spring about the insufficiencies of the road as per NH RSA 231:90. That should be a part of the the minutes of that meeting. The town owes all of us reimbursement for our damaged vehicles, and immediate relief.

I left a phone message on Brian Brock's home phone, and I know you stated you would notify Dennis Lewis and Brian Brock of our immediate and hazardous situation. I appreciate your assistance with this problem.

Sincerely,
Patricia Silveira

Sent from Xfinity Connect Application

TITLE XX TRANSPORTATION

CHAPTER 231 CITIES, TOWNS AND VILLAGE DISTRICT HIGHWAYS

Liability of Municipalities

Section 231:90

231:90 Duty of Town After Notice of Insufficiency. –

I. Whenever any class IV or class V highway or bridge or sidewalk thereon in any municipality shall be insufficient, any person may give written notice of such insufficiency to one of the selectmen or highway agents of the town, or the mayor or street commissioners of the city, and a copy of said notice to the town or city clerk. The notice shall be signed and shall set forth in general terms of the location of such highway, bridge, or sidewalk and the nature of such insufficiency.

II. For purposes of this subdivision, a highway or sidewalk shall be considered "insufficient" only if:

(a) It is not passable in any safe manner by those persons or vehicles permitted on such sidewalk or highway by state law or by any more stringent local ordinance or regulation; or

(b) There exists a safety hazard which is not reasonably discoverable or reasonably avoidable by a person who is traveling upon such highway at posted speeds or upon such sidewalk, in obedience to all posted regulations, and in a manner which is reasonable and prudent as determined by the condition and state or repair of the highway or sidewalk, including any warning signs, and prevailing visibility and weather conditions.

III. A highway or sidewalk shall not, in the absence of impassability or hidden hazard as set forth in paragraph II, be considered "insufficient" merely by reason of the municipality's failure to construct, maintain or repair it to the same standard as some other highway or sidewalk, or to a level of service commensurate with its current level of public use.

Source. 1893, 59:2, PL 82:8. RL 98:8. 1945, 188:1, part 18:9. RSA 247:9. 1981, 87:1. 1991, 385:3, eff. Jan. 1, 1992.

121 Tower Hill Road
Candia, NH 03034
October 3, 2019

Mrs. Susan Young
Chair
Town of Candia Selectmen
74 High Street
Candia, NH 03034



COPY



RE: NHRSA 231:90
NHRSA 231:91

Dear Mrs. Young,

In compliance with NHRSA 231:90 , the Town of Candia is being formally notified that Tower Hill Road is in a state of insufficiency.

After our attendance at a March 2019 Selectmen meeting, Dennis Lewis dropped subpar sharp rocks onto Tower Hill Road, and over the past months residents and visitors combined have had 24 plus flat/slashed/ punctured tires resulting in financial loss, loss of time, and great inconvenience and anxiety. We are driving over sharp arrowheads every day.

Furthermore, according to the Federal Highway Administration's Gravel Roads Maintenance Design Manual that in order to maintain unpaved dirt roads the shape of the road is critical to the health of the road. "In order to maintain a gravel road properly , operators must clearly understand the need for three basic elements: 1. A crowned driving surface; 2. A shoulder area that slopes directly away from the edge of the driving surface; and 3. a ditch." **Tower Hill Road has no crown, no sloping, and no ditching. These facts were brought up in our March selectmen's meeting.** Virtually no maintenance (other than sharp rock being dropped on Tower Hill) was performed on Tower Hill since our March 2019 selectmen's meeting to address the lack of ditching, mud, etc. .

Additionally, NH RSA 231:91 states that "Upon receipt of such notice of insufficiency, the municipality shall within 72 hours thereafter, develop a plan for repairing such highway, and shall implement such plan in good faith and with reasonable dispatch until the road is not longer insufficient . . . ". NH RSA 231:91 further states that "if the municipality fails to act as set forth in paragraph I, it shall be liable in damages for all personal injury or property damage proximately caused by the insufficiency."

I have lived on Tower Hill Road for 43 years, and the road once had ditching for drainage, but over the years Dennis Lewis has been widening this narrow road, and the ditches have been filled in . More houses have been built over the years, and Manchester Water Works' promotions of mountain bike racing, hikings, logging, etc. have caused a sharp increase in traffic on the road. Mud season has become a dangerous and hazardous situation—even to the point of residents being told that the selectmen acknowledge that normal emergency vehicles would not be able to access residents.

I look forward to a timely resolution to this legal matter, and we are on the October 14th selectmen meeting agenda. My cell phone number is 603-391-1969, and my home phone is 603-483-2220. I appreciate your assistance.

Sincerely,



Mrs. Patricia Silveira

CC: Christine Dupere, Town Clerk

**CANDIA PLANNING BOARD
MEETING MINUTES OF
August 21, 2019
APPROVED**

PB Members Present: Rudy Cartier, Chair; Brien Brock, BOS Rep.; Joyce Bedard; Josh Pouliot; Judi Lindsey; Mark Chalbeck, V-Chair; Robert Jones, Alt.

PB Members Absent: Scott Komisarek; Mike Santa, Alt

Audience Present: Dennis Lewis (Road Agent), Bryan Ruoff (Stantec), Attorney John Cronin, (Attorney for S. Komisarek), Jim & Terri George, Richard & Betty-Jane Anz, Jim Franklin, (Surveyor for Richard & Betty-Jane Anz), town residents.

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

Minutes -August 7, 2019:

M. Chalbeck made a **motion** to accept the minutes as presented. J. Bedard **seconded**. **Motion passed.**

Informational:

Applicant: Jim & Terri George, 37 Forest Road, Weare, NH 03281; Owner(s): Pamela Rowe, 496 Main Street, Springvale, ME 04083 & Jean Rowe, 3309 Mosswood Drive, Plano, TX 75074; Property Location: North Road, Candia, NH 03034; Map 403 Lot 8 & Map 403 Lot 11.

Intent: To build on a cl-VI road (authorized by the BOS on 7/22/19). The applicants will build one residential home on each lot (8 & 11) and maintain the road.

This informational was not to present the case to the Board but rather to provide the information to the Board that the BOS had previously authorized the applicant to build on the cl-VI road. No further information, approval or vote was necessary.

Case #19-001 – Candia Crossing:

This Compliance Hearing was held because the applicant (S. Komisarek) still had 2 outstanding items on the NOD (#4 & #9) that had not been satisfied at the last hearing on 8/7/19. #4 required an approval from the BOS to build a private road with the required waivers and indemnities and #9 required that the current bond in place be maintained subject to review by Stantec (Town Engineer). The items have been fulfilled and therefore, the final plans/mylars were approved and signed by the PB.

B. Brock made a **motion** that the requirements of the NOD have been met for this project. J. Bedard **seconded**. **Motion passed.**

Case #19-006 – MAJOR Subdivision:

Applicant: Armand & Susan Hebert, 2001 Cedar Street, McKenzie, TN 38201; Owner: same; Property Location: Currier Road, Candia, NH 03034; Map 402 Lots 51 & 57.

Intent: MAJOR subdivision. To consolidate the two existing lots (402-51 & 57) and then subdivide into 5 frontage lots for residential use.

The applicant nor their representation, Jason Lopez, showed for this hearing so the Board continued it to the next scheduled PB Hearing on 9/4/19 for the Preliminary Hearing.

Case #19-007 -LLA:

Applicant: Richard & Betty-Jane Anz, 102 Critchett Road, Candia, NH 03034; Owner: same; Property Location: same; Map 406 Lot 132.

Intent: A *lot line adjustment*. Take approximately 6+ acres from Map 406 Lot 132 (currently 11.30 acres) and add them to Map 406 Lot 133 (currently 2.37 acres), eliminating the existing lot line and creating a total approximate lot of 9 acres.

M. Chalbeck made a **motion** to accept the application as presented. J. Lindsey **seconded**. **All were in favor.** **Motion passed.**

Candia Selectmen's Public Meeting Minutes of 7/22/2019

subdivision. What is the next abutter going to say, they can all say they aren't going to subdivide, but you'll end up with 10 houses down there?

Abutter Mark Maloney said he owns a piece of property that he has owned for 25 years. He enjoys walking his dogs and the beauty of Bear Brook. He thought it was a shame that you get the wherewithal later in life to put a house up and then a 600-foot rule would sink that. If he can't eventually build a house, he is going to sell it to whoever wants to buy it. Then you lose the mindset of an individual that wants to just have a dirt road and live with a beautiful view. He was sure someone that doesn't have the same desire as that is going to look at the view and say that would be worth some money. He understood protection and keeping it rural and beautiful. At the same time, they are talking about two houses with 120 acres.

Chair Young would suggest there are alternatives. This policy could be changed. Bring it to the town and try to change it. Abutter Mark Maloney said he was not in a place where he wanted to put a house on it. Chair Young clarified that she was talking about the future and there are ways to change these restrictions. She agrees with Boyd and they are going to do it or not. She was sure that Mr. George improves his roads beautifully. She didn't know what trouble this might bring upon him and the neighbor past him if there are any other houses.

Mr. George explained our road now goes through to another main road. People 4-wheel and that is their own business. Chair Young said he didn't mind it, but it appears some of his neighbors do. Mr. George didn't believe there would be anymore 4-wheelers out there then there is already. There are already jeeps running in and out of there. There is a main trail running about the Rowe property. He would stop that. As far as traffic going through nobody will ever be able to stop that whether they build or not.

Mrs. George said they've been talking about a variance and she heard a couple of times "letter of the law". The very nature of a variance is for the Board and the Zoning Board to consider each one individually so it doesn't open a can of worms for that. It depends on the circumstances. The 600-foot is written under unusual circumstances. Even road frontage people get variances for that because of the shape of the property. This is a unique circumstance that you have people that want to keep Candia the way that it is. They just want to put in two houses. There can't be a subdivision on that road.

Selectman Dann said he would like to discuss this and see what other roads this could affect. He thought Carleton brought up a good point. Someone with money could develop that piece of property and make it a Class 5 road. When more and more land become less and less available that gives the developers more time to say they can invest in this. He would also like to research why they picked 600-feet, what were the reasons. Chair Young thought it had to do with the distance from the Class 5 and the safety.

Selectman Robie said the few Class 6 roads that hadn't been built on past the 600-foot mark, that is where the number had stopped. They have some houses on Class 6 roads that are 3,600 feet deep. If there is a lot between that house and another house, they would have to grant a building permit. There are no lots in between the Rowe property and the neighbors. If you went back and looked at Class 6 roads that weren't built on past 600-feet that is where the number came from. If you read the first paragraph of our policy, it is clear on why that was written.

Selectman Chivers said he didn't see the point of encouraging them to come back with a waiver. They already told us the reasons why they are seeking the waiver. He didn't think they should drag this process out. Selectman Chivers moved that the Board deny the applicants request for a building permit on a Class VI road, because it fails to meet the standards expressed in our policy statement. Seconded by Chair Young. Chair Young and Selectman Chivers were in favor and Selectman Robie, Selectman Brock, Selectman Dann were in opposed. Motion failed on a vote 3 to 2 (2-3-0). Chair Young told the George's they have been granted their waiver. Selectman Chivers said their next step is to go to the Planning Board. Chair Young closed the public hearing.

New Business

**CANDIA PLANNING BOARD
MEETING MINUTES OF
August 21, 2019
APPROVED**

PB Members Present: Rudy Cartier, Chair; Brien Brock, BOS Rep.; Joyce Bedard; Josh Pouliot; Judi Lindsey; Mark Chalbeck, V-Chair; Robert Jones, Alt.

PB Members Absent: Scott Komisarek; Mike Santa, Alt

Audience Present: Dennis Lewis (Road Agent), Bryan Ruoff (Stantec), Attorney John Cronin, (Attorney for S. Komisarek), Jim & Terri George, Richard & Betty-Jane Anz, Jim Franklin, (Surveyor for Richard & Betty-Jane Anz), town residents.

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

Minutes -August 7, 2019:

M. Chalbeck made a **motion** to accept the minutes as presented. J. Bedard **seconded**. **Motion passed.**

Informational:

Applicant: Jim & Terri George, 37 Forest Road, Weare, NH 03281; **Owner(s):** Pamela Rowe, 496 Main Street, Springvale, ME 04083 & Jean Rowe, 3309 Mosswood Drive, Plano, TX 75074; **Property Location:** North Road, Candia, NH 03034; Map 403 Lot 8 & Map 403 Lot 11.

Intent: To build on a cl-VI road (authorized by the BOS on 7/22/19). The applicants will build one residential home on each lot (8 & 11) and maintain the road.

This informational was not to present the case to the Board but rather to provide the information to the Board that the BOS had previously authorized the applicant to build on the cl-VI road. No further information, approval or vote was necessary.

Case #19-001 – Candia Crossing:

This Compliance Hearing was held because the applicant (S. Komisarek) still had 2 outstanding items on the NOD (#4 & #9) that had not been satisfied at the last hearing on 8/7/19. #4 required an approval from the BOS to build a private road with the required waivers and indemnities and #9 required that the current bond in place be maintained subject to review by Stantec (Town Engineer). The items have been fulfilled and therefore, the final plans/mylars were approved and signed by the PB.

B. Brock made a **motion** that the requirements of the NOD have been met for this project. J. Bedard **seconded**. **Motion passed.**

Case #19-006 – MAJOR Subdivision:

Applicant: Armand & Susan Hebert, 2001 Cedar Street, McKenzie, TN 38201; **Owner:** same; **Property Location:** Currier Road, Candia, NH 03034; Map 402 Lots 51 & 57.

Intent: MAJOR subdivision. To consolidate the two existing lots (402-51 & 57) and then subdivide into 5 frontage lots for residential use.

The applicant nor their representation, Jason Lopez, showed for this hearing so the Board continued it to the next scheduled PB Hearing on 9/4/19 for the Preliminary Hearing.

Case #19-007 -LLA:

Applicant: Richard & Betty-Jane Anz, 102 Critchett Road, Candia, NH 03034; **Owner:** same; **Property Location:** same; Map 406 Lot 132.

Intent: A *lot line adjustment*. Take approximately 6+ acres from Map 406 Lot 132 (currently 11.30 acres) and add them to Map 406 Lot 133 (currently 2.37 acres), eliminating the existing lot line and creating a total approximate lot of 9 acres.

M. Chalbeck made a **motion** to accept the application as presented. J. Lindsey **seconded**. **All were in favor.** **Motion passed.**



LCHIP	ROA463036	25.00
TRANSFER TAX	RO091487	2,520.00
RECORDING		34.00
SURCHARGE		2.00

2520 -

NEW HAMPSHIRE WARRANTY DEED

403-008
x
403-011

KNOW ALL MEN BY THESE PRESENTS, that WE, Jean Rowe, 3309 Mosswood Drive, Plano, County of Collin and State of Texas, AND Michael Harrison Rowe, 8 Johnsfeld Court, Melville, County of Suffolk and State of New York, AND Keith Andrews Rowe, 2300 London Drive, Plano, County of Collin and State of Texas, AND Kelly Rowe Abide a/k/a Kelly Rowe, 5008 Old Orchard Drive, Plano, County of Collin and State of Texas, AND Casey John Rowe, 395 Red Maple Drive, Mandeville, St. Tammany Parish and State of Louisiana AND Pamela M. Rowe, 496 Main Street, Springvale, County of York and State of Maine for consideration paid grant to James B. George AND Terri A. George AND Daniel I. Chism AND Shannon B. George-Chism who reside at and whose mailing address is 37 Forest Road, Weare, County of Hillsborough and State of New Hampshire, AND Allen J. George AND Kayla L. Ingham who reside at and whose mailing address is 470 Silver Street, Apt. 321, Manchester, County of Hillsborough and State of New Hampshire, as joint tenants with rights of survivorship with WARRANTY covenants, our full interest in the following described property:

A certain lot or parcel of land, situated in Candia, in the County of Rockingham and State of New Hampshire, and being the same land described in the Last Will of Obededum Hall as his Mountain Farm, and containing one hundred fifty (150) acres, more or less, and which the said Obededum Hall devised to Orrin Hall, Rebecca Rowe, and George Hall, said land being more particularly bounded and described as follows:

Bounded westerly by the westerly line of Lot No. 52 in the Third Division; southerly by a Rangeway; easterly by a stone wall and by land occupied now or formerly by Joshua C. Hall; and northerly by a Rangeway.

Excepting highways running through said premises and excepting a one half acre piece deeded by the said Obededum Hall to Jonathan Currier by deed dated November 30, 1861.

Meaning and intending hereby to convey the property described. First devised to Howard Rowe and Harold Rowe, in a deed from Hiram H. Rowe, dated April 27, 1954 and recorded in Rockingham County Registry of Deeds, NH at Book 1314, Page 77, AND Second devised to Jean Rowe, Michael Rowe, Keith Rowe, Kelly Abide, and Casey Rowe in the last will and testament of Howard F. Rowe, dated October 22, 1982 and recorded in York County Probate Court, Maine, Docket # 88-587, and also Rockingham County Probate Court, NH, Docket #60263. AND Third devised to Pamela M. Rowe, Davis T. Rowe, and Marlin T. Rowe, in a deed from Harold H. Rowe, dated December 12, 1987 and recorded in the Rockingham County Registry of Deeds, NH at Book 2719, Page 1146, AND Fourth devised to Pamela M. Rowe, in a deed from Davis T. Rowe and Marlin T. Rowe, dated January 26, 1999 and recorded in the Rockingham County Registry of Deeds, NH at Book 3367, Page 0147.

The within conveyed property is not the homestead premisses of the Grantor. It is land only and not homestead property.

TOWN OF CANDIA

CLASS VI AND PRIVATE ROAD POLICY

**ADOPTED BY CANDIA BOARD OF SELECTMEN
JULY 23, 2007**

TOWN OF CANDIA

NEW HAMPSHIRE

CLASS VI AND PRIVATE ROAD POLICY

Under RSA 674:41, the Board of Selectmen has the discretion to authorize the issuance of building permits on Class VI and Private town roads, after review and comment by the Planning Board.

The Board of Selectmen has adopted this Class VI and Private Roads Policy to help guide the decision-making process with such an application. It is emphasized that the Board of Selectmen will consider any factor relevant to the authorization of a building permit on an individual case basis. Therefore, this statement is not intended to describe an exhaustive list of considerations, but to be a policy for both the Board of Selectmen and applicants for such building permits.

1. Statement of Purpose. It is the purpose of this policy to minimize development along Class VI and Private town roads which might tend to drain existing town services and force increased costs on the Town to provide additional services. It is also the purpose of this policy to ensure that any structures built on Class VI and Private town roads are accessible to emergency vehicles so that the safety and property of people occupying or using those structures will not be unreasonably placed at risk, nor will the safety of emergency response personnel or their vehicles and equipment be unreasonably endangered.
2. Application. Application shall be received 20 days before scheduled hearing. Applications to the Board of Selectmen requesting that the Board authorize the issuance of a building permit on a Class VI or private town road shall be made in writing and be accompanied by a site plan drawn to scale showing:
 - a) The location and size of the lot and its relation to the Class VI or private road and the Class V or better road which gives access to the Class VI or private road;
 - b) The specific location of all proposed structures;
 - c) The location and length of the driveway giving access to the structures from the Class VI or private road;
 - d) Wetlands on or adjacent to the property that could be impacted, and indicate if a State Wetlands Permit application has been submitted;

- e) Any other information which the Board of Selectmen may reasonably require; *111 for George family + Pan + Jean Rowe*
- f) List of abutting property owners; ✓
- g) Certified Mail costs for each abutter and public notice costs must accompany application. *not yet*

3. Distance to Class V Road. It is the policy of the Board of Selectmen that in the usual case, no building permit will be authorized if the driveway access to the principal structure from the Class VI road or Private road begins more than six hundred (600) feet from the intersection of the Class VI road or Private road and the Class V or better road which gives access to the Class VI or Private road. Applications that meet the six hundred (600) foot distance will not be automatically approved, however. In addition to any other relevant factors, the Board of Selectmen will consider the following even where the six hundred (600) foot distance is met:

- a) The nature, condition and grade of the Class VI or Private road;
- b) The nature, condition and length of the driveway from the Class VI or Private road to the proposed structure(s).
- c) Road surface and condition: Condition of the roadbed with regard to the depth and quality of gravels; steepness of the grade on the portion of the road being considered; the existence of large rocks or ledge in the roadbed; the existence of areas which flood during seasonal rainy periods; the adequacy of drainage along the road; the presence of wetlands; the presence of bridges and culverts; the conditions of curves and switchbacks; vertical and horizontal alignment; proximity of trees to the traveled way; and any other conditions of the road which would affect its suitability for development.

4. Improvements to Class VI Road.

- a) Before beginning any work within the limits of the Class VI or Private road, the applicant must receive a written permit from the Board of Selectmen pursuant to RSA 236:9-11, and shall be subject to the penalties provided by RSA 236:14 for failure to secure or comply with the terms of said permit.
- b) Only a single dwelling unit without accessory units will be considered.
- c) Board of Selectmen shall review each application on an individual case by case basis with the specific conditions of the road in question and its ability to support the passage of emergency and safety vehicles being the primary consideration. In general terms the following minimum will apply:

1. Sixteen-feet (16') width with 2 foot shoulders
 2. Twelve-inches (12") minimum of crushed gravel
 3. No grades exceeding 10%
 4. Pull off areas every 500 feet to allow large vehicles to safely pass one another
 5. Hammerhead turnaround at the end of roadway
 6. Stop sign and street name at the intersection with Class V road
 7. Address all drainage issues
 8. Pavement may be required depending on conditions
- d) Beyond the physical standards of the Class VI or Private road, the Board of Selectmen may:
1. Seek a written road maintenance agreement if there is more than one party who will be residing on the road in question, or the applicant agrees in writing to assume 100% of the road maintenance costs for the portion of Class VI or Private road affected.
- e) The Board of Selectmen will require that the proper completion of the improvements to the Class VI or Private road be secured to Candia by providing financial security in the form and amount to be determined by the Board of Selectmen.
5. Public Hearing. Prior to the issuance of its decision on the application, the Board of Selectmen shall hold a public hearing with at least 10 days prior notice sent certified mail, return receipt requested, to the applicant and to each owner of property abutting the Class VI or Private road in question. The notice shall also be posted in at least two (2) public places within the Town. The applicant shall pay the costs of such notice, in advance. The Board of Selectmen will also ensure that notice of the public hearing is given to the Chairmen of the Planning Board, Zoning Board of Adjustment, and Conservation Commissions, the Road Agent, Chief of Police, Fire Chief and Building Inspector. All applications under this policy will be forwarded to the Planning Board for its review and recommendation to the Board of Selectmen before any final decision is reached.
6. Agreement to be Recorded. Prior to the actual issuance of any building permit authorized by the Board of Selectmen, the applicant shall sign and provide the Town with an executed release and agreement to be recorded at the Rockingham County Registry of Deeds that the Town of Candia neither assumes responsibility for maintenance of the Class VI or private road nor liability for damages resulting from the use thereof, pursuant to RSA 674:41, I (c) (3). Such notice shall be recorded at the expense of the applicant.

7. Time Limitations.

- a) Required road improvements associated with the Board of Selectmen's approval of applications under these guidelines must commence within six (6) months and
- b) Applicants receiving approval from the Board of Selectmen under these guidelines must apply for and be issued a building permit within the first six (6) months of the Board of Selectmen's Condition of Approval and construction must begin within six (6) months from the date of issuance of the building permit or the approved Application to build on a Class VI or Private road will be void.

8. Occupancy Certificate. No Certificate of Occupancy will be issued by the Town of Candia Building Inspector/ Code Enforcement Officer until the road improvements have been met and approved by the Board of Selectmen or their designee. If the building is occupied without a Certificate of Occupancy, the occupants will be found in violation of local ordinance and state statute, and will be subject to penalty as set forth in RSA 676:17.

9. Other Permits. Should the Board of Selectmen grant approval for applications under these guidelines, applicants are still required to secure any other permits required under local, state or federal law regulations. The Board of Selectmen's approval does not supersede any other requirements by other entities.

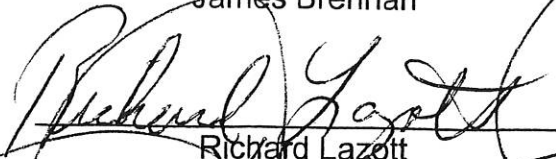
10. Repeal. The adoption this policy shall operate as a repeal of any other statement of policy adopted by previous Boards of Selectmen.

IN WITNESS WHEREOF, the undersigned members of the Candia Board of Selectmen have set their hands this 23rd day of July, 2007


Fredrick Kelley, Chairman


Thomas Giffen

James Brennan



Richard Lazott



Joaquim Duarte

AGREEMENT AND RELEASE

NOW COME _____ (hereinafter referred as "Landowner), of _____ Road, Candia, New Hampshire, and the Town of Candia (hereinafter referred to as "Town"), a New Hampshire municipal corporation, having a mailing address of 74 High Street, Candia, New Hampshire, 03034, and agree as follows:

WHEREAS Landowner is authorized to act on the owners behalf for the real property located in Candia, New Hampshire, as described in a deed recorded in Book ___, Page ___, at the Rockingham County Registry of Deeds (hereinafter the "Property"), identified as Tax Map ___, Lot ___, located on _____ Road (the "Road");

WHEREAS the portion of Road upon which the Property fronts is a Class VI or Private Highway, as classified by New Hampshire revised Statues Annotated 229:5,

WHEREAS the Town, has agreed to issue a building permit for the construction of one single family residence on the Property upon the execution and recording of this agreement, pursuant to New Hampshire Revised Statutes Annotated 674:41;

NOW, THEREFORE, the Town and the Landowner, on behalf of himself, his heirs, legal representatives, successor and assigns, covenant and agree as follows:

1. The Town shall issue a building permit to the Landowner to construct a residence on the Property; provided that all conditions and requirements set forth in Town ordinances and regulations are met.
2. The Town assumes neither responsibility for maintenance, including snow plowing, nor liability for any damages resulting from the use of the Road.
3. Landowner shall be responsible for maintaining access to the property and does hereby forever release and discharge the Town, its officers, agents, and employees, from any obligation for maintaining the Road and from any claim of any nature, whether it tort or otherwise, which Landowner has, or may in the future have, against the Town for any loss or damage, including those incurred through failure to provide municipal services, including without limitation police, fire, and ambulance services, arising out of the condition of the Road from the point where the Road becomes a Class VI or Private Highway. Landowner shall hold harmless and indemnify the Town from any and all claims, suits, costs, and other expenses, including reasonable attorneys' fees, whether brought by the Landowner or third parties, arising out of the use and occupation of the Property and the maintenance or repair of the Road.
4. Landowner assumes responsibility for transporting any children to the nearest regular school bus stop.

MEMO

LOOK
PLEASE READ

54
RD

CR

PC

BEB ok

TO: Board of Selectmen

FROM: Donna Becker

DATE: October 2, 2019

RE: Increase Petty Cash Fund

Dear Board of Selectmen,

I would like to request an increase in the Selectmen's petty cash fund. Currently, our petty cash fund is \$100.00 and I would like to increase it to \$300.00. This fund is primarily used by the Land Use Office when recording plans for Planning Board cases at the Rockingham County Registry of Deeds. There are typically 2 costs. The first is to record the L-Chip which is generally a \$25 charge and the other is to record the plan which is generally a \$26.00 charge. The Registry used to bill us for the plan, however; now if there is an L-Chip and a plan, both must be paid up front. The fund now limits how many plans the Land Use Administrative Assistant can take to the Registry at one time which is causing her to make multiple trips as well as a delay in the recording of L-Chips and plans. The secondary purpose of the fund is to be able to make change for Residents when they come in to pay fees, one large bill and we're pretty much done until I can make change. For these reasons, I am respectfully requesting an increase in this fund.

Please feel free to contact me with any questions.

Sincerely,

Donna Becker

Donna Becker
Payroll & Accounting Specialist

*If you are in agreement,
I will make a change
to the Petty Cash Policy
for you to vote on at
a Selectmen's meeting
Yes. - Thank you 54
Thank you
Donna B*

The Selectmen to approve the request for funds from the Future Revaluation Capital Reserve Fund for the following invoices.

Invoice #3916 \$6,525.00

Invoice #3941 \$5,220.00

Invoice #3946 \$6,960.00

Total \$18,705.00

COMMERFORD ❖ NIEDER ❖ PERKINS, LLC
APPRAISAL AND ASSESSMENT SERVICES

INVOICE

Bill To
BOARD OF SELECTMEN TOWN OF CANDIA 74 HIGH STREET CANDIA NH 03034

Date	Invoice #
7/26/2019	3916

Terms
Due on receipt

Description	Qty	Rate	Amount
SALES FIELD RVW COMPLETE	1	6,525.00	6,525.00

Thank you for your business.

Invoice Total	\$6,525.00
Applied Payment/credits	\$0.00
Total Balance Due	\$6,525.00

..COMMERFORD ❖ NIEDER ❖ PERKINS.. LLC..
APPRAISAL AND ASSESSMENT SERVICES

INVOICE

Bill To
BOARD OF SELECTMEN TOWN OF CANDIA 74 HIGH STREET CANDIA NH 03034

Date	Invoice #
8/29/2019	3941

Terms
Due on receipt

Description	Qty	Rate	Amount
SALES ANALYSIS 70% COMPLETE	1	5,220.00	5,220.00

Thank you for your business.

Invoice Total	\$5,220.00
Applied Payment/credits	\$0.00
Total Balance Due	\$5,220.00

..COMMERFORD ❖ NIEDER ❖ PERKINS, LLC..
APPRAISAL AND ASSESSMENT SERVICES

INVOICE

Bill To
BOARD OF SELECTMEN TOWN OF CANDIA 74 HIGH STREET CANDIA NH 03034

Date	Invoice #
9/24/2019	3946

Terms
Due on receipt

Description	Qty	Rate	Amount
SALES ANALYSIS COMPLETE	1	2,610.00	2,610.00
INFORMAL REVIEWS COMPLETE	1	4,350.00	4,350.00

It's a pleasure working with you!

Invoice Total	\$6,960.00
Applied Payment/credits	\$0.00
Total Balance Due	\$6,960.00