

**CANDIA PLANNING BOARD
MINUTES OF October 4, 2006
APPROVED**

Present: Mary Girard, Chair; Kim Byrd, Vice-Chair; Fred Kelley, Selectmen's Representative; Joe Duarte, Susi Nord, Judi Lindsey

Absent: Dwayn Chritchett, Alternate; Sean James, Alternate; Scott Tierno, Alternate; Barry Margolin

The Chair called the meeting to order at 7:00 p.m.

Review of minutes of September 6, 2006 and September 20, 2006

Judi Lindsey **moved** to accept the minutes of September 6, 2006 as amended. Fred Kelley **seconded**. **All were in favor**. The following amendments were made:

- Page 1, under New Business # 1, Line 1, the name "*Gallow*" was corrected to "*Gallo*".
- Page 1, under New Business # 1, Line 1 & 2, change the sentence to read "...*the conditions to be met for the...*"
- Page 1, under New Business # 4, Line 1, add the words "*meeting at*" in front of "Raymond High School".
- Page 3, Line 1, add "*near the property*" at the end of first sentence.
- Page 3, Paragraph 2, Line 4, remove "*is that correct Town Engineer – this is correct*".
- Page 3, Paragraph 4, Last line, add "*this area*" after the word through and remove sentence "*It sounds like a lot.*"

Kim Byrd **moved** to accept the minutes of September 20, 2006 as amended. Fred Kelley **seconded**. **All were in favor**. The following amendments were made:

- Page 1, Line 1, the name "*Lindsay*" was corrected to "*Lindsey*"
- Page 1, Line 1, the name "*Bydr*" was corrected to "*Byrd*"
- Page 1, Last Paragraph, Line 1, remove word "presents" and change to "...*questioned, is this for both lots...*"
- Page 1, Last Paragraph, Line 1, add "yes" at the end of second sentence
- Page 2, Paragraph 6, Line 1, after word "continue" add "...*both site plans...*"
- Page 2, Last Paragraph, Line 1, remove "...*outlines that the applicant is...*" and replace with "...*reads a request...*"
- Page 2, Last Paragraph, Line 2, remove phrase "...*from one lot to two.*"

Other Business

An Application Review Committee was scheduled for Russell Dann's site plan submitted for Map 411, Lot 013 at 7:00 p.m. on October 12, 2006. Judy Lindsey, Susi Nord, and Kim Byrd will serve on the committee.

7:15 p.m. Continuance of the Major Site Plan Review application by: Cher Griffin, 112 Hooksett Rd., Auburn, NH 03032; Owner: Same; Agent: Robert Rook, PE, 72 Pleasant St., Concord, NH 03301; Location: Raymond Road, Map 409 Lot 105.1; Intent: To build a retail store featuring the sales of equestrian and agricultural products.

The Chair opened the hearing at 7:15. Cher Griffin was present. Mrs. Griffin stated that she was still filing paper work for her SBA loan and was trying to have the \$5,500.00 amount approved for the required engineer fees. The Chair stated that this was her third time before the Planning Board. Mrs. Griffin explained she was scheduled to close on the draw loan tomorrow. Fred Kelley asked if she has been to the Town Engineers. Mrs. Griffin replied that she had and they had reviewed her plans. Mrs. Griffin added the Engineer would not proceed until payment is received. The Chair stated that the Board could not authorize the Engineer to do anything until the money is received. The Chair stated that Mrs. Griffin has known for three months what the Engineer wanted. Mrs. Griffin disagreed and said she found out about the engineering fee three weeks ago. The Chair asked if there are any abutters present. No abutters were present. The Board agreed to a continuance for this case. The Chair scheduled Mrs. Griffin's continuance for December 20, 2006. The Chair further stated that this would be the last continuance and if Mrs. Griffin was not ready, she would have to start the application process over again.

7:20 Informational – Russell & Bernardette Dann, Map 411 Lot 013, Tower Hill Road, possible 1 lot subdivision

Jim Franklin, Russ Dann, Ryan Dann, and Angela Dann were present. Jim Franklin stated that the plans had been submitted and they are scheduled to be on the October 18, 2006 agenda. The Board reviewed the plan for the subdivision. Mr. Franklin proposed to subdivide the 9.7 acres into two lots; one would be 3.7 and the other 6.0 acres. They had a boundary, topography, soil, wetlands and test bit done. They had not submitted anything to the state until approval. Mr. Franklin further explained that the reason this fell under a major subdivision was due to the remaining land would have 6.051 acres and that was close to the minimum required 3 acres per lot. Kim Byrd stated that if they wanted to make it less than six acres than they would have a case to present, by subdivided into two lots which would not be a major subdivision. Mr. Franklin stated the only concern was the 75 foot setbacks, the water body (97 BP) was poorly drained and this would eliminate anything more than 2 to 3 acres. Mr. Franklin asked if the Board would consider the lot to be 5.9 acres. Mr. Dann explained that he did not plan on subdividing the lot and his son would be taking that piece of property. Kim Byrd stated they may be giving up a potential lot. Mr. Franklin said that he explained this to Mr. Dann, but if the land stays in the family they could go back at a later date and re-subdivide. Mr. Franked further explained that the requirement for the land area has changed, since the town has been enforcing that very poorly drained soil can be used 25% minimum lot size. Mr. Franklin asked if they could present a plan to the Board that was slightly different, such as lot 13 having 5.9 acres. The Board explained that if the notice had already been posted, the application could not be changed. Mr. Dann explained that all of his applications were in. The Chair stated that if everything goes accordingly on October 18, his next meeting would tentatively be for November 1.

7:34 Jeff Kantors Car World – review of conditionally approved site plan and possible signing of plans

The Chair explained that the Planning Board had given Mr. Kantor a conditional approval, stating that the drainage report had to be reviewed by the town engineer. The applicant had to submit the side and rear elevation, and had to meet the conditions by April 1, 2006. The Chair explained that somehow the building permit was issued and the building was built. The Chair reviewed the drainage report and found it to be complete. Kim Byrd asked if the Building Inspector issued a certificate of occupancy. Fred Kelley replied yes, and he thought that the applicant was using the building. Kim Byrd suggested that they stamp and sign the plans because there was nothing else they could do. The Chair stated that there were issues that the Fire Department was looking at, and questioned if they had been addressed. Kim Byrd said that someone should contact the Fire Chief. Fred Kelley said he would contact Fire Chief, Rudy Cartier and Building Inspector, Bill Hallock. The Chair stated that she would like more information before she signed the plans. The signing of the plans had been postponed until the next meeting.

7:40 Informational – Scott Komisarek to discuss RSA 674:21, Innovative Land Use Controls as it pertains to cluster development and density bonus for detached single family condominiums within a 55+ community

Scott Komisarek, John Cole, and Deanie Sandler were present. Kim Byrd stated that the town does not have cluster development anymore and that it failed several years ago. Mr. Komisarek stated that there were many 55+ people in Candia who would like to stay in town, so he and Mr. Cole came up with a plan for a 55+ cluster development. Mr. Komisarek explained that through his research he found that the interpretation of RSA 674:21 gives the board the authority to approve a cluster development. The Chair stated anything land use would have to go through a town vote, and further stated the board approved accessory apartments that went through a town vote. The Chair explained that if Mr. Komisarek wanted to do this, they would have to write up a new ordinance. The Chair noted that Candia had a cluster development at one time and the people of Candia were adamant about voting it out. Mr. Cole stated that when they researched the state law, they found out it was the intent of the RSA to provide elderly housing. Mr. Cole further stated that the town had done away with the wording of cluster development, but it was left in an ordinance that a multi-family unit or duplexes could be built. Mr. Cole said that it didn't make sense that the town would allow duplexes, but not detached single family homes that share a common driveway. Mr. Cole noted that this type of housing would appreciate in value. The Chair explained with the current ordinance they could build a conventional subdivision or they could build an apartment type building with a special exception. Mr. Cole stated he did not want to build apartments or duplexes. Mr. Cole showed the board the illustrations which consisted of 4 different style homes and the cost which would be \$250,000 to \$300,000. The Chair explained if they looked at 675.1, this would have to go before a town vote. Susi Nord suggested a more affordable detached condo. Mr. Cole replied he would like to build upscale housing because there is a market for and it would hold its value. The Chair would like to see apartments because it would be more affordable for the 55+ people to stay in Candia. Mr. Cole explained there is a market for this kind of housing. Joe Duarte liked the idea of the development. Susi Nord liked that the development placed people close together, but is concerned that the aging people in Candia would not be able to afford it. Susi Nord asked about mixed income housing, such as condos so people could stay in town. Mr. Cole stated that they are not trying to appeal to everybody, but he would entertain the idea. Mr. Komisarek asked the Board if they had the authority to grant this under the RSA 674.21. Kim Byrd stated that the

Planning Board does not have the authority to grant a cluster subdivision. Kim Byrd said if they wanted to build, it would have to be under a cluster zoning ordinance. Judy Lindsey liked the idea of cluster development, but was concerned that it would not meet the needs of the people who want to stay in town. She felt that \$250,000 to \$300,000 did not sound affordable. Judy Lindsey stated she would like to see condos with a common meeting hall. The Chair felt that elderly housing would need to be affordable or the people of Candia would not be able to afford it. Mr. Komisarek didn't realize that the planning board would have to craft a new ordinance. Mr. Komisarek questioned the process if they were to come in with something more affordable. Kim Byrd read from the zoning ordinance section 11.03. Kim Byrd explained that this zoning ordinance allows 9 permits per year. Kim Byrd suggested that if they were to build, they could build in phases. The Chair stated that they would have to write an ordinance, and bring it before the town. Fred Kelley explained that it would have to be on a ballot and voted in. The Chair stated it would be an amendment to the zoning ordinance for a section that was previously taken out, because the town didn't want cluster developments. Susi Nord explained that the town has unique character and this would change it. Mr. Cole replied that this would maintain the character of the town. The Chair stated that there was a sub-community working on zoning changes, and the planning board would mention it to them. The Chair did not think that this could get done this year. Fred Kelley felt that the Board had all agreed that this was a good idea, but further stated that nothing could be done until it goes back before the voters and gets voted in. Mr. Komisarek and Mr. Cole thanked the board for their input and opinions.

8:20 Informational – Richard Hobbs, Map 409 Lot 070, 64 Adams Rd., possible 1 lot subdivision, residential zoned with access from Rte. 43

Richard Hobbs and Jeannie Menard, owner of Parade Properties of Deerfield were present. Mr. Hobbs was requesting a subdivision of one lot. Mrs. Menard questioned the lots configuration. It was noted the existing lot had 360 feet of frontage on Adams Road; 200 feet on Candia Road (Rt. 43). The Board reviewed the map Mrs. Menard handed out. Kim Byrd said it looked like the proposed lot was on commercial land. Fred Kelley asked if they were taking out 3 acres of the 8.5 acres. Mrs. Menard said that was their intention. Mrs. Menard asked for the Board's advice on configuring the lot. Kim Byrd explained it would depend on the topography, the soils, and if there are wetlands. Kim Byrd told her she need a complete primary survey. Mrs. Menard stated their goal was to maintain a normal rectangular configuration for the lot with the existing home. Mr. Hobbs stated that without having the land surveyed they did not know the square footage. Kim Byrd suggested they look for markers on Old Candia Road, and measure the 200 feet of frontage. Mrs. Menard asked the Board what was acceptable as far as lot configuration. The Chair stated that she would like to see the lot configuration as regular shaped as possible. The Chair explained that they should get the lot surveyed and have a plan, then come back for another informational before they spend the money on noticing fees.

Road Agent Dennis Lewis approached the Board with a question regarding a driveway on Halls Mills Road. Dennis stated that Ron Severino changed the elevation of the road by 5 ft, which resulted in a change to the grade of a driveway. Dennis further stated that when the owner bought the lot Severino changed the grade, and it does not meet town standards. The Board agreed that the situation was Ron Severino's responsibility. The Chair felt that the owner would have a good case against Mr. Severino, but that the town was not responsible.

The meeting was adjourned at 8:50.

Respectfully submitted,
Andria Hansen, Recording Secretary