

CANDIA PLANNING BOARD
MINUTES of May 16, 2007
APPROVED

Present: Mary Girard, Chair; Kim Byrd, Vice Chair; Joe Duarte, Selectmen's Rep.; Judi Lindsey, Barry Margolin, Garrick Asselin, Amanda Soares, Alternate; Road Agent, Dennis Lewis

Absent: Susi Nord, Sean James, Alternate

The Chair called the meeting at 7:00 p.m. Alternate Amanda Soares was seated for Susi Nord.

Approval of May 2, 2007 Minutes

Kim Byrd **moved** to approve the minutes of May 2, 2007 as amended. Judi Lindsey **seconded**. **Five were in favor with two abstentions**. The following amendments were made:

- Page 2, 4th Paragraph, Line 4, after the word "process" add "unless a variance is required."

Discussion about the fee schedule

Chair Girard stated the June 6, 2007 Planning Board meeting would be a Public Hearing to change the fee schedule. It was decided the Major Subdivision application fee will be \$150.00; the Major Site Plan application Review will be \$150.00; Minor Subdivision will be \$100.00; and Minor Site Plan will be \$75.00. Kim Byrd stated the board wasn't changing anything, they were revisiting it. Chair Girard mentioned the Conditional Use application should be \$300.00. Kim Byrd replied the Conditional Use application may require a Major Subdivision or a Major Site Plan or it may require both. He added in Mr. Cole's case he is not changing the lot configuration, so it's not a subdivision. Chair Girard stated it was of legal opinion that it was a subdivision, so the Conditional Use application would require both. Kim Byrd asked if we could get the legal opinion in writing. Chair Girard asked if the lot origination fee should be \$75.00. Kim Byrd clarified it should be per dwelling unit. The abutter's fees would change as well. Chair Girard mentioned the driveway permit fee. Road Agent, Dennis Lewis stated it's currently \$25.00. Chair Girard told the board there would be a notice in the paper to amend the fee schedule.

7:15 p.m. – Minor Site Plan Application by: Francis D. Parisi for Fiber Tower, 202 Broadway, Providence, RI 02903; Agent: Same; Owner: American Tower Company, 116 Hunting Ave, 11th Floor, Boston, MA 02116; Location: 437 Patten Hill Road, Map 414 Lot 104; Intent: Attachment of telecommunications antenna to existing tower.

Francis Parisi from Fiber Tower was present. Mr. Parisi stated he was doing the exact same Minor Site plan as on Tower Hill Road. Mr. Parisi stated he was just adding one antenna. Kim Byrd **moved** to approve the Minor Site Plan and to have the conditions of the March 7, 2007 notice of decision apply to this approval. They are as follows:

1. That the total power densities calculated or measured from all antennae transmitting on the site, never cause the power densities at any point in an uncontrolled area, either in the near-field or the far-fielded regions to exceed the “maximum permissible exposure for uncontrolled environments” shown in Table 2 and Figure A3 of the existing ANSI C95.1-1991 “American National Standard Safety Levels with Respect to Human Exposure to Radio Frequency Electromagnetic Fields 3kHz to 300 Ghz”. Further, should any combination of an increase in the Effective Radiated Power (ERP) from any or all of the antennae, an increase in the number of antennae, a change in frequency, or the introduction of a more stringent relevant U.S. Federal or State of New Hampshire electromagnetic emissions protection standard, cause the calculated or measured power densities to exceed the most stringent relevant standard, the ERP at the site shall immediately be reduced to conform to the most stringent relevant standard. In interpreting any standard the exposure levels that are used for the “general population: shall be used if they are lower than the “occupational” exposure levels. Any deviation to this condition shall constitute a change in use of the site and require a new site plan review by the Candia, NH Planning Board.
2. That the applicant or their agent establish, prior to the issuance of a building permit for the antenna support tower, a trust fund in the amount of seven thousand five hundred dollars (\$7,500), to be held by the Candia, NH Trustees of Trust Funds until such time as the antenna support tower shall have to be razed and removed, and the land returned to its natural state or converted to another legal use. All moneys in the trust fund shall, upon the satisfaction of the aforementioned terms, be paid to the party legally responsible for the razing and removal of the antenna support tower. Further that any increase in the principal of the funds, over the above that portion of the increase necessary, in the sole opinion of the Trustees of Trust Funds, to be added to the principal to maintain the purchasing power of the fund, shall be annually paid to the Town of Candia, NH to provide for tall structure rescue equipment and training.
3. That all representations, written and oral, agreed by the applicant during this site plan review, shall be included as conditions of this approval. These representations include, but are not limited to, the issues of fully operational post-construction radio frequency interference, gates and bars and maintaining the existing forest products as screening.

Joe Duarte **seconded**. **All were in favor**. Chair Girard, Joe Duarte, Barry Margolin, Garrick Asselin, and Amanda Soares signed the Minor Site plan.

Signing of Candia Woods Major Site Plan

Richard Danais from Danais Realty Group was not present. Tony Timbrell from Stantec was present. Mr. Timbrell referred to Stantec’s May 9th letter. He explained in the Major Site Plan Review Regulations, Article 5.03, it states the Town can require a performance guarantee in the form of a restoration bond. He felt due to the size of this project, it was important for the Town to require a bond. Mr. Timbrell mentioned phasing the project

and only the board can approve phasing. Kim Byrd clarified this would be phasing of the site plan not the subdivision. Chair Girard asked if the \$9,000 would be put in escrow. Mr. Timbrell replied this amount would cover the key elements (drainage, etc.). Joe Duarte believed Mr. Danais would have to bring this to the Board of Selectmen. Chair Girard stated that a letter should be sent to Mr. Danais stating the Planning Board was requiring a bond in the amount of \$339,000; plus the amount of \$9,000 to be placed an escrow account; and he will have to meet with the Selectmen for their approval of the bond. In addition, if Mr. Danais wanted to phase the project, adjustments would be made. There was some discussion about the wetland mitigation and the wetland permit for the site. Chair Girard stated all of Fire Chief Cartier's conditions were met.

Signing of Amanda Soares' Appointment Slip

Chair Girard, Judi Lindsey, and Kim Byrd signed Alternate Amanda Soares' appointment slip.

Chair Girard reminded the board of the Zoning Review and Revision Committee meeting on May 31, 2007 at 7:00 p.m.

Judi Lindsey **moved** to adjourn at 8:20 p.m. Barry Margolin **seconded**. **All were in favor.**

Respectfully submitted,
Andria Hansen, Recording Secretary