

CANDIA PLANNING BOARD
MINUTES of July 18, 2007
APPROVED

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

Absent: Judi Lindsey, Susi Nord, Sean James, Alternate

The Chair called the meeting to order at 7:00 p.m. Alternate Amanda Soares was seated.

Review of minutes

Kim Byrd **moved** to approve the minutes of June 20, 2007 as presented. Joe Duarte **seconded**. **All were in favor.**

Review of the Class VI Road Policy

The Board members were given a copy of the Class VI Road Policy for their review. The Chair stated if any of the members had any questions or concerns with the policy to address them with her or Joe Duarte before the July 23rd Selectmen's meeting.

Discuss a date to meet with the Chester Selectmen and Chester Planning Board regarding Crowley Woods

Kim Byrd asked if Chester has received an application yet for Crowley Woods. Selectman Kelley stated they have not, but they would still like to meet with Candia. The Chair stated she thought it was illegal to have a meeting without the applicant present. Selectman Kelley explained he called Town Attorney Bart Mayer regarding that issue and was waiting for a reply. The Board agreed that the 6th or 20th of August would work for most of the members.

Meet with Mr. Danais from Candia Woods to discuss bonding issue

Mr. Richard Danais from Danais Reality was present. Mr. Danais read from a prepared statement. In summary, Mr. Danais stated that he was not told about the bond until after the conditional approval and felt the amount of the bond was unreasonable. Kim Byrd read from Section 5.03 of Major Site Plan Review. Kim Byrd stated it was not necessary for the Planning Board to bring the bond issue to Mr. Danais' attention; his engineer should have done that. Mr. Danais stated he was aware of it, but felt the request was unreasonable. Chair Girard agreed with Mr. Danais, and was against asking Mr. Danais to put up the bond in the amount of \$339,000. Tony Timbrell from Stantec stated other towns he works with have site restoration bonds, because ownership and the market could change. He further stated the numbers used to calculate the bond are the same used for other towns. Chair Girard agreed there should be a bond to protect the abutters from drainage and run off, but it should not be in the amount of \$339,000. Joe Duarte felt the planning board should have signed the plans and the bond issue should have been addressed in the beginning. Barry Margolin agreed and stated that Mr. Danais should have been told about the bond up front and was not in favor of a restoration bond. Amanda Soares asked what this would do for future development and how will the planning board enforce the bond issue with other projects. She further stated this is the town's first big project and it should

set the precedent for the town. Chair Girard reiterated that if Mr. Danais was told in the beginning, she would not have a problem with the bond. There was some further discussion about the bond. Chair Girard mentioned Mr. Danais has met all of his conditions. Kim Byrd asked about the inspection fee. Chair Girard stated she did not have a problem asking Mr. Danais for the inspection fees. Kim Byrd asked Mr. Danais if there could be middle ground on the amount of the bond. Road Agent Dennis Lewis asked if there was any erosion would the town be financially responsible. Chair Girard replied that it's Mr. Danais property, he would be responsible. Ron Severino mentioned there are other agencies in place to take care of erosion control and site restoration. Chair Girard asked Mr. Danais if \$25,000 was a fair amount for the bond and inspection fees. Mr. Danais replied he thought that \$10,000 was a fair amount. Chair Girard **motioned** to ask Mr. Danais for \$20,000 for the bond and the inspections. Barry Margolin **seconded**. **Chair Girard, Joe Duarte, Barry Margolin, Garrick Asselin were in favor and Kim Byrd and Amanda Soares were opposed.**

7:15 p.m. – Continuation of the Minor Site Plan application by: Owner: Candia South Branch Holdings LLC., P.O. Box 410, Candia, NH 03034; Agent: Ron Severino, P.O. Box 410, Candia, NH 03034; Location: 143 Raymond Road, Map 409 Lot 188; Intent: 10' x 53' addition to the rear of unit 2 to enlarge bathroom.

Chair Girard opened hearing at 7:30 p.m. Ron Severino from Candia South Branch Holdings was present. Amanda Soares served on the ARC and found the application to be complete. Amanda Soares **motioned** to accept the application. Barry Margolin **seconded**. **All were in favor.** Ron Severino presented the Board with new plans. Ron Severino stated he ended up with two sheets, one is the entire parcel of land and the other is the addition itself. He added notes to the plans regarding the easement. Fire Chief Cartier stated he is in support of the addition, because Mr. Severino is making a dangerous situation much safer. He added he would submit an approval letter to the Board. Kim Byrd asked about the ZBA's notice of decision. Chair Girard read from the ZBA unapproved minutes, which stated the addition was approved for 12' x 60'. Kim Byrd stated they can't approve the plans for 10' x 96'; they needed to get clarification from the ZBA. Mr. Severino requested a waiver from Section 8.01 and 8.02 of the Major Site Plan Regulations to not require the application to be a Major Site Plan Review and remain a Minor Site Plan Review. Chair Girard **motioned** to accept the waiver. Joe Duarte **seconded**. **All were in favor.** Kim Byrd **motioned** to approve the Minor Site Plan with pending clarification from the Zoning Board of Adjustment of the actual size of the addition and the letter from the Fire Chief be received and any requirements be implemented or added to the plan as necessary. Joe Duarte **seconded**. **All were in favor.**

Informational – Anthony Thatcher, Map 410, Lot 108, 272 High Street

Earl Sandford from Sandford Surveying and Engineering and Anthony Thatcher were present. Mr. Sandford presented the Board with proposed plans. Mr. Sandford explained the proposed development would have 5 four-unit attached dwellings and 3 six-unit attached dwellings for a total of 38 units. The lot would be subdivided so the existing house would be on 8.8 acres and the 38 units would be built on the remaining 34.7 acres. This would result in a shared driveway. Kim Byrd mentioned they could build 2 units per buildable acre, but that zoning article 2.05 allows only one residential building on a lot and that zoning article 13.04 B2h requires that multi family dwellings be located no more than 800 feet from the arterial street on which the lot has frontage, and that cul-de-sac streets require special approval if longer than 1,000 feet. Chair

Girard added 40% of the land must be open space. Fire Chief Cartier stated he would require all units to have a sprinkler system and monitored fire alarm systems. There was discussion on the grade of the driveway. Chair Girard stated if it's a private road it would need to be built to town standard. In addition, if a wetlands permit is necessary they would have to send a copy to the Conservation Commission and the town engineer. Chair Girard added if Mr. Thatcher submits an application, then the Board should do a site walk. Mr. Sandford and Mr. Thatcher thanked the Board for their time.

Chair Girard, Joe Duarte, Barry Margolin, and Garrick Asselin signed Mr. Danais' Major Site Plan.

Barry Margolin motioned to adjourn at 8:40 p.m. Joe Duarte seconded. All were in favor.

Respectfully submitted,
Andria Hansen, Recording Secretary