

CANDIA PLANNING BOARD
MINUTES of July 16, 2008
APPROVED

Present: Mary Girard, Chair; Kim Byrd, Vice Chair; Joe Duarte, Selectmen's Rep.; Judi Lindsey, Garrick Asselin, Sean James, Amanda Soares, Alternate; Scott Komisarek, Alternate; Chief Rudy Cartier, Fire Department; Dennis Lewis, Road Agent

Absent: Barry Margolin

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

Review of minutes

J. Lindsey made corrections. S. James and K. Byrd both did not review the minutes and requested time to go over the minutes.

K. Byrd **moved** to table the approval of the minutes of June 18, 2008 until August 6, 2008. J. Lindsey **seconded**. **All were in favor.**

Zoning Review Committee

Chair Girard appointed Amanda Soares and Sean James as Co-Chairman. J. Duarte said he would like to be on the committee again. Ron Severino, Carlton Robie and Jim Franklin said they wanted to be on the committee and Chief Rudy Cartier said he would like to be on the committee also. A. Soares said that Carla Penfield was unable to attend all the meetings but wanted to be kept in the loop. Chair Girard asked A. Soares to announce the meeting once it is set up.

Candia Crossing LLC Map 406 Lot 016 Well Monitoring

John Cole and Scott Komisarek were present. Chair Girard asked A. Soares to sit for Barry Margolin. Thomas Dimaggio, an abutter was present. T. Dimaggio expressed concerns that the agreement between Candia Crossing LLC and himself were not noted on the Revised Notice of Decision, December 19, 2007 or past minutes. J. Duarte stated that past minutes that have been approved cannot be amended. J. Lindsey suggested having his concerns noted on these minutes. J. Cole presented the Planning Board with copies of the agreement that included T. Dimaggio and 4 other abutters along with all supporting paper work. J. Cole said that only one abutter did not respond. T. Dimaggio said he did receive the agreement from Candia Crossing and he had made some changes which he would discuss with J. Cole. J. Lindsey, Sean James agreed that T. Dimaggio and Candia Crossing LLC would have to come to an agreement between themselves. Chair Girard noted past minutes of December 19, 2007 page 5 did reflect agreement about the well. J. Cole asked the Planning Board what the Town wanted to see done for the winter on the well and the road. Chair Girard said that would be up to D. Lewis and Stantec.

Wildcat Land Development LLC Bonding Map 410 Lot 137.1

Dennis Stephens was present from Stephens-Marquis Associates; Inc. Chair Girard informed the Planning Board members that there was a preconstruction meeting. She noted that the Planning Board made a mistake by combining the restoration bond for both lots Map 410 Lots 137 and 137.1 and that the bond should have been separate for each lot and would not let that happen again. Bonding for Map 410, Lot 137.1 was discussed at a preconstruction meeting held on Monday June 30, 2008. Stephens-Marquis delivered to the Town of Candia the full amount of the restoration bond of \$11,000 for Map 410, Lot 137.1 the next day so they could start work. The \$11,000 was originally for both two lots

and now the Planning Board has to approve \$11,000 for one lot only. This has to be done in order for the Board of Selectmen to accept the bond. Chair Girard said the bond they have in hand states the \$11,000 is for 137.1 only. K. Byrd asked if the Board of Selectmen were requesting a recommendation. Chair Girard said they did make a recommendation and gave J. Duarte authority from the Board of Selectmen to accept on behalf of the Board of Selectmen to accept the motion from the Planning Board.

K. Byrd **made motion** to recommend accepting the \$11,000 Restoration Bond from Stephens-Marquis Associates, Inc for Map 410 Lot 137.1 owned by Wildcat Land Development LLC to present to the Board of Selectmen.

S. James **seconded. All were in favor.** Amanda abstained.

J. Duarte said he would give approval on behalf of the Board of Selectmen that the Board of Selectmen would accept the \$11,000 bond. J Duarte let the applicant know that they had to come in to the selectmen's office sign paperwork to go with the Restoration Bond.

R. Cartier said that conditions have to be met by Wildcat Land Development LLC that included putting in the highway crossing in. It is an eight inch line under Old Candia Road with a Fire Hydrant on both sides with one pumper feeding the other pumper and a 1000' foot hose.

There was discussion of the shared common road that Wildcat was putting in that is located half on lot 137 and half on lot 137.1. D. Stephens said this was a common easement and included underground drainage system. The issue was whether the road work constituted that work was started on lot 137. Chair Girard said this could become a legal issue. J. Duarte said he would contact the Town Attorney to find out. J. Duarte asked D. Stephens to keep the Building Inspector aware of everything that is happening. D. Stephens thanked the Planning Board for their time.

Other Business

Candia Crossing LLC Map 406 Lot 016 Bond Reduction

J. Cole said that he has a meeting with R. LaBranche from Stantec on Friday morning July 18, 2008 to go over what has been completed on the project. Stantec will then recommend to the Planning Board the amount to reduce the bond which will then be presented to the Board of Selectmen. K. Byrd said that the Planning Board relies on the Town Engineer Stantec for the amount.

Inspection Fees

R. Cartier asked to discuss fees for inspections. Chair Girard stated that she knows where the noticing and abutters fees go but not sure where the Fire Department fee for subdivision goes and assumed it went into a Planning Board account. She felt it should go to the Fire Department not the Planning Board. R. Cartier said he could do the reviews for \$25.00 per hour instead of having Stantec charge \$150 per hour. He said that the Town of Candia would receive a high level of service at a bargain price. Chair Girard wanted to find out what account the money for the application goes into. R. Cartier suggested an agreement between the Planning Board and himself as explained to him by Caroline. This would be similar to when an escrow account is created for an engineer. J. Duarte important issue suggested R. Cartier put together a letter to present to the Board of Selectmen to make it clearer how you can be reimbursed for expenses. First must find out where the money goes. J. Lindsey reasonable to pay for his time and what do other towns do with this fee. This is the only department head that does not get a stipend; even the animal control officer receives a stipend. R. Cartier said this was discussed in the last budget cycle and this was not a Town or Board of Selectmen issue and he was told that

this is something that should go to Planning Board. Chair Girard suggested the Planning Board give their thoughts on this, so R. Cartier would be able to let the Board of Selectmen know how the Planning board feels. S. James clarified that the money comes from the developer not the Town. Chair Girard asked that J. Duarte find out where the money goes.

Candia Woods Parking on South Road

D. Lewis discussed parking on South Road at the Golf course. The no parking signs became an issue when they were not enforced when construction was done on South Road and everyone parked on the road. The signs were removed last summer by Candia Woods. The Police Chief asked Candia Woods to put the no parking signs back up a month ago. J. Duarte said that there is enough room available for parking with no hazard or safety issue and suggested to them to work with the Planning Board on a solution. Fred Kelly felt that the parking was more hazardous at the horse farm and that one person parked right in the middle of the road to unload their horse. F. Kelly said this was brought up at the Board of Selectmen's meeting. J. Cole noted that there is parking on both sides of the road at the horse farm and he felt this is more of a safety issue with unloading and loading horses from trailers that at the golf course. D. Lewis said he made contact with Candia Woods and suggested they come to the Planning Board last month and there was no response. Chair Girard said this would require a minor site plan. D. Lewis said the ordinances do not allow parking on the roads in Candia so signs are not needed to enforce. J. Duarte suggested making contact with the Golf course again.

Harbor Street Map Lot Notice of Decision June 18, 2008

Chair Girard said that the Planning Board received a letter from Stantec late in the day. Stantec said Harbor Street was okay with all of the conditions except #10. They wanted it to be re-worded to give more flexibility to the owner on location of house. Chair Girard asked to have the letter sent to everyone on the Planning Board to review with the minutes. Chair Girard said this would be discussed at the August 6, 2008 Planning Board meeting. R. Cartier asked to have a copy of the NOD sent to him.

Joe Duarte **moved** to adjourn at 8:15pm. A. Soares **seconded**. **All were in favor.**

Respectfully submitted,
Sharon Carrier