

CANDIA PLANNING BOARD
MINUTES of August 20, 2008
APPROVED

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

Absent: Barry Margolin, Garrick Asselin

Chair Girard called the meeting to order at 7:00 p.m. She asked A. Soares and S. Komisarek to sit for B. Margolin and G. Asselin.

Review of minute 8/06/08

M. Girard **motioned** to accept minutes of August 6, 2008 as amended. A. Soares **seconded**. All were in favor. J. Lindsey abstained.

The following amendments were made:

- Pages 1, 2, 3, 4 change **motion** to "**motioned**". Page 1, 2nd paragraph from the bottom change Tayna to "Tanya". 2nd paragraph from the bottom 4th line add "were" after there.
- Page 2, line 2 insert "on lot 21-1" after home. 2nd paragraph from the bottom, 2nd line change "the to" to "to the".
- Page 3, 4th paragraph from the bottom, 5th line add "and subdivide" after build.

7:30 p.m. Continuance Lot Line Adjustment Application by: Jim E. Franklin LLS, 173 Deerfield Road; Owner: Robert & Lisa Martel; Location: High Street, Map 405 Lots 54, 55, 56; Intent to adjust the lines between the lots.

Jim Franklin and Robert Martel were present. Chair Girard said the current use letter was received. R. Martel said he is still waiting for the driveway approval to come back from the State. J. Franklin passed out new plans. On sheet 2, were the additions the Building Inspector asked to see. The first item was the locations of existing wells and septic systems. J. Franklin said the well is located in the southeast corner and septic area directly behind the house. The second item was the building setbacks for new and reconfigured lots which have been added on sheet 2. The set back line from the rear lot line runs until it intersects with the 50' setback from NH jurisdictional wetlands poorly drained soils. There are two setbacks in the front because the 50' setback from High Street is superseded by the wetland setback. The third item the Building Inspector requested was a note on the drawings to indicate if a new structure was to be built on the rear portion of new lot 54 that a scientist or certified wetland scientist provide soils mapping for the area around the new structures. J. Franklin said this was added as a note under the Planning Board signature block and that he also added a note saying the land is in current use. J. Franklin said Blue Moon Environmental Consultants, Nancy Rendell the wetland scientist and soil scientist promised by the time the applicant received the driveway permit that they would make themselves available to stamp the plans and Mylar.

J. Duarte **motioned** to approve the lot line adjustment with two conditions to be met in ninety days. The applicant is to obtain a driveway permit from the State of NH and have the plans and Mylar stamped by the Wetland Scientist. A. Soares **seconded**. K. Byrd was apposed. M. Girard, J. Duarte, S. James, J. Lindsey, A. Soares and S. Komisarek were in favor.

R. Martel asked why K. Byrd apposed the motion and K. Byrd replied that the ordinances say you can only adjust 3 acres and this lot line adjustment is 72 acres.

Informational Pierre Peloquin, Brown Road, Map 413 Lot 018 48.59 acres, subdivision of land into 3 or 4 lots. Pierre Peloquin and Jim Franklin were present. Chair Girard said the property has been before the Planning Board several times in the past. J. Franklin asked the Planning Board members to keep an open mind. The applicant is suggesting taking 49 acres and

subdividing into 3 lots with approximately 290' frontage each. The 2100' common driveway was a concern. J. Franklin said there is a wetland crossing permit that has been approved by the State that is good until 2012 and is transferable to the new owner. J. Franklin said the wetland impact of a driveway will be less than the road access. He said that there is an area between lot 18 and lot 18-2 for a turn around. Chair Girard questioned if this would be enough to satisfy Chief Rudy Cartier. K. Byrd had a problem with the shared driveway for 3 homes. The subdivision regulations state that a driveway cannot serve more than 2 adjacent properties. K. Byrd suggested an easement to reach land out back. Thomas and Marie Barnes may grant an easement from their land but they have not been approached. Boundaries, topographic, soil mapping and wetlands were done for an initial submission of the 12 lot proposal. The crosshatching in back marked unclear property ownership between Sandborn, Decelle, and Mercier, who were the owners at the time. J. Franklin explained that all heirs have to sign off and if one doesn't and conveys away their rights there is a defect in the title which could be a potential problem. He is not sure who is being taxed or how it is revised. At one time when the property was owned by Mercier it was not taxed.

There are FEMA flood plains in this area but flooding does not occur on any of the proposed sites. J. Duarte asked about slope E greater than 25% on the plan and could not find on the plan. J. Franklin said there may not be any slope E. J. Lindsey pointed out that there would be a lot of mosquitoes in this area. J. Franklin said there is significant elevation change which creates lots that are buildable and that test pits would also have to be done. J. Franklin said the calculations for upland buildable land did not include any of the poorly drained soils. Chair Girard's concern was the long driveway and being the only access to the property. S. James said he was new to the property and commented that he did not like the 2100' foot driveway and the large amount of wetlands. J. Duarte said the property looked very challenging. J. Lindsey said the property had a lot of wetlands. K. Byrd asked about 446A on the plan J. Franklin said 446 is Scituate-Newfields complex that are moderately well drained and A is the slope. J. Franklin thanked the Planning Board for their time

Other Business

Candia Crossing Additional Bond Reduction

S. Komisarek stepped down. J. Cole and S. Komisarek were present. Stantec emailed a letter 8/20/08 recommending the amount to reduce the bond. Chair Girard said they had received a letter from Stantec today and J. Cole apologized to Mary that the letter was so late. Chair Girard said the recommended release of surety is \$52,348.00 which would leave in place the recommended surety of \$51,421.00. D. Lewis agreed with the amount and said there should be no further reductions. The amount left in place is for site stabilization for the winter. J. Cole said when the site was reviewed by D. Lewis and Stantec, they wanted additional work done. He said they accomplished and met the conditions set by D. Lewis and Stantec even with the bad weather. J. Cole said the entire area approximately 500' had been sloped.

D. Lewis said he did not know about the request for the bond reduction until he saw the agenda. S. James asked how this got on the agenda and Chair Girard said that J. Cole had requested to be put on the agenda with the expectation that he would receive a letter from Stantec with their recommendations before the meeting. Chair Girard said if the Planning Board had not received the letter then they may not have discussed the additional bond reduction. She said that the Planning Board may have to set some procedural rules in regards to receiving information last minute.

J. Duarte **motioned** to recommend to the Board of Selectmen to accept the bond reduction of \$52,348.00 to leave in place \$51,421.00 the recommended surety from the letter from Stantec dated 8/20/08. The amount left in place would be adequate to address site restoration and maintenance of erosion control measures A. Soares **seconded**. All were in favor.

J. Cole updated the Planning Board on the progress at Candia Crossing. They are going forward with the installation of 3 water pumps and testing in a few weeks.

Planning Board Meeting 9/3/2008

Chair Girard asked the Planning Board members since there were no applications or informationals requested for the 9/3/2008 meeting, if the Planning Board members wanted to cancel the meeting.

J. Lindsey **motioned** to cancel the 9/3/2008 Planning Board meeting due to lack of applications. J. Duarte **seconded**. All were in favor.

Impact Fees

Chair Girard said she would ask Jack Munn to come to the 9/17/08 Planning Board meeting to discuss the impact fees and will confirm if he can make it. She asked if Fred Kelley Chairman of the Board of Selectmen if the selectmen could attend the 9/17/08 Planning Board meeting. The Planning Board meeting would then be noticed as a joint meeting. F. Kelley saw no reason that selectmen could not come.

Candia Woods Parking on South Road

Chair Girard asked if everyone had reviewed the drawing for parking that was handed out at the last meeting. J. Duarte was not sure of the dimensions. D. Lewis confirmed that the measurements were wrong. D. Lewis said he actually went to the site and measured. Chair Girard confirmed with D. Lewis that the parking proposed is in the right of way. She said that right of ways are not in the jurisdiction of the Planning Board. She proposed to write a letter to Candia Woods stating that the Planning Board does not have the jurisdiction in right of ways.

CTAP Grant

Chair Girard let the Planning Board members know that there is one \$10,000 CTAP grant available to each Town. J. Duarte suggested the Town should find a use for the grant. It was discussed that you cannot purchase anything tangible with the grant but could be for a study or any other goal listed in the guidelines. Chair Girard suggested the grant could be used to update the master plan. She asked if anyone came up with any suggestions please let her know.

PDF Filing

Chair Girard said she wanted to see this in the subdivision regulations not just the application. She said this could be part of the subcommittee topics and be part of the Zoning public informational. She said a town hearing is not needed just a public hearing.

Other

S. James asked about the southern NH regional annual planning meeting. Chair Girard said they have a nice dinner and a speaker. She said she is trying to find out about the Law Lectures series which she feels are beneficial.

K. Byrd asked if there was any response back from Danais on the extension and Chair Girard said Danais had signed and agreed to the terms and sent the agreement back.

J. Duarte **moved** to adjourn at 8:20pm. S. James **seconded**. **All were in favor.**

Respectfully submitted,
Sharon Carrier