

**CANDIA PLANNING BOARD**  
**MINUTES of July 15, 2009**  
**APPROVED**

**Present:** Mary Girard, Chair; Sean James Vice-Chair; Kim Byrd; Garrick Asselin ; Joe Duarte, Selectmen's representative; Ginny Clifford; Amanda Soares, Alternate; Scott Komisarek, Alternate; Dennis Lewis, Road Agent; Dick Snow, Selectman; Fred Kelley, Selectman

**Absent:** Judi Lindsey

Chair Girard called the meeting to order at 7:00 p.m. S. Komisarek was asked to sit for J. Lindsey.

**Minutes June 17, 2009**

J. Duarte **motioned** to accept the minutes of June 17, 2009 as presented. M. Girard **seconded**. M. Girard, J. Duarte, K. Byrd and G. Clifford **were in favor**. S. Komisarek, G. Asselin, S. James abstained.

**Hearings**

Chair Girard explained to the abutters how hearings work. All the abutters who wish to speak will be given a chance but they must wait and address questions to the Chair and not to the applicant or anyone else. The chair will then decide who can answer the question.

Chair Girard said she did not to ask for money up front for the engineering fees because she felt the money requested up front was too much. Rene Labranche from Stantec agreed to only charge for the Initial review right now. Review letters were received from Stantec today.

**7:15 Preliminary Major Subdivision Application by: James M Lavelle Associates, 10 Bricketts Mill Road, Hampstead, NH 03841; Property Owner: Michael R Thompson 564 Old Candia Road, Candia, NH 03034; Property Location: Brown Road Map 413 Lot 046; Intent: To subdivide into five house lots.** James M Lavelle of Lavelle Associates, Michael Thompson and Richard Thompson were present. The following abutters were present: Linda Lavelle and Brian Cooper, 7 Hook Road, Ron & Susan Cassidy, 107 Hook Road; Robert & Linda Cepeck, 29 Hook Road and Jack Turner, 568 Old Candia Road.

James Lavelle presented and passed out copies of the plans to the Board that had minor changes made after his review of a letter from the Building Inspector. He said they propose to create 5 new lots. Lot #1 is 3.08 acres with 2.75 upland acres and 2.65 contiguous buildable acres. This lot has 204' frontage with the original home. Lot #2 is the corner lot that has 3.25 acres with 3.25 contiguous buildable acres. There is frontage on both roads. Lot #3 is 6.41 acres, with 3.12 acres of upland acres and 1.6 contiguous buildable acres. Lot #4 is 20 acres with 12.96 upland acres and 9 contiguous buildable acres. This site will require a dredge and fill permit. The driveway shown follows a woods road. Lot #5 is 9 acres with 3 upland acres and 2.4 contiguous buildable acres. A dredge and fill permit will also be needed for this lot. J. Lavelle said that he had the State approval for subdivision on Lots #1 & #2. He said lots 3, 4 and 5 are over 5 acres and do not need subdivision approval from the State.

Chair asked why Lot #4 was odd shaped with two frontages. J. Lavelle said that the owner may want to further subdivide into another lot.

Chair Girard said the applicant did not attend the application completeness review. S. James said the review committee went over the application and found many items missing that included soils identification and notation of wetland areas. The applicant was given a copy of the review letter from the Town Engineer and a letter from the Building Inspector.

Chair Girard said the Board must vote to formally accept the application. S. James said he felt too much was missing and was not sure if the Board should accept the application tonight.

S. James suggested continuing the Preliminary to allow the applicant time to be able to address comments from Stantec and Building Inspector. James Lavelle said he would like to

request a continuance as well. S. James did not feel that another application review meeting is necessary as long as the applicant followed the checklist.

K. Byrd **motioned** to continue the Preliminary Hearing until August 5, 2009 to allow the applicant to complete and address concerns from the Town Engineer and the Building Inspector. S. James **seconded. All were in favor.**

Chair Girard told the abutters present that this will be there only notice they will receive that the hearing will be continued to August 5, 2009 7:15 pm. She said the applicants are more than welcome to look at the plans tonight. S. James requested a PDF of the changes prior to the meeting.

**7:45 Major Site Plan Application by: Tower Resource Management 202 Broadway, Providence, RI 02903; Property Owner: Carleton Robie 459 High Street, Candia, NH 03034; Property Location: 459 High Street Map 405 Lot 70-2; Intent: To construct a wireless communication facility; a 180' Wireless communication monopole with a 75' x 75' fenced in enclosure and a gravel access road.**

Michael Johnson from Tower Resource Management Co. and Carleton Robie were present. Abutter Vanessa Lee of 451 High Street was present.

S. James said that the applicant attended the completeness review and recommends the Board accept the application. S. James **motioned** to accept the Major Site Plan Application by Tower Resource Management to construct a wireless communication facility; 180' wireless communication monopole with a 75' x 75' fenced in enclosure with a gravel access road. G. Clifford **seconded. All were in favor.**

M. Johnson presented the Board with updated plans that had the changes from the application review. The applicant was given a letter from the Town Engineer just prior to the hearing tonight. M. Johnson said he briefly read the letter and it appears that the items in the letter were the same items that were commented on at application review and have been addressed.

M. Johnson summarized that they are trying to provide coverage where gaps exist on High street and North Road areas. Carleton Robie's land provides plenty of coverage for this area and would meet these gaps. The tower will be able to accommodate all the major carriers and also police and fire at no charge. Access to the compound would be through the existing driveway until it ends then a gravel road would be put in place along the tree line to the 75' x 75' compound. An existing culvert, would be used which would need upgrades. He said going along the tree line would be least disruptive. For utilities, they would need to install one to two poles to bring power from across the street and then go underground the rest of the way to the compound. M. Johnson said negotiations to accommodate carriers are underway including a carrier that is trying to locate a tower close to this proximity.

M. Johnson said an equipment truck turn around is proposed and a turn around at the compound is proposed for a fire truck. It was noted that the Fire Chief has not given the applicant a review letter.

Chair Girard asked if they had leased any space on the tower yet. M. Johnson said they are not going to build the tower without a carrier. He said once they get the approval from the Planning Board to build and are ready to build; carriers will then come forward with their Minor Site Plans to locate on the tower.

J. Duarte asked about the wetlands delineations concerns that were brought up by the Building Inspector. M. Johnson said they had designed the compound in a spot that would least impact the wetlands. The applicant said they did encroach within the 50' setback as shown on Z-3 drawing. M. Johnson said at first they wanted to stay more to the right but considering the wetlands and existing culvert they felt it was best to design with minimal impact to the area.

J. Duarte asked about the square in middle of the compound on page Z-3, if that was the pole. M. Johnson affirmed it was and that the diameter of pole is slightly larger than 5 feet. K. Byrd

asked to clarify the drawing around the pole. M. Johnson said the square directly around the pole itself is to highlight the pole and the larger square around the pole is the 75' x 75' enclosure. The fence will be either stockade or chain link which ever is best for the environment.

The other drawings within the fenced in area show potential placement of tenant's equipment. The carriers use concrete pads with weatherproof enclosures that are typically 10' x 20' or 15' x 15'. K. Byrd asked if there would be generators on each pad. M. Johnson said the only carrier that he knows that uses a generator is Verizon but if generators are not preferred then it would be battery backup. Generators would only be brought in if there was a natural disaster. K. Byrd said the monopole at Exit 3 has a generator powered by propane and was concerned with safety issues. M. Johnson said there are no plans at this time for generators only battery back up. If a carrier wants a generator they would come before the Planning Board with a minor site plan and propose a generator. Chair Girard asked if the tower was going to have lights. The applicant said the tower is less than 190' so the FAA does not require it to be lighted.

S. James said at the review they were not sure what the Town would require on the road construction including steep slopes. M. Johnson said they inserted a radius table. The radius table shows the drawings on circles 1, 2 3, 4 in degrees and shows where the turns around is for the equipment trucks and the fire truck turnaround at the compound.

Chair Girard asked if the access is a legal driveway and the applicant said it was and is the one he currently uses. The technicians will access it monthly. Chair Girard said the applicant requires a letter from The Fire Chief.

K. Byrd asked if the fire trucks can negotiate a 25% grade. J. Duarte said the 25% slope meets the guidelines and does not see any problem. M. Johnson said generally when they build these facilities that a fire truck turnaround is not required because it is self sufficient site. He has had no cases of any fire in the last 15 year.

Chair Girard said that the Fire Chief requires a Knox Box on all tower enclosures in Candia. In the past the Board has collected a fee of \$7,500 from all the other towers in town. The money is put in a trust in case the tower has to be taken down. K. Byrd said the Board should look at the fee to see if it is still sufficient. M. Johnson said within his lease with Carleton Robie there is a provision to remove the tower and return the land to its original state if the tower is no longer used. K. Byrd stated there is no assurance that their company will not go out of business in 10 years. M. Johnson said they had no problem posting a surety bond.

Chair Girard asked the abutter if she had any questions. V. Lees had concerns about the access road along the stone wall near her property. She was shown the plans. M. Johnson said the gravel road follows the tree line and then out into the middle of property crossing the existing culvert that is out of sight of her property. V. Lees was concerned with the height of the tower. The tower will be 270' from her property line.

K. Byrd asked about power to the site and asked why it was not all underground. M. Johnson said 1- 2 poles are needed to get across the street. Carleton Robie said it was originally designed with poles the entire length of the access road which he had changed to underground. The meter board is inside the compound with one meter for each tenant.

K. Byrd said the applicant will require a waiver for the poles as the regulations say all utilities have to be underground. Chair Girard said the applicant can ask for a waiver under Major Site Plans 7.08 Utilities tonight if they want to. She said the applicant needs to write up a request and said they could do it now. M. Johnson wrote a formal request and handed it to the Chair.

Chair Girard said the applicant is requesting a waiver from Major Site Plan Section 7.08 Utilities to install 1-2 poles so that power can be brought from High Street onto his property. J. Duarte **motioned** to approve request for waiver. G. Asselin **seconded**.

K. Byrd asked about inserting single phase in the motion. The applicant was not sure about the wiring. K. Byrd said the wiring would be different if 3 phase. Chair Girard did not have any

issues. K. Deslongchamps said there would not be much of size difference. Chair Girard asked if there any other questions or discussion? **All were in favor.**

Chair Girard asked if there were any other conditions that may be needed beside the letter from the Fire Department. J. Duarte said he needs to address both the Building Inspector's comments and the letter from Stantec. S. James said comment #8 on Stantec's letter to recommend drawings to be engineering scale is not necessary. He said architectural scale is fine and the view is larger compared to engineering drawings which are small and hard to read.

M. Girard asked the Board if they wanted to vote on a conditional approval or continue the hearing. The Board was in agreement that they wanted to see the applicant clear up a few items and get a letter from the Fire Department. The Board felt once this is done and everything is in place the hearing will go through quickly.

M. Girard **motioned** to continue the Major Site Plan until August 5, 2008 7:45 pm. J. Duarte **seconded. All were in favor.**

### **Other Business**

#### **2<sup>nd</sup> CTAP Grant**

Chair Girard said she had gone to the Board of Selectmen meeting to request an approval to allow the Planning Board to apply for the grant. She felt waiting could mean possibly losing the grant money. She said the projects listed on the Grant application can be fine tuned.

The projects currently on the scope of work are a Source Water Protection Plan; Village Mixed Use Plan, Road Connectivity Plan and Earth Excavation Plan. The Board was in agreement that this was too much to take on. Chair Girard said that the Town has a 1989 earth excavation plan and may not be as important. She said that road connectivity is in ordinances and subdivision regulations and not that important right now. Chair Girard noted that S. Komisarek was working on the Mixed Use Plan. S. Komisarek said he has done a lot of work already and now realizes it is a larger project then he originally thought.

S. James said that the excavation ties in with the source water protection plan. He said the sub committee can start working on these projects as well.

G. Clifford asked why workforce housing was not being discussed. A. Soares said the subcommittee decided that Candia does reach the criteria of the workforce housing and if challenged the Town can show this. SNHPC did a study on assessment and it put 70-80% of housing affordable by median income households in Candia.

#### **Board of Selectmen Round Table July 27, 2009**

Chair Girard asked the Board if they had any suggestions for discussion for the Board of Selectmen Round Table July 27, 2009. She said if the Board did not have any suggestions, she would like to give a presentation to update the Board of Selectmen and other Boards present on projects that the Planning Board has been working on.

#### **Exit 3 Wildcat LLC Map 410 Lot 137-1**

There was a discussion concerning Wildcat re-commencing work. Wildcat LLC stated in their letter dated June 12, 2009 that they were going to start back up in a couple of weeks.

J. Duarte said there were negotiations for a grocery store on the property across the street. If this goes through, both sites will benefit because excavation of dirt will be taken from Wildcat and brought across the street to the grocery store site. Chair Girard said the Board will send another letter to Wildcat LLC asking why they have not re-commenced.

#### **Harbor Street LLC Crowley Road Deed**

D. Lewis said he checked into the deed. The deed goes back to the stone wall showing the width of the right way which is the distance is between the stone wall and the actual width of the right of way. Harbor Street Limited Partnership did this so there would be no discrepancy.

#### **Liquid Planet 446 Raymond Road**

K. Byrd asked if the Planning could vote at an informational specifically the informational for Liquid Planet at the last meeting. He asked if Liquid Planet should have had a Minor Site Plan change. Chair Girard said that the Board had already modified the original NOD regarding times of operation with a vote and Liquid Planet was asking for a modification for an additional hour on Saturday nights through the summer.

G. Clifford asked if the Board had received the updated Impact Fees. The secretary will obtain the newest copy from SNHPC.

The next Planning Board meeting is August 5, 2009 at 7:00 pm.

M. Girard **motioned** to adjourn at 8:30 pm. J. Duarte **seconded**. **All were in favor**.

Respectfully submitted,  
Sharon Carrier  
Land Use Secretary