

**CANDIA PLANNING BOARD**  
**MINUTES of August 5, 2009**  
**APPROVED**

**Present:** Mary Girard, Chair; Sean James Vice-Chair; Kim Byrd; Joe Duarte, Selectmen's representative; Ginny Clifford; Amanda Soares, Alternate; Scott Komisarek, Alternate; Fred Kelley, Selectman; Rene Labranche, Stantec

**Absent:** Judi Lindsey, Garrick Asselin

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

**Minutes June 17, 2009**

K. Byrd **motioned** to accept the minutes of June 17, 2009 as amended. S. James **seconded. All were in favor.** The following amendments were made:

- Page 1, 4<sup>th</sup> paragraph add "S. James" after "G. Asselin"
- Page 2, 3<sup>rd</sup> paragraph change "then" to "than".
- Page 3, 2<sup>nd</sup> paragraph add "up" after "back", 3<sup>rd</sup> paragraph change "Stantec" to "the Town", 5<sup>th</sup> paragraph change "do not" to "does", 6<sup>th</sup> paragraph change "towers" to "tower enclosures", Last paragraph from bottom change "Subdivision" to "Site Plan".
- Page 4, 1<sup>st</sup> paragraph change "S. James" to "K. Deslongchamps".
- Page 5, 2<sup>nd</sup> paragraph remove "if". 1<sup>st</sup> paragraph remove "1/2".

**Continuance 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.** Michael Thompson was present. Abutters Linda Lavelle and Brian Cooper, 7 Hook Road were present.

Chair Girard said in the Building Inspector's memo dated August 4, 2009; he noticed that an abutter had not been notified. She asked the applicant if they had contacted the missed abutter. M. Thompson said he has been in contact with the Bank that owns the property.

Chair Girard summarized the application saying it was continued because the application was not complete. M. Thompson said they had submitted revised plans and addressed comments from the previous meeting and review by the Town Engineer.

M. Girard **motioned** to accept the application as complete for discussion. J. Duarte **seconded. All were in favor.** S James said the review committee did not meet again. Chair Girard asked if the applicant had received a copy of the second review from the Town Engineer. M. Thompson said he had received a letter from the Fire Chief dated July 28, 2009 and he questioned item #1 requiring a cistern, because he is subdividing into 5 lots only. He said he received a second letter from the Fire Department dated August 4, 2009 that said a cistern is recommended but not required. M. Thompson said he wanted to add a 6<sup>th</sup> lot using a shared driveway out to the back.

R. Labranche from Stantec reviewed his letter dated August 5, 2009. He recommended adding the type of soil, i.e. poorly drained or very poorly drained to the legend symbol for Edge of wetland. He said they would need a subsurface DES pre-approval. R. Labranche was concerned with the preliminary measurements of lot #2. They were undersized with contiguous upland measurements. R. Labranche said there are large wetland crossings and he would like to review them. The applicant said the wetland applications have been submitted to the State. R. Labranche said he would like to see where a cistern could be placed on the plans. He suggested meeting and or talking to Mr. Lavelle regarding the plans. Copies of the second review from Fire Chief Rudy Cartier were given to the applicant and R. Labranche.

M. Thompson offered a site walk which the Board was interested in. S. James said a site walk was good but felt there were still too many clarifications needed on the current plans to effectively do a site walk now. A. Soares was in agreement. For example, the north sign is different on the plan sheets and there are no match lines which makes reading the plans confusing. The legend does not include everything and is hard to evaluate.

M. Thompson said he called the Road Agent regarding site distance for the driveways. The Board said that is not required on the plans right now.

R. Labranche said he received the plans late and it was difficult to review in a day. He suggested receiving the plans 7 days prior to the hearing date to do the review.

The Board was in consensus that August 19<sup>th</sup> would not give enough time for the applicant to prepare.

K. Byrd **motioned** to defer the site walk at this time and continue the Preliminary Hearing until September 2, 2009 to allow the applicant sufficient time to notify the missed abutter and to update plans to address concerns from the Town Engineer, Fire Chief and Building Inspector. S. James **seconded. All were in favor.**

Chair Girard told the abutters present that this will be the only notice they will receive that the hearing will be continued to September 2, 2009 7:15 pm. They are welcome to attend.

**Continuance 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.**

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

J. George presented the Board with updated plans that incorporated changes from the application review. The applicant asked if he could address the letter from the Town Engineer dated August 5<sup>th</sup> after his presentation. He continued to address the previous letter and updates on the plans. He addressed each comment and recommendation from the Building Inspector and Stantec showing where they were on the plans. They included: wetland delineations upgrade, movement of the facility outside the 50' buffer, wetlands erosion control and detail plans were added and list of abutters were added to plan.

J. George submitted and placed into record the Storm Drainage Analysis required under Major Site Plan Regulations Section 7.06.

J. George said the plans were required to be engineering scale. He submitted a request for a waiver under Site Plan Regulations Article 4.01 to allow the scale to be 60 scale, 20 scale and 30 scale where applicable on the plans. The applicant is requesting a waiver because the property is 3000' in length and these sizes would be the best fit for this project.

J. Duarte **motioned** to grant the waiver under Site Plan Regulations Article 4.01 to allow 60 scale, 20 scale and 30 scale to fit the plans. A. Soares **seconded. All were in favor.** Stantec said these scales were agreeable.

J. George continued with letters that were just received; Fire Department letter dated July 26, 2009 and Stantec review letter dated August 5, 2009. He questioned #1 on the Fire Department letter requiring adhering to Subdivision Regulation 19.14c which requires a 10' drivable surface capable of supporting fire apparatus. It was discussed that the Road Agent does not have jurisdiction on a State Road.

The applicant asked not to be placed into anything that is to do with Subdivision or any decision to adhere involving any subdivision road way regulations. He said they understand and respect the need for Fire truck accessibility and felt they have gone beyond the required driveway provisions and created a 10' road with adequate turnarounds.

They had no issues with the Knox box installation. The applicant questioned the third item requesting up to \$500 in Rescue Heights Equipment. It was confirmed that no previous fund had been set up for other cell towers for Fire Department Equipment. Chair Girard suggested they could donate any amount they want but that would be their decision. J. Duarte said Chief Rudy Cartier was fine with whatever the Board decides. The applicant said they are agreeable to the trust fund for the removal of tower.

Chair Girard said there is a misunderstanding on the access road. The applicant is not required to build a road. They are required to build an access road to be built to driveway standards.

M. Girard **motioned** that the access road does not have to be built to Subdivision Regulations Section 19.14c regulations but built to driveway regulations. The applicant is not required to pay \$500 to the Fire Department unless they choose to donate. A. Soares **seconded. All were in favor.**

J. George discussed Stantec's letter dated August 5, 2009. Stantec had reviewed the updated plans and made further recommendations. He said he was not prepared to address each item in the letter or stipulate to what they will and will not do but will endeavor to work with Stantec. He felt some points were irrelevant.

Chair Girard confirmed with R. Labranche that most of the comments are about wetlands and erosion. R. Labranche said most of the comments are related to wetlands, culvert crossings and storm water. He said storm water appears to be addressed. He was concerned with the culvert configuration. There is a perennial stream crossing which currently has 3 small culverts. The DES may require larger ones but they will dictate what they want. J. George said they need to submit their wetland crossings applications for approval. R. Labranche recommended the applicant's engineer sit with DES and go over their application. He said this would be more successful.

G. Clifford said Carleton Robie's address is wrong on the plans. J. Duarte asked R. Labranche if there were any other concerns they had. He suggested they follow Storm Water Best Management practices.

M. Girard **motioned** to grant a conditional approval with the following conditions: correct Carleton Robie's address on the plans, require State DES approval for wetland crossings to access driveway to cell tower, follow State Storm Water Best Management Practices recommended by Stantec, driveway to be built to town specifications, tower removal bond to be provided in the amount recommended by Stantec, approval to expire in one year unless construction is started, construction to be completed in 2 years and that all conditions are to be met before plans are signed, except Knox Box to be installed after construction is complete. A. Soares **seconded. All were in favor**

Waivers granted for this project are: Waive article 7.08 Major Site Plan Utilities to install 1-2 poles so that power can be brought from High Street onto the property and Waive article 4.03 Major Site Plan Scale regulations to be 60 scale, 30 scale and 20 scale to fit on the plans.

The applicant said their next step is to sit down with their engineers and to talk to carriers. The Board advised them as carriers come aboard they will each need a minor site plan. The regulations say only one minor site plan every two year. This could possibly be waived or they could come forward with more than one carrier in the application.

### **Other Business**

#### **Assigning Public Hearing times**

The Board discussed not setting times. Chair Girard said if the Preliminary had not been able to come forward then the Board would have had to sit and wait until 7:45 before the next hearing could be heard. A. Soares said the Zoning Board stopped putting times on the cases.

K. Byrd said he would like to consider leaving out times but then applicants would have attorneys and engineers waiting. It was discussed it was hard to set a time. It will end up either

inconveniencing the Board or the applicant. Pubic Notice goes out 10 days prior and times are on the notice. A. Soares said if the ZBA has cases taking too long they will hear each case and then deliberate later. 15 minute intervals were suggested. S. James suggesting leaving out times if there were just 2 applicants.

J. Duarte **motioned** to cancel the August 19, 2009 Planning Board Meeting. K. Byrd **seconded. All were in favor.**

The next Planning Board meeting is September 2, 2009 at 7:00 pm.

S. James **motioned** to adjourn at 8:55 pm. J. Duarte **seconded. All were in favor.**

Respectfully submitted,  
Sharon Carrier  
Land Use Secretary