

**CANDIA PLANNING BOARD
MINUTES of February 17, 2010
APPROVED**

Present: Mary Girard, Chair; Sean James, Vice-Chair; Judi Lindsey; Ginny Clifford; Joe Duarte, Board of Selectman; Amanda Soares, Alt

Absent: Kim Byrd; Garrick Asselin; Scott Komisarek, Alt

Chair Girard called the meeting to order at 7pm, immediately followed by the Pledge of Allegiance. Amanda Soares was asked to sit for Garrick Asselin.

Minutes February 3, 2010

J. Lindsey **motioned** to accept the minutes of February 3, 2010 as amended. A. Soares **seconded. All were in favor.** The following amendments were made:

- Page 1, under “Absent” strike “immediately followed by the Pledge of Allegiance”, 3rd paragraph under workshop, 1st line change “shoulder use” to “use shoulder”, 2nd line change reference of Podunk Road to an example.
- Page 2, 1st paragraph, 1st line, change “G. Clifford” to “S. James”.
- Page 3, 2nd paragraph, 4th line replace “attends” to “will be attending as a ZBA representative.”

7:15 pm – Final Major Subdivision Application by James E. Franklin, 173 Deerfield Road Candia NH 03034, Property Owner: Hermann N Sander Trust, P.O. Box 90, Candia, NH 03034, Property Location: 39 Healey Road Map 406 Lot 046; Intent: To subdivide into two lots. Jim Franklin was present for the applicant. The following abutters were present: Peggy Mun, 109 Healey Road, Candia NH 03034 and Jeff Marion, 85 Healey Road, Candia, NH 03034. Final plans were passed out to the Board.

Chair Girard said J. Franklin had been sent a letter after the Preliminary hearing of items that were missing. She said the Board did not receive the Current Use letter or the letter from the Road Agent. J. Franklin said he had asked for a Current Use letter before he submitted the final application. He said the Board should have received the letter for Current Use and will look into it. J. Franklin said he thought he was all set when he submitted the final application regarding the driveway. D. Lewis said he did not hear from the applicant and said it was the applicant’s responsibility to contact him about the driveway permit and to let him know when the driveway is staked out so he can look at it. J. Franklin said he had staked the driveway out about 3 weeks ago. The stake is north of pole 777 in the snow bank the neighbor plows. D. Lewis said he would go look at the site tomorrow. J. Franklin said in the past it was up to the Planning Board if the driveway location would be located on the plans. D. Lewis said it is important to note a driveway on the plans if there is a narrow window of placement. He said driveways require a 50’ site distance and in this case there is 677’ of frontage, so site distance should not be an issue.

Chair Girard said J. Franklin was asked to show the septic and well on the lot with the house. He was also asked to show the setbacks on both lots. J. Franklin said he had added all that was requested to the final plans. J. Franklin said there was one big distinction from the preliminary plans to the final plans and Bill Hallock, Building Inspector had found it. The wetland setbacks to the poorly drained soils, including standing ponds should be 100’ not 75’ which is what he had on the preliminary plan. This has been changed to the 100’ setback on the final plans. J. Franklin said the applicant would have to verify the location of wetlands if any new construction is done on lot 46-1 as wetlands can change.

J. Franklin said beneath the signature block he added a note saying the “State Subdivision approval is not required so therefore not applied for or granted”. In the upper right corner of page one of the plans J. Franklin noted wetlands and poorly drained soils may exist on lot 46 and that the requirement for mapping of wetlands and soils on lot 46 was waived by the Planning Board. He said under new State laws any waivers granted are to be noted on plan.

J. Franklin said the title of the plan changed since there is no conservation easement now. Bear Paw is no longer involved. He said he was asked at the preliminary to inquire if the owner would be agreeable to put a note on the plan stating no further subdivision of lot 46. J. Franklin said the owners said were not agreeable to the note. He said granite location bounds would be set on the new rear lot corners 46-1.

Abutter Jeff Marion asked why a driveway would be required on an empty lot. Chair Girard explained that to create a new lot it has to have an access.

S. James asked if lot 46-1 had 1 ½ acres of contiguous buildable land area. J. Franklin said it does and he will add it to the plan.

J. Duarte **motioned** to grant a conditional approval on the Final Major Subdivision with the following conditions to be met in 45 days; current use letter, letter from the Road Agent for driveway Lot 046, Wetland Scientist stamp is required and to show 1 ½ contiguous buildable acres on lot 46-1 on the plans. S. James **seconded**. **All were in favor**

Other Business

Earth Excavation

Chair Girard asked if any everyone had a chance to read the comments from Mary Pinkham-Langer on Candia’s Earth Excavation Regulations. Chair Girard said Mary Pinkham-Langer did a good job going through the ordinance and she made numerous comments. Chair Girard said perhaps the Board should look at redoing the ordinance in its entirety. She said a lot of the references in the current regulations are wrong because the regulations are outdated. Chair Girard asked to have the comments only sent to Jack Munn.

S. James said that M. Pinkham-Langer had sent other ordinances to review. Chair Girard said Raymond’s regulations copied the entire RSA. Atkinson’s regulations were more of a stand alone regulation. S. James said M. Pinkham-Langer suggested picking one or the other and use as a template for Candia. Chair Girard said Raymond’s regulations are very detailed and is not sure if Candia requires this. S. James agreed with Chair Girard. He said Raymond copied the current RSA and the benefit to the Town of Raymond would be if the RSA’s are changed, their regulations would not change.

S. James said SNHPC has two items under contract, road connectivity and mixed use which have to be completed by June 2010. Chair Girard said she had told J. Munn when he had emailed regarding the deadline to go ahead and work on these anytime but they would not be discussed until after the elections. S. James said agricultural zoning that S. Komisarek commented on and earth excavation are not under contract with SNHPC. Chair Girard said the Board can use another Town’s Earth Excavation Ordinance as a template and work on them.

Groundwater Ordinance flyers

Chair Girard said she didn’t have a lot of luck distributing the Ground Water Ordinance flyers. J. Duarte said the flyers could be put on a table inside on Election Day. Chair Girard said they could not put the flyers on the sign in table but could on another table. She said the flyers were announced at the School Deliberation but not at the Town deliberation but were available on a table and a poster was put up. Chair Girard said on Election Day the flyers can be handed out outside but not handed out inside. A. Soares said she could hand them outside on Election Day.

S. James **motioned** to cancel March 3, 2010 Planning Board meeting due to lack of applications. J. Duarte **seconded**. **All were in favor**.

The next scheduled Planning Board meeting is March 17, 2010, to be held at the Town Hall, 74 High Street.

J. Lindsey **motioned** to adjourn at 7:40 pm. J. Duarte **seconded**. **All were in favor**.

Respectfully submitted,
Sharon Carrier
Land Use Secretary