

CANDIA PLANNING BOARD
MINUTES of August 4, 2010
APPROVED

Present: Mary Girard, Chair; Sean James, Vice-Chair; Albert Hall III; Kim Byrd; Ginny Clifford; Joe Duarte, Board of Selectman representative; Dennis Lewis, Road Agent

Absent: Judi Lindsey; Scott Komisarek, Alt:

Chair Girard called the meeting to order at 7pm, immediately followed by the Pledge of Allegiance.

Minutes July 7, 2010

A. Hall **motioned** to accept the minutes of July 7, 2010 as corrected. S. James **seconded**. **All were in favor.** J. Duarte & G. Clifford abstained. The following amendments were made:

- Page 1, 2nd to last paragraph, 3rd line remove “s” from “Franklin”, add space between applications.
- Page 2, 3rd paragraph add “sq ft” after “840”, last paragraph, 6th line change “analyst” to analysis”

7:15 pm – Public Hearing Subdivision, Major & Minor Site Plan Amendments

Chair Girard opened the public hearing to consider amendments to the Town of Candia’s Major Site Plans, Minor Site Plans, Subdivision Regulations and Earth Excavation Regulations. She explained the proposed amendments were general house keeping amendments to correct and update the Town of Candia’s regulations to current RSA’s. She said the Board would discuss each amendment and then vote on each individually. Chair Girard read into record the following amendments:

Major Site Plans:

Amendment #1: Amend by updating “Article 5.00 Action by the Board” in accordance with RSA 676:4 regarding procedures on Plats.” Chair Girard explained Article 5.00 Action by the Board was updated in accordance with RSA 676:4-I (c)(1) that includes the review period, issuance of decision and failure to act. Chair Girard said this amendment includes the formal consideration 65 day period. S. James asked about meeting minutes being completed in 5 business days. G. Clifford suggested at paragraph one, fourth line, there should be an “a” before “90”. A. Hall **motioned** to accept Major Site Plan Amendment #1 as grammatically amended. S. James **seconded**. **All were in favor.**

Amendment #2: Amend by adding a new Article 12.00 “Appeals” as provided in RSA 677:15 under Section V: Miscellaneous Provision.” Chair Girard explained this is a new article regarding appeals in accordance with RSA 677:15. A. Hall **motioned** to accept Major Site Plan Amendment #2 as presented. K. Byrd **seconded**. **All were in favor.**

Amendment #3: Amend by adding new Article 13.00: “Active and Substantial development or Building” under Section V: Miscellaneous Provisions.” Chair Girard explained this is a new article regarding what is considered active and substantial development or building to be eligible for a 4 year exemption under RSA 674:39. D. Lewis said the wearing course should be binder course. He said the binder course is 2” and the wearing course is 1” thick. He does not want to see the final course in place if a builder is still building homes. S. James **motioned** to accept Major Site Plan Amendment #3 with the following changes: 8th line replace “final wearing” to “binder”, add “of pavement” after “course”, last line change “RSA 674:3” to RSA 674:39” and “conatained” to contained”. A. Hall **seconded**. **All were in favor.**

Amendment #4: Amend by adding new “Article 7.00 Development of Regional Impact”, under Section II: Procedures and Submission Requirements.” Chair Girard explained this is a new article regarding development of a regional impact. She said this is a new article suggested by

SNHPC. S. James **motioned** to accept Major Site Plan Amendment #4 as grammatically amended. A. Hall **seconded. All were in favor.**

Amendment #5: Update and replace “Section 7.07 Groundwater protection” in accordance with RSA 485-c: 2 VII; to match with the Groundwater Protection Plan voted in on March 9, 2010.”

S. James **motioned** to accept Major Site Plan Amendment #5 with verification of RSA’s to be done by the secretary. A. Hall **seconded. All were in favor.**

Minor Site Plans:

Amendment #1: Amend by updating Article 5.00 Action by the Board in accordance with RSA 676:4 regarding procedures on Plats. Chair Girard said these are the same changes as Major Site Plans. A. Hall **motioned** to accept Minor Site Plan Amendment #1 as grammatically amended. S. James **seconded. All were in favor.**

Amendment #2: Amend by adding new Article 10.00 “Appeals” as provided in RSA 677:15 under Section VII: Miscellaneous Provisions. Remove “from” from the 1st line. A. Hall **motioned** to accept Minor Site Plan Amendment #2 as grammatically amended. J. Duarte **seconded. All were in favor.**

Amendment #3: Amend Section VII Miscellaneous Provisions by adding new Article 11 “Active and Substantial development or Building”. Chair Girard explained this is same as Amendment #3 in Major Site Plans. A. Hall **motioned** to accept Minor Site Plan Amendment #3 with the following changes: 8th line replace “final wearing” to “binder”, add “of pavement” after “course”, last line change “RSA 674:3” to RSA 674:39” and “conatined” to contained”. S. James **seconded. All were in favor.**

Amendment #4: Amend Section III: Procedures and Submission Requirements by adding new Subsection “3.04, Development of Regional Impact”. Chair Girard said this is new and is the same as Amendment #4 in Major Site Plans. D. Snow commented cell towers were not addressed in the amendment and asked if cell towers were elsewhere in the regulations. Chair Girard said it is addressed in other RSA’s and clarified this amendment is for developers. D. Snow felt this should be in the amendment. A. Hall **motioned** to accept Minor Site Plan Amendment #4 as grammatically amended. S. James **seconded. All were in favor.**

Amendment #5: Update and replace “Section 7.07 Groundwater protection” in accordance with RSA 485-c: 2 VIII; to match the Groundwater Protection Plan voted in on March 9, 2010.

J. Duarte **motioned** to accept Minor Site Plan Amendment #5 as grammatically amended. A. Hall **seconded. All were in favor.**

Subdivision Regulations:

Amendment #1: Amend by updating “Article 2: Administration and Enforcement, Section 2.07 Penalties”; regarding transferring lots in an unapproved subdivision under RSA 674:35 II.

Chair Girard said penalties were in the regulations but were not current. Penalties have gone from \$500 to \$1000. A. Hall **motioned** to accept Subdivision Amendment #1 as grammatically amended. S. James **seconded. All were in favor.**

Amendment #2: Amend by adding new Subsection “2.13 Active and Substantial Development or Building” under Article 2 Administration and Enforcement, per RSA 674:39. A. Hall **motioned** to accept Subdivision Regulation Amendment #2 with the following changes: 8th line replace “final wearing” to “binder”, add “of pavement” after “course”, last line change “RSA 674:3” to RSA 674:39” and “conatined” to contained”. S. James **seconded. All were in favor.**

Amendment #3: Amend by adding new Subsection “2.14 Development of Regional Impact”, under Article 2 Administration and Enforcement per RSA 36:54. K. Byrd **motioned** to accept Subdivision Amendment #3 as grammatically amended. A. Hall **seconded. All were in favor.**

Amendment #4: Amend by adding “Section 11.09 Groundwater Protection” in accordance with RSA 485-c: 2 VIII; to correspond with the Groundwater Protection Plan voted in on March 9, 2010. The Board discussed paragraph C Disclosure and were in consensus that paragraph C Disclosure should be removed. A. Hall **motioned** to remove paragraph C Disclosure of

Subdivision Amendment #4 and accept Amendment #4 as amended. J. Duarte **seconded. All were in favor.** G. Clifford asked if regional impact could be added to the checklist on a plat. **Earth Excavation Regulations:** *Repeal and replace the 1989 Earth Excavation Regulations with new regulations dated August 4, 2010.* Chair Girard said the Board used the Town of Alexandria's earth regulations to pattern the Town of Candia's Earth Excavation Regulations. A. Hall **motioned** to repeal and replace the 1989 Earth Excavation Regulations with new Earth Excavation Regulations dated August 4, 2010 as presented. J. Duarte **seconded. All were in favor.**

Other Business

Exit 3

K. Byrd asked if updated plans had been received for the Exit 3 project. Chair Girard said the applicant had dropped off the new architectural drawings. John Ciardi, Building Inspector said the drawings received required more information from the applicant before being sent to the Planning Board for review. J. Ciardi said he is working on the project with the applicant and should have new plans shortly. Chair Girard said the site plans have not changed but the building plans submitted show more retail. K. Byrd asked if the footprint of the original building was bigger. Chair Girard said the Building Inspector will let the Planning Board know when the plans are complete for the Planning Board to review.

SNHPC Buildout Study

S. James said SNHPC had suggested odd small min lots in the Village District for the 3rd build. A. Hall asked if the Board could ask for lots as large as possible. S. James suggested he could ask Jack Munn to put ½ and 1 acre lots on the 3rd Buildout study since there is no municipal sewer and water to support smaller lots.

S. James said J. Munn asked if the Town was still interested in setting up a committee for the Village District concept. So far, Ron Severino is the only one interested. The Board was in agreement to put the Village District on hold. S. James said he could tell J. Munn that the Board wants to put the Village District idea on hold for now when he talks to him about the 3rd build out study.

Candia Crossing

The Candia Crossing Bond was brought up that is expiring on August 12, 2010. J. Duarte said the owner had brought in the bond. It was brought up the conditional use the applicant received for Candia Crossing's Subdivision has no expiration. J. Duarte said they are trying to find water to support the subdivision to continue.

K. Byrd **motioned** to cancel the August 18, 2010 Planning Board meeting due to lack of applications. J. Duarte **seconded. All were in favor.** The next scheduled Planning Board meeting is September 1, 2010.

A. Hall **motioned** to adjourn at 8:15pm. J. Duarte **seconded. All were in favor.**

Respectfully submitted,
Sharon Robichaud
Land Use Secretary