

CANDIA PLANNING BOARD
MINUTES of May 18, 2011
APPROVED

Present: Mary Girard, Chair; G. Clifford; Judi Lindsey; K. Byrd; Carlton Robie, Board of Selectmen; Amanda Soares, Board of Selectmen, Alternate; Dennis Lewis, Road Agent; D. Snow, Board of Selectmen; Elizabeth Kruse, Conservation Commission

Absent: Albert Hall III; Sean James.

Chair Girard called the meeting to order at 7:00pm, immediately followed by the Pledge of Allegiance. S. Bradley sat for A. Hall.

Minutes May 4, 2011

K. Byrd **motioned** to table the May 4, 2011 minutes until the next Planning Board meeting on June 1, 2011. J. Lindsey **seconded**. **All were in favor**.

Public Hearing Candia Open Space Plan

Chair Girard opened the public hearing. Carrie Johnson daughter of Don & Judy Seward 476 High Street asked what it meant to be on the list of priority parcels. Chair Girard explained it really doesn't mean anything other than her property has desirable qualities identified by the Open Space Committee. She said the town is not going to purchase or take anyone's property. She said the committee set up a numbering system that valued a piece of property according to qualities such as aquifers, soils, wildlife etc. Chair Girard reiterated again the Town is not going to go after any of the properties identified. She said the plan is like the Master Plan which is a guideline or vision concept and not a regulation.

S. Bradley asked if the goal was to acquire 500 acres in a row because the properties on the list are mostly abutters, J. Lindsey said, speaking for the Conservation Committee, no one is trying to buy any land. They are just identifying parcels that have aquifers, wildlife resources, etc for the Town. D. Lewis said Southern New Hampshire Planning Commission (SNHPC) came up with the list separate from the town. He said the plan was funded by CTAP money part of the 93 corridor grants. Chair Girard said the update to the Open Space Plan was done by the Conservation Committee and SNHPC. She said the Planning Board was asked to accept the plan.

R. Severino said he wanted to know what the Planning Board's role is. He said he can see the Conservation Committee using the plan as a tool but there is no need for the Planning Board to use it. Chair Girard said it is like the Master Plan which is a guideline or vision concept that is accepted with a vote by the Planning Board. Since it is not a regulation the plan does not go to the Town for a vote. She said the Planning Board has already gone through the study and made quite a few changes.

R. Severino asked if the plan would be accepted as a zoning district. He said he feels it is an infiltration by SNHPC. Chair Girard said it is a plan for future. R. Severino said once the land is identified that leads to another step and another step that leads to a vote in the future that would limit subdivision in certain areas to include these parcels and feels, little by little, control is taken away. Chair Girard said she does not see that happening. R. Severino said he has seen this happen in other towns. He said he wants to be able to have control over his own land. R. Severino said somewhere down the line, someone will say these open spaces need protection and the next thing you know something passes that restricts the use of the land. He said Candia has a lot of good areas with good resources. He feels SNHPC is trying to control growth in town.

Chair Girard said when the Master plan is updated there will be reference to the Open Space Plan.

Carrie Johnson asked if her property could be removed from the list and Chair Girard said they most likely could remove it.

R. Severino said it is scary to see your property on the list of high priority because zoning changes may result using the study and would limit a land owner's right to do what they want with their property. He said when you see a plan someone has a goal somewhere and someone has an idea in their head of the parcels to acquire down the road.

Chair Girard asked Betsey Kruse from the Conservation Committee to explain the plan. B. Kruse said first of all from what she understood, SNHPC came to the Planning Board and offered to do the update of the Open Space Plan. She said the Conservation Committee wanted to see the study done as well. She said they tried to get volunteers to become part of the Open Space Committee but received no response. B. Kruse said when the committee first sat down with SNHPC she was not aware the study was to be priority parcel based and was surprised to see the list as part of the study. She said a list of priority parcels in her opinion is not necessary. She felt the purpose of plan was to identify areas of town that are sensitive to work around in cases of development etc. She said when a property owner comes to Planning Board; they can use the study as a guideline. She said the study is also to help identify and maintain connected open space in town. For example today, the guideline suggests connecting this way, but now there is development so now there is a need to connect in another way. She said the plan is to help show how to maintain a connection such as natural systems to keep water, air, fresh and an economical balance.

Chair Girard said the list of properties is not going to be part of the plan. She said the map is still in the study and people can identify their lots on the map. She said the Planning Board may decide to take that out as well.

C. Bowman said he is just now becoming aware of the Open Space Study. He wanted to know why landowners were not contacted and feel it is an invasion of privacy. He said land owners do not need more intrusion from government.

Chair Girard said again that the Planning Board has taken the list out of the study which should have been included. She felt the study should have been done like the recent NRI (Natural Resource Inventory) that showed general areas not properties.

R. Severino said he is not against Conservation Committee but he is against tax dollars buying Conservation land. He said enough people donate land, easements etc. He said with a tool like the Open Space Study it would be easy to come forward with suggestions to buy these properties with tax dollars. He said after dealing with Planning Boards for 30 years, he does not trust the Planning Board. He said in 1988 cluster development was in the regulations and the Planning Board threw out his application and changed zoning to prohibit cluster development. He said he feels this study will eventually limit property owner's rights. Chair Girard said the Board is not against development. She said the Town needs to grow. Chair Girard agreed the Planning Board will have different members in the future and what may be important today may not be the same 10 years from now.

J. Lindsey said the Master Plan is a guideline with visions and goals, direction. She said she believes the Open Space Plan is mandated under state guidelines to be part of the Master Plan because it is important to know where the resources lie in town.

K. Byrd said he is not in favor of the Planning Board voting to accept the plan and suggested the Conservation Committee accept the plan and the Planning Board can then acknowledge receipt of a copy. Chair Girard said the plan is more a Conservation Committee tool than a Planning Board tool and said this will be discussed when changes are made. Hearing

no more questions the Chair closed the Public Hearing on the Open Space Plan. Chair Girard said the Planning Board will be discussing changes and will consider all comments heard tonight at the June 1, 2011 Planning Board meeting.

Public Hearing PSNH Scenic Road Tree Trimming and Removal on Adams Road, Critchett Road, Depot Road, Libbee Road, New Boston Road, North Road, Patten Hill and Pine Hill road. Tree removal: New Boston Road, Pole 60 to 60 ½ dead pine, Pole 46 to 47 Popular with wood pecker holes, Pole 27 to 28 Dead Cherry, North Road Pole 17 to 18 Large hazardous rotten maple, Pole 26 to 27 Storm damaged Ash 8”, Pole 53 very dead Maple, Pole 02 to 03 Damaged Maple back missing; Patten Hill Road, Pole 17 dead pine, Adams Road, Pole 10 dead oak with no bark.

Chair Girard open the public hearing for Scenic Road Tree Trimming and Removal. Brian A. Salas, Arborist from PSNH was present. Chair Girard said the public notice lists the roads for tree trimming and list of trees for removal. She said scenic roads tree trimming and removal requires a public hearing. She said if anyone lives on these roads and have any questions or concerns or wish to speak please do so.

B. Kruse said homeowners received letters from PSNH with the option to be contacted personally. Brian Salas said in the letter sent out if trees were on private property they would need permission. He said permission would not be needed for trees that are in the right of way or in front of stonewalls. D. Lewis said tree trimming and removal is not allowed without permission even in the right of way. B. Salas asked the Board; if the owners do not allow the trimming would the Planning Board allow the trimming. He said in particular 81-93 Adams Road the owner has refused trimming in the past and the trees are up in the power lines and have been neglected for some time. D. Lewis said he would be willing to go with Brian Salas and talk to the landowners that do not want tree trimming and try to work out a compromise.

B. Salas said there is an additional tree brought to his attention that he would like permission to remove. It is on Adams Road; Pole 10 there is a dead oak with no bark. K. Byrd asked when PSNH would expect to start work and B. Salas answered approximately 3 weeks. Chair Girard asked B. Salas to contact Dennis Lewis, Road Agent and the Board of Selectmen before they start.

C. Robie **motioned** to approve tree trimming on Adams Road, Critchett Road, Depot Road, Libbee Road, New Boston Road, North Road, Patten Hill and Pine Hill road and tree removal on New Boston Road, Pole 60 to 60 ½ dead pine, Pole 46 to 47 Popular with wood pecker holes, Pole 27 to 28 Dead Cherry, North Road Pole 17 to 18 large hazardous rotten maple, Pole 26 to 27 storm damaged Ash 8”, Pole 53 very dead Maple, Pole 02 to 03 damaged Maple back missing; Patten Hill Road, Pole 17 dead pine, Adams Road, Pole 10 dead oak with no bark. K. Byrd **seconded. All were in favor.**

Chair Girard closed the Scenic Road public hearing at 7:30pm.

Other Business

Michael Thompson Preliminary Major 7-Lot Subdivision Map Lot

Chair Girard informed the Board she had received an email from Fieldstone Consultants after the Planning Board denied their extension to come forward with a final application. She said it appears Mr. Thompson thinks the Board has denied the application and he wants to know how he can appeal. She said the Board only denied the request for extension not the application. She said she will be sending a letter to him explaining the Board did not deny the application and to read Subdivision Regulations 10.08, 10.08 and 10.09 which describe in detail what must be done for a preliminary hearing, what happens after a preliminary hearing and Final application. She said the ninety day deadline to file or ask for an extension expired on March 18, 2011 and they asked for an extension a month later. K. Byrd suggested sending the letter certified.

The next Planning Board meeting is June 1, 2011 at the Town Hall at 7pm.

Chair Girard said two hearings are coming up on June 15, 2010, one is a Lot Line Adjustment on North Road and the second is a Minor 2-lot Subdivision on Healey Road.

K. Byrd **motioned** to adjourn at 7:40 pm. C. Robie **seconded**. **All were in favor**.

Respectfully submitted
Sharon Robichaud
Land Use Secretary