

CANDIA PLANNING BOARD
MINUTES of November 1, 2017
APPROVED
Public Hearing

Present: Tom Giffen, Chair; Al Hall III, Vice Chair; Judi Lindsey; Rudy Cartier; Carleton Robie, BOS Representative; Joyce Bedard; Ken Kustra.

Absent: Mike Santa, Alt

Others Present: Dennis Lewis, Road Agent; Dave Murray, Building Inspector; and Carol Ogilvie with the MTAG Grant.

Chair Tom Giffen called the meeting to order at 7:00 pm immediately followed by the Pledge of Allegiance.

Minutes October 18th, 2017:

A. Hall made a **motion** to accept the minutes of October 18th, 2017 as presented. J. Lindsey **seconded**. **All were in favor. Motion passed (7-0-0).**

Continuation of 17-010 Minor Subdivision Application: Applicant: Steven Tremblay; 9 North Road, Candia, NH 03034; Owner: William Tremblay, 293 Chester Turnpike, Candia, NH 03034; Property location: 293 Chester Turnpike, Candia, NH 03034; Map 411 Lot 051 Intent: To create one new residential lot.

Present: Applicant Steven Tremblay; Heather Tremblay; Tobin Farwell of Farwell Engineering Services.

Abutters Present: Edith Tatulis of 305 Chester Turnpike; Chantal Demanche of 298 Chester Turnpike.

T. Giffen said a little background, the Planning Board does not have the authority to settle any land disputes or deed covenants on our own therefore we did not approve a plan for these folks because there was a restrictive covenant on the deed. We advised them that if they could resolve the covenant issue and show it was properly recorded we could then act upon the application in our normal fashion. We're here to do that. We'll be looking at the documents that show that the restrictive covenants have been lifted and properly recorded.

T. Farwell responded there were two parts to this. We prepared the wetlands application. We did meet unofficially with the Conservation Commission in the Town but we didn't make the two week deadline prior to the meeting. But I did come and present the plans to them and discussed it. It was not an expedited application but a standard wetlands fill application was submitted and it has been accepted by the state. You should have been cc'd on the letter from the state saying they have accepted the application as complete but it does not mean they are going to approve it but I would also request that be a condition of approval, that we obtain a wetlands permit from the state as part of the approval process.

T. Giffen said we have an *Amendment to Declaration of Protective Covenants, Restrictions and Reservations*. It appears that it's been properly recorded.

S. Tremblay said in order to amend it; we need the majority of the then landowners. We did some digging and there are currently eight lots. Three on the westerly side and five on the easterly side. We went to each of the neighbors individually and showed them this and had a conversation about it. The paperwork was drawn up by the attorney's at Donahue, Tucker and Ciandella. We've submitted the paperwork to them. They're going to amend the deed as required. Here are copies for you guys of the majority of landowners. T. Giffen asked has this been recorded yet. S. Tremblay replied to my knowledge, yes, it's with the attorney. T. Giffen replied so it's with the attorney now, to be recorded? It seems like we have two

things pending; one would be the approval by the state for the wetlands permit, the other would be the actual recording.

T. Farwell interjected you got all the signatures required, you just got this to them today, why is it not recorded because he hasn't had time yet to record it or it's just handed in. S. Tremblay replied I don't know that it's not recorded; I can't prove that it has been. Just the number hasn't been given.

E. Tatulis commented I'm curious as to the names on...*(unintelligible)*. T. Giffen read off the names of the abutters who signed the amendment: Mr. Tremblay himself (*meaning William*), Ralph Demicco, Michael Ashness who recently acquired some property there, Brian Brock, Linda Brock, Craig Monroe, Christine Monroe. T. Giffen continued:

1. Lot 24-4 represented by William Tremblay
2. Lot 24-2 by Ralph Demicco
3. Lot 24-1 by William Ashness (*Should be Michael Ashness*)
4. Lot 50-2 Brian Brock; Linda Brock
5. Lot 50-1 Craig & Christine Monroe

We have eight listed on this document and it would appear that we have a sign off on five of the eight lots. Based on the original covenants we've reviewed they've conformed to the conditions necessary to modify the covenants.

C. Demanche of 298 Chester Turnpike asked why is it excluding that lot and not all of us so it's like we all benefit from the covenant change. S. Tremblay replied that was a question brought up before and speaking with the attorney we kept with the spirit of the original protective covenants to not be subdivided so I didn't want to go out and speak for all of the people. I know that some of the other landowners that have signed are not excited for subdivision or development rather in the area so we thought it would be best to just modify our lot. Therefore if other people want to modify their lot, they can hire the attorneys and do the process over.

E. Tatulis asked did they address the issue now as to what's going to happen to votes after now there's another lot in there. What happens legally when we have another issue like this and there are now 9 instead of eight lots. H. Tremblay responded it's just another lot; an addition to it, so it would go through 9 people instead of eight now. S. Tremblay replied it says the then landowner, so I don't know. E. Tatulis said that's a sticky wicket. S. Tremblay said there's been some consolidation of lots already. Chantel sitting next to you. E. Tatulis replied they own two lots. S. Tremblay continued is that one owner or two? Does that count for one or two? E. Tatulis replied she has a vote on the lot of the original deed on the covenants, not the other lot. S. Tremblay replied so it's a legal question that I don't have an answer to. All we did was amend our specific lot. H. Tremblay added and we went through the appropriate channels to get the sign off for it. Legally, we're good.

T. Giffen said I suppose someone could challenge this in court, the Planning Board doesn't have any purview, and we don't enforce this type of thing. I am not an attorney but it would appear that they've done what the original covenants set out to be done. If someone is of a different opinion, it's their prerogative to go by whatever means they feel is appropriate and necessary. We don't have proof that it's recorded yet but it's pretty well there. We have the issue of the pending wetlands permit for which Mr. Farwell has suggested that we consider that a condition of approval.

A. Hall asked about the unsigned abutters. E. Tatulis replied two of us are here and Sarna lives in Concord. S. Tremblay said the house is for sale. (*Referring to Joseph Sarna*) I had a chance to speak with them and didn't have them sign as I didn't have a notary present. I didn't get a feel one way or the other exactly what they wanted to do but I already had the majority of signatures required so I just went out there as a courtesy to let them know what I was doing.

C. Robie said let's move on. They did their due diligence. They got the majority, five out of eight according to this. They decided that they were going to do it in part, not in whole. They're going to record that as that. Mrs. Demanche, you have two lots up there but one didn't come out of this subdivision, is that correct? C. Demanche replied I'm not sure exactly. C. Robie said is that how you got two lots connected to

each other? C. Demanche responded when we bought it, it was already two lots. C. Robie said but you have two separate lots, one goes with this subdivision, one doesn't. C. Demanche agreed. C. Robie replied so you have one vote next time this comes around. There will be nine votes and the majority will still be five. I'm good. They went out of their way because the way I read the deed and the subdivision, they only had one side of the road they needed to contend with. Somebody thought they might look at the other side because there were two subdivisions recorded. One for one side and one for the other. The way this is written it doesn't necessarily mean that both of these subdivisions had to be counted as one, because they don't count as one. E. Tatulis replied but they all went back to the same page for the protective covenants. It was the same protective covenants. C. Robie said same writing different subdivision number; two subdivisions were recorded. E. Tatulis replied wouldn't a separate subdivision have its own protective covenants on a separate page, recorded separately? C. Robie said I'm not going to argue that. E. Tatulis replied it doesn't matter.

S. Tremblay said we've hired DTC out of Exeter and spent a lot of time and effort to try to figure out what was written 40 years ago and what they tried to do. We were here last time with the Board and we thought the same thing, that there were two separate subdivisions but in the spirit I can see it was originally one big parcel so we went and talked to all ten, it was eight. C. Robie and you should be commended for that. Good job. S. Tremblay said I did forward a memorandum from the attorney (*Planning Board had copies*).

J. Lindsey said my question so the driveway of the back lot doesn't even originate on that lot is that correct? T. Giffen said there was discussion on that originally; it might make sense to do things differently in order to prevent problems 50 years down the road of two different parties owned who aren't part of the same family if there ever became an issue. C. Robie replied that's why they had to go for a wetlands permit. J. Lindsey commented you went for a wetlands permit, which is still conditional, but this driveway going in seems to originate on this other lot. T. Farwell replied correct and there's an easement that's going to be placed over that driveway in order for them to maintain the back lot to maintain and to have access through the front lot to get to the back lot. J. Lindsey questioned would you want your whole lot, that's shaped really irregular and someone's cutting right through the middle on an easement to access the back area. Hmm. Those are some of my concerns. S. Tremblay replied it is an interesting question and obviously if that land ever gets sold, the person who buys that land will have to know about the easement and make the decision if that's where they want to live. J. Lindsey replied you can see how scary easements are. Those are my big concerns. T. Giffen replied you can't record an easement for lot B across A until lot B exists. So that's another thing that would come up later, not now. J. Bedard said I'm good. R. Cartier said I think you did a great job. The wetlands permit can be a condition of approval according to the state RSA's on that. I share the same concerns that this is not a registered change to the deed so at this point in time I would just be leery of doing an approval or condition of approval until it's officially recorded so it doesn't happen to you again. S. Tremblay said I'm not familiar with that process; I've hired an attorney to handle that. What do they have to do? T. Giffen said they will send a courier over to the registry with the paperwork. T. Farwell replied it's just going to come back with a book and page number. That's why I don't see why you wouldn't...it's a condition of approval. It must be proved that it has been recorded by that book and page number, that's all that's going to happen. The secretary will see that's it's been recorded at the Registry of Deeds. An official copy will be provided to the Town. It's available online shortly after that, if we have to wait and come back to this meeting and put it in front of your eyes, I don't see what your intent is on that. R. Cartier replied *past boards or passports (unintelligible)* have been burned by doing things like that because it hasn't been followed up with conditions of approval. T. Giffen said previous Planning Board's have allowed things to go as conditions but the follow up didn't occur and things fall through the cracks and years later they come around to haunt. So you're looking for an approval with conditions. T. Farwell replied it could be a condition that the Chairman sees the...T. Giffen said it doesn't need to be me necessarily but once they've been received so we would not sign the plans. T. Farwell said if you're leaning towards the fact that you want to wait another month so you can see it front of your face.

Board said no. R. Cartier replied that's not the intent. I just want to make sure everything is done properly. J. Bedard replied we can just wait to sign the plans. T. Farwell said and that's how it would be, absolutely. Well that's a condition of approval. R. Cartier said and no work can be done on it until the conditions have been met. T. Farwell replied right, we can't record the plan, we can't create the deeds. That's right. R. Cartier continued you've done a remarkable job putting together things that seemed very loose.

R. Cartier said when I did the application there were some small items and I wanted to make sure they get on the plans. One was the units for the proposed driveway just said 60 but there were no feet or inches. And the other, there is no direction of flow for the existing culverts. T. Farwell replied they're existing; I don't know if he shot the inverts. R. Cartier replied not the inverts, just the direction of flow for the culverts themselves. T. Farwell said okay. R. Cartier said that wasn't on there; that's in the application package. That's just a matter of updating the plans. Other than that, everything's been done.

R. Cartier **motioned** to accept the application. T. Farwell, other Board members and T. Giffen said it's been accepted. R. Cartier asked when did we accept it. T. Giffen replied back in the original meeting I believe we accepted the application but we might want to check the minutes to be sure. R. Cartier said check that because I thought we didn't accept it because of the issues with the easements. I didn't believe that we did.

T. Giffen said we could motion to acknowledge the acceptance whether it happened tonight or a month and a half ago and then we have the application accepted one way or the other. These folks are looking for an approval with conditions.

MOTION:

R. Cartier **motioned** to accept the application as submitted. A. Hall **seconded**. T. Giffen suggested making one big motion that we'll grant approval subject to the two items. R. Cartier **motioned** to approve the application subject to the conditions of approval for obtaining the wetlands permit and recording the amendment to the original deeds. A. Hall **seconded**. K. Kustra, J. Bedard, C. Robie, T. Giffen **were in favor**. J. Lindsey was **opposed**. **Motion carried (6-1-0)**. T. Giffen said once the information's received then we will go ahead and sign and there won't be any more meetings. S. Tremblay said is that an email or an original document. T. Giffen requested we'll want to see a document; we'll want a copy of it for the file.

Informational MTAG Grant Update with Carol Ogilvie: Carol Ogilvie presents a preview of the zoning amendments to the Planning Board regarding the MTAG grant project.

C. Ogilvie said I have two things for your consideration. One is a draft of a district around the four corners area. The name is in flux; options include four corners area, central village; there were objections to village so there is still an opportunity to settle on a name. The map shows the draft boundaries which came out of a public session last week to actually encourage people to draw on a map and tell me where they thought the boundaries should be. I will not pretend that there was a great turnout at that meeting, there was not. There was only one group at a table willing to put crayon to paper. What you're looking at is a composite of the discussion that came out of Friday in addition to meeting with Nate Miller again at the Planning Commission last week or earlier this week. We reviewed various issues like wetland constraints and where the public, semi-public buildings are around the area. That's how we came up with this initial concept for the boundary. There is of course, plenty of time, to adjust this as we go along. The other piece is an outline of a potential zoning amendment. I didn't want to take the time to really prepare a complete draft ordinance until I got some feedback from all of you to see if you feel that this is the direction that you think you should go. Primarily there are three key pieces:

1. The actual boundary of the district
 2. What uses would be allowed inside that district; yard standards
 3. How stringent or not you want to be with some performance standards; building site guidelines.
- There are a couple of ways to go with that.

From a drafting perspective, I like how your ordinance is organized and arranged. I think it's easy to read and clear to understand. Whatever comes out of this would get plugged into those parts of your ordinance that already exist. In my opinion, the fewer changes you have to make to an existing document the better and if what you have is working for you, there is no reason to change it. For example, many of the uses that people talked about that they would like to see in such an area, you already have them in your zoning ordinance. It would be a matter of adding district x to the table of uses and plugging in those existing uses that make sense in that area. That's how I've been coming at this.

A. Hall commented that the size shrunk down and it's better than the original. C. Ogilvie said you can always expand on it if it should go forward and pass at Town meeting. You can always expand or change it once you see how it works, what works, what doesn't. Nate hasn't calculated the area yet. It's not a lot of area. He hasn't done that yet, that will be the next thing, once we have something to work with to move ahead and he'll start doing some of that analysis we talked about last time. The lot sizes that I've put in here again are just a best guess. When we talk about creating a village or a neighborhood, you don't get that with big lots but without municipal water and sewer you're not going to get 5,000 sq ft lots. I'm thinking ½ and acre, probably at best would be the smallest you could get for non-residential use and make the water and sewer work. Residential a little more. If someone wanted to spend the money and build a DES approved community system, then the Planning Board has the ability to work out what density would fit given the septic accommodation and the size of the lot. Since you have a conditional use permit process in place already, which I'm a big fan of conditional use permits, that lends itself to this; you have the ability to do all that negotiating here with the Planning Board.

R. Cartier asked have the lot owners been involved. C. Ogilvie replied not yet. We tried getting the word out but it didn't seem to work well. When we get ready for public hearing whatever these lines are going to be, then all the property owners would get a letter; written notification.

A. Hall said conceptually you have two large cemeteries included, CYAA lot, Sarno's Trailers, CoPart which is going to be expanded, shopping center where the bank is. The school and the rest is residential. R. Cartier asked that large parcel, is that the cemetery? C. Robie said the village isn't on there Al. It doesn't go down that far. R. Cartier said it's just a big lot. C. Robie and T. Giffen commented that North Road is off this map. C. Robie said one house up from Mr. Murray's on the left, across from Dave Murray's house and on the right it goes down to his lot.

C. Robie commented our grant that we're working on is a housing grant. C. Ogilvie said it has to be a piece of it, yes. C. Robie continued our business district here Route 101 or 27 is commercial, mixed use with 800 foot setbacks on each side. We use a lot of this area here, is all 800 feet back until you get to residential. We probably don't want to mix residential with mixed use or commercial. C. Ogilvie replied one of the things Nate and I talked about; one of the ideas that came out of Friday was to have rings here instead of just one line. One in the center, maybe a quarter mile, that would just be business and then some residential outside of that and larger lots residential outside of that. I worried about that being too cumbersome to administer, especially for a Town that doesn't have its own full time planner so Nate and I talked about allowing businesses inside this district but only if their lot has frontage on or can be accessed from the state highway. That's one way to keep them from getting back into where we'd hope the residences would go. C. Robie replied we already have that. 800 feet on each side of the road here is business oriented. There are some existing houses that have been there but hopefully the houses would go away and business would come in. That's over a quarter mile wide, 800 on both sides of the road, that's 1,600 feet plus the road. A lot of these lots are long and narrow and to get one of those businesses to subdivide that lot back there, 800 feet, because it's just land that's there, there's very little room for development outside of the road and the feasibility to get back there, not even including Blevens Drive to get access up the back side of the southerly side of Route 27. We've talked the ten year plan for the state on the northerly side here; maybe there'd be some access there. C. Ogilvie asked you think it should be expanded Carleton? C. Robie continued there's very little room here for residential density of any sort in that area. T. Giffen agreed. C. Ogilvie said you're right unless someone is willing to create frontage.

C. Robie said there is no frontage. C. Ogilvie said they'd have to build a road, you're right. C. Robie replied then you use the feasibility part up when you build a road 800 feet deep before you can get to the first lot. Actually it's 1,000 feet because you have to get 200 by the first lot or we have to shrink the frontage if we're going to create density somewhat. I understand that. It's really tough here. There's not a whole lot of usable build-out area there. You don't want to change the zoning in our commercial mixed use zone. We can't change that zoning now from what we have to go to residential. You can't take away what we got. T. Giffen said it goes counter to the development of the diversity of the tax base. C. Robie said I'm having a hard time with that.

R. Cartier said Carol you're looking at this entire parcel in green as mixed use. So you'd be taking away the current 800 foot limitation on the roads and making this all mixed use. C. Ogilvie replied that would be the idea, yes. R. Cartier continued so the 800 foot would go away because there are some areas that can be developed that way and if someone wanted to combine lots and buy them, they could do it that way. That would be a lucrative thing to do, teaming up and buying property. This whole area in here would be zoned basically multi-use. C. Ogilvie reiterated it would be a mixed use district, yes. R. Cartier continued so like on Deerfield Road, in that very large parcel on the east side of Deerfield Road, there are two access points in there. In theory you could have that developed into an entire business park in there. On the south side of Raymond Road where M & S Storage is, that's a very wet parcel in there so not a lot could be done with those parcels but the ones in the front could be combined into more areas. I always thought if someone wanted to come in and do commercial development, 800 feet is not going to work for them. They're going to want to go back further. What was in there before was the buffer between the residential and the commercial. If you did a mixed use zone in here it would also have to be a very good buffer between that. Obviously this is going to be rural single family residences back there. That's basically what it is now. It's a good start; there are good possibilities as long as the zoning is there to allow someone to spend the time, effort and money to develop something. We have the possibilities for them to say I can do that in Candia and it's in a concentrated area. Was there a reason why you didn't include Blevens Drive? C. Ogilvie replied there's already a tight little neighborhood and we just weren't sure, when Nate and I looked at that, if there was anything to be gained by including it.

T. Giffen commented some of these lots it would be a big challenge to do anything because they're long narrow lots. Unless somebody can combine them and that would take a huge chunk of change. R. Cartier said so if you made it not as restrictive as it is now it might be advantageous for someone to combine these lots and develop them into something that would fit into that type of zoning.

T. Giffen replied that's a slippery slope because if it's mixed use, in theory it could be residential, could be business so as Carleton's pointed out, there's potential for a loss of space that a business could use and that could be viewed as a significant negative by a significant portion of the voting population. It's a challenge. C. Robie replied I think we need to keep our 800 feet or reduce the 800 feet down to...no one's going back 800 feet, not along Route 27. All our business that we have is along the road. Maybe narrow that up but you can't expect somebody to come and build mixed use, single family homes or whatever amongst what we already have there. It's just not going to happen. Not many people are going to want to live like that but as things change, people do seem to be trending to living like that. We see the big developments in Londonderry, Newmarket, Dover, they're building villages where you don't have to leave home and you're self sustained right there. You have an apartment and you work right there and you walk to the eateries. That's a long ways out for us right here in Candia. C. Ogilvie replied from my perspective, I'm looking at getting the zoning in place that would at least, it may take 10 years, it may never happen, but at least it's in place, it meets some of the concerns that NH Housing has with Towns in NH not creating enough opportunity for different kinds of housing. There's not much opportunity in Candia, there are lots of other places in NH to have a small house on a small lot. So if you at least create the space, if they never build it, they never build it but at least the ordinance has created the opportunity; you've done your part. We're going to address impacts, buffering and landscaping and that would be a whole separate section that I haven't developed yet. C. Robie stated so change the zoning to include everything in that whole area,

whatever someone might want? C. Ogilvie replied not necessarily everything. I'm going through your table of use and checking the things that seem appropriate. The master plan said small scale mixed commercial, not gigantic things. One thing that could be done if you're concerned about big things in here, cap the size of a commercial building or the lot coverage. Those are ways that you can keep gigantic things out of an area like this although maybe that's where you want them, I don't know.

C. Robie said if someone has the acreage, I don't know if you can tell them how many square feet they can build. As a facility if they want to build 30,000, 60,000...if they have the acreage and they want to put up a 100,000 square foot building and they meet the criteria, if we write an ordinance that says you can't do that, I don't know.

C. Ogilvie replied I haven't gone back through your zoning ordinance yet to see exactly where everything can happen so that I can have a much better idea of what this means compared to what you already have and what this might be taking away. Is it taking away or going to add. We don't want to make things worse. This is supposed to be a good thing but if we can't find a way to make that a good thing. C. Robie replied we have to, that's what we're here for; we have to figure it out. I understand and feel your pain. I participated in the Steering Committee and I did not attend the meetings to let other people fill in on that but this Planning Board, we authorized this and nobody from the Planning Board went to three of Carol's meetings. A. Hall replied I went on Friday. C. Robie continued Carol's last meeting was productive from what I understood. C. Ogilvie agreed.

T. Giffen said I'm looking at the aerial shot and looking at what exists, un-built area and I'm trying to figure out what's practical and sensible and possible to help flush out the un-built area in accordance with the ideas that were expressed in the master plan. What do you do? The problem, which Carleton pointed out, is the economic feasibility. The economics of putting a road in to actually accomplish something starts to put a shadow over the whole thing. C. Robie said that's up to a developer to look at the opportunity and say if I can put these two, three parcels of property together, it's so difficult with the way those lots are laid out long and narrow. Cut those lots in half and sell it to someone, then you'd have one in the middle that someone would want to put an easement on and that would bet the end of that. I don't know.

T. Giffen commented if you look at what can be done now. You have a residential lot size minimum of 3 acres. You look at the value of the lot, the amount of money in the lot, which would dictate the size of the house you can put on it, sell for what \$280,000; \$300,000? C. Robie said we're not building any houses in the \$300,000 price range. There are all above that by a lot. T. Giffen said so the only opportunity for a young couple that wants a starter home is to buy existing. C. Robie replied there aren't many of those that become available that don't need a whole bunch of work.

T. Giffen summarized so if one of the goals is to become more accommodating of an economically diverse population and offer housing opportunities that don't exist now, you need to figure out how to do that on smaller lots and define it to a specific area. Great concept but it's stymied by the existing lot boundaries.

C. Robie said we need to consider this. Our taxable net over the years, we're not doing very well here. We don't gain much, a few million dollars a year in total value in our community and a few million dollars is not keeping up with the budgets that are being presented to our community and the only way to collect that income is to raise the taxes without new revenue. The school is coming out with a proposed budget of a \$540,000 increase tomorrow when they present it to the School Board. That's a big chunk of money. \$540,000 you build 3 million dollars worth of value, that's \$60,000 that we collect in revenue. It doesn't add up. We need to figure out how to invite business and population back to our community. We're going to need the revenue. We need new revenue. I've been talking about this for a few years and planning so here we are. Next Wednesday a little help at the Budget Committee Meeting for our \$10,000 in the planning budget will probably go a long ways towards planning.

D. Lewis asked Carol every town that's trying to do a village district must be in the same situation where they have existing lots. You change the zoning and then you let the landowners decide if they want

to take that advantage of the zoning change. How successful has that been in other towns? C. Ogilvie replied it's been very mixed. D. Lewis continued if we didn't have these lot lines on here, we'd probably look at this totally different tonight. The lot lines are what's changing; if we look at that, it's a big area and if it was an open area with no buildings, it would be more than adequate for what we're looking for. By changing the zoning each one of these lots can be made into whatever we change the zoning to so basically once you do the zoning change, you sit back and let it evolve. C. Ogilvie replied exactly and depending upon where the pressures are at that time, the property owners themselves at that time can say here's an opportunity I didn't have before, maybe I'll sell to someone who wants all of my lots and they'll merge them, erase the lot lines. Throw a few million into the mix to build a road to create some frontage. D. Lewis if it's mixed use or whatever, that commercial, say we see a 5 acre lot here, that could be a commercial enterprise and the first 300 feet of it and combined with 2 or 3 lots in the back for residential but it would take cooperation among a lot of landowners here to make that work. C. Robie commented that's what we've been talking about, change the zoning and you're going to create value. It's not cash value in your hand but it will come out in time as people look at the opportunities and piece things together. Then the landowners say gee my neighbor, his value went up on his property because so and so developer bought it to do this to it. The guy next to him says my value has gone up. We've created value in our community. Value returns revenue. D. Lewis said and all we're doing is creating opportunity.

R. Cartier said the Town has an opportunity for more conservation too, as there are a lot of wetlands in that area. The other thing, I know there's going to be opposition to doing this because there are people that don't want things to change and they don't really care if their taxes go up. I've heard that from people. They don't want to change the rural character and if their property taxes have to go up, their fine with it. I don't think that's the majority. A. Hall asked initially when the project first started there was the interest in making bicycle and walk way paths around the four corners. I don't see that here. C. Ogilvie said that question came out of the Steering Committee and the question was added to the questionnaire. The response was mediocre on a range of 0-100; answers were 60-61% so it wasn't a big deal for those that responded to the questionnaire. There's little we can do about that from a planning perspective. Sidewalks, trails, connectivity but not to force you to make them, to create the places where eventually if things did build out, where those connections could be made and the land gets identified for that purpose and they don't plop a house on top of it. I'm still playing around with it, it's not finalized. It will be a piece of this but it's not the biggest piece of it. A. Hall commented the primary purpose here is commercialization of this area and residential secondary. Enhance the commercialization of this area in a dignified way and we can squeeze in some condominiums or real small living areas, then that would be secondary. Is that a fair assessment? C. Ogilvie replied I think so, the tax implications of having business in this area are important. We don't want to overlook that. A. Hall reiterated commercial development is where you enhance your tax base.

R. Cartier said with mixed use you could have multi-story buildings that could be commercial with apartments over them; that village feel. Maybe office space where you had people living in these apartments that could work by walking to work instead of driving to Manchester; I see a combination of the two.

A. Hall said lacking municipal sewer and water is a challenge given the geographic area here. C. Ogilvie said whatever the lot sizes end up being will be driven by that.

T. Giffen recapped if you create enabling ordinances and enabling zoning, then whatever wide scale economic and demographic forces are out there, will have bearing on this. NH as a whole has an aging population. You've got the work, stay, play thing going on. NH recognizes that it has a problem. Candia certainly isn't unique. Candia might be more heavily affected than other communities. I think we are. Unless you take some step to enable something to change, whatever economic opportunity exists out there is going to go somewhere else where there is opportunity. I think we have to act but we can't expect results to happen quickly nor expect them to be predictable. The benefits may be mixed and it may take a long time but unless we do something it's never going to happen and that would be a shame.

C. Ogilvie said I would like to fill out this outline here into an actual zoning amendment and either come back to you again or post for public hearing and go through it at that time and see what the public has to say about it. T. Giffen replied I'd like to have it come back before the Board before it goes to public hearing. C. Ogilvie said I'll send it (*a draft*) to Andrea so there's time to review and digest it. T. Giffen said let's schedule it for December 6th.

T. Giffen said we have to get in on the ballot. C. Robie replied well we don't have to. We have to get this right, do it once and do it right.

C. Robie said November 15th everyone's all excited; we let everyone come in and talk. A. Hall said we'll discuss that at the end of the meeting but I have some things to talk about on that at the end of the meeting because the Chairman's recused himself. C. Robie said so let's get Carol on here, she's first. A meeting that we have on November 15th if we have to continue it, we can continue it after we talk to Carol on December 6th. I don't think we should be spending a whole lot of time talking about the same thing over and over. Before we go to public hearing we have to have some form of what possibility does this have. When Nate was here, personally I don't know if we're ready at this point to look at that are we? C. Ogilvie said I don't know. I'm talking to him tomorrow to make an appointment to go over this. I think we could have some bit of information for the 6th. From this, he'll know where the wetlands are, what the development constraints are. C. Robie commented but there is a fee associated with that. C. Ogilvie replied is that the memorandum that you signed last time? Did that include the analysis? C. Robie replied no, it included the mapping. C. Ogilvie replied okay. C. Robie replied he wanted \$5,600 to do a build out analysis. I'm not ready to pay \$5,600 dollars for a build out on that demographic there. C. Ogilvie said that's right, table that question until we had this discussion. T. Giffen commented I think we need to be on firmer ground with what the conditions of the build out would be before we start talking about the build out analysis. C. Robie responded I don't know how much time Nate is going to spend on something he doesn't know if we're ever going to continue this. We're going to get this right and it may take *some time (unintelligible)*. C. Ogilvie said there are a few tweaks I would like him to make to this that I think will help the discussion. I thought he was going to identify the wetlands on here but without a GIS person right now, he's wearing a lot of hats and he's a little frantic right now so I've tried to leave him alone. I just want a tweak on this for the public hearing, then we're good until we get to a point where we know that this thing has legs or not.

Carol Ogilvie will return to update the Planning Board on December 6th – she is first on the agenda.

Other Business

November 15th Planning Board Meeting Plan:

A. Hall said relative to our meeting on November 15th, just to update you on the plans thus far. We have been advised by the Fire Chief that because of the size of the past meeting we had on the subject last summer we will not be able to hold the meeting here, we must hold it at the school gymnasium. The gym has been reserved for November 15th, 7 pm to 9 pm out by 9:30 pm. The plan is to anticipate the size of the audience to operate the meeting similar to the meeting that the School Board had concerning the transgender item. Basically this table will be on the side and there will be picnic tables for the audience. I've asked Clark Thyng, Town Moderator to stand at a podium to the side. He is agreeable providing all of us are agreeable to have him come if nothing more than for the purpose of crowd control. We will set up similar guidelines, this is the way we're going to run the meeting in order for the Planning Board to do their business, hear the presentation and take whatever action we think. At the same time in an orderly fashion, provide input from the audience, one at a time, limited to 2 minutes per comment of the Townspeople and if there are other people from out of town they will be able to speak at that time. At attendance will be a Town Counsel; lawyer, a representative from Stantec, a representative from Southern NH Planning and there may be others. In order that we can do our work in a controlled orderly fashion without any interruptions from the audience. K. Kustra asked if Al was going to have an overview. Is this Clark going

to give an overview of what this is all about? A. Hall said we'll have a punch list; Andrea will have a list of people to sign up to speak if they want; and attendance. Similar to what we had at the last meeting. Because this is such a sensitive issue and potentially inflammatory we have to maintain order and calm, if we can have the concurrence of this Board, Clark and I will work things out with Andrea's help, Dave and Dennis want to chime in, that's fine. Because it's at the school, there will probably be out of necessity have some sort of law and order; the police will have to be there. I understand there's been an issue of who's going to pay what and that's not an issue. A safety issue, you have to have someone there.

R. Cartier asked Al you will be the official at the meeting and Clark will be just moderating to keep people in line with speaking and organization. Will there be a PA system. A. Hall replied he will have a PA system, we will not. R. Cartier said should we have two? It's hard to hear. A. Hall said if everyone shuts up and someone speaks it should be clear. I spoke to the folks at the school and I mentioned mikes for everybody and she said that the podium has its own PA system. When Clark speaks, it will go out in the microphone, not in the school PA system, just in that podium. If we want to go to mikes, there's a potential problem in that the entire school PA system has to be activated. You can't just do the gym. There will be no projection of screen. R. Cartier said where it's not the PA system that's used it's just a PA system in the auditorium. That would be better. I can see people saying that they can't hear. And other's trying to shout. A. Hall said that's Clark's job to rule with an iron fist and a velvet glove.

C. Robie said I think we're going to have a Planning Board meeting on November 15th at the Moore School. We are the Planning Board. Its public noticed to the abutters and anyone who's concerned that we're going to discuss a project off of Crowley Road. They've all been noticed. I think it works the same as any other public meeting for any other Committee or Board, it's our meeting. We're having a Planning Board meeting and I think if we give the public a chance to voice their opinion, one at a time, and listen to their opinion about what's coming forward, and when that's completed, whether it takes an hour, two hours or the next meeting, let that be. And after everyone's chimed in, then we go about conducting our business. That's how I think it should happen. A. Hall agreed. C. Robie continued we need to conduct our business as a Planning Board, not every time we say something somebody from the audience chimes in. A. Hall said that will not happen. As long as I'm Chair, that will not happen and Clark will make sure that doesn't happen. J. Bedard asked so it will be structured to say okay now it's public comment time? C. Robie said the back and forth doesn't work. So call me when they're done talking. I'm not going to sit here and listen to the back and forth like we did last summer, it isn't worth it. Everyone has a right to talk. A. Hall said that's why I've asked Clark to help out. C. Robie continued at the end of the day if the applicant comes and meets the criteria, that's what we need to focus on. A. Hall agreed, correct. K. Kustra commented said I think we all know that 90% of the complaints have already been exposed to us. Take it in stride. A. Hall said and that's why we'll limit the talk time and based on the School Board meeting and there's a two minute clock and when you're time is up, next. It worked out very well. J. Lindsey agreed. It was run smoothly and efficiently. People got to say their peace but not keep you there all night. R. Cartier said Ken I agree with what you said but the difference is this is a brand new application, because we're looking at a major vs. what was talked about as a minor but I'm sure there will be the same comments on this. K. Kustra said no responding to the comments; we'll listen but not respond. R. Cartier asked will the audience be able to ask questions from the developer. A. Hall said yes, one at a time. Clark does well. K. Kustra asked do you expect people from Chester to be there. A. Hall replied the Chester Planning Board will be there. They will have their time (*to make comments*) if they want. K. Kustra said if they have comments will they speak first? A. Hall said yes. SNHPC or Stantec. K. Kustra said if they speak first, basically the units are in their town. We're not up to date as to the way they think. Tom and Sylvia were there at Chester's meeting and they were invited to the table. T. Giffen responded but there have been other meetings that I have not attended because I'm away from it.

R. Cartier said I have a procedural question. When we get an application in and we're going to discuss it, I've noticed that you'll do things different, you'll ask for comments first and then we'll look at the application to see if it's complete or not. T. Giffen said that could be modified and tweaked. C. Robie

said let me chime in on that note. Before we do much talking about anything, we ought to accept the application. R. Cartier agreed. I've taken a look at it and I have some issues and I know Stantec will have some issues too. T. Giffen commented I'll speak to this as a procedural matter. I think you have to have your ducks in a row and the cart behind the horse and unless you accept an application, why even talk about it. Carleton's got a good point.

J. Bedard said he's already been and we didn't accept it. C. Robie said it was a minor. J. Bedard said what? C. Robie said it was a minor, now it's a major. J. Bedard said with 60 units? J. Lindsey replied but not in our Town. C. Robie continued said two little access roads. D. Lewis commented there is one lot in Candia with a house on it but the driveway will be on Chester's Road so I've already talked to Bart about the legality of that.

R. Cartier said that will be interesting, that's one of the comments I had, there's not 200 feet of frontage in Candia. C. Robie said they might need a waiver.

Rochester Cell Tower:

T. Giffen said we received some correspondence from Rochester, NH because there's talk about a cell tower going up in Rochester and we're within the circle of people that were to be notified. Please place that in the files.

MOTION:

J. Bedard **motioned** to adjourn at approximately 8:32 pm. J. Lindsey **seconded**. **All were in favor. Motioned carried (7-0-0).**

Respectfully submitted,
Andrea Bickum
Land Use Secretary

cc file