

**CANDIA PLANNING BOARD  
MINUTES of January 16, 2019  
APPROVED**

Present: Rudy Cartier, Chair; Mark Chalbeck; Judi Lindsey; Josh Pouliot, Alt.; Scott Komisarek, BOS Representative.

Absent: Mike Santa, Alt.; Al Hall III, Vice Chair; Joyce Bedard

Audience Present: Dennis Lewis, Road Agent; Dean Young, Fire Chief; Bryan Ruoff of Stantec; Chad Branon of Fieldstone; Joe Wichert of Joseph M. Wichert, LLS, Inc.; many town residents

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

Minutes January 2nd, 2019:

M. Chalbeck made a **motion** to accept the minutes of January 2<sup>nd</sup>, 2019 as presented. J. Lindsey **seconded**. **All were in favor. Motion passed (5-0-0).**

S. Komisarek removes himself from the Board on the grounds that he is the applicant in the first case being handled by the PB tonight (case #19-001).

**19-001 Major Site Plan Application:** Applicant Candia Crossing LLC, 38 Fieldstone Lane, Candia, NH 03034; Owner: Same; Property Location: High Street; Map 406 Lot 16; Intent: To re-open an existing 2007 conditionally approved major site plan for a 43 unit elderly housing project as the site plan has been redesigned. Upon a finding by the Board that the application meets the submission requirements of the Candia Major Site Plan Regulations the Board will vote to accept the application as complete and a public hearing on the merits of the proposal will follow immediately. Should a decision not be reached at the public hearing, this application will stay on the Planning Board agenda until such time as it is either approved or disapproved.

The Board discussed revisions to the previously reviewed Candia Crossings project. The Board noted that there would be No Approval of the project tonight before review with town council.

The Waiver Request Letter was reviewed and though the four waivers were granted, they were only granted on the following conditions:

- all waivers will be reviewed with town council;
- the PB has the authority to approve the waivers in each request; and
- the case does not need to go before the ZBA before the PB approval

B. Ruoff of Stantec provided the PB members with a revised review letter dated 1/16/19, before the meeting was in session, with 90 comments/items. The following specific comments/items were brought forward for approval by the PB:

- #5. The plans specify that CPP culverts will be provided but all culverts are required to be RCP, class V culverts with a minimum of 3-feet of cover and a minimum diameter of 15-inches as specified in Regulation Section 19.06.**

C. Branon formerly requests waiver and after discussion, M. Chalbeck made a **motion** to approve a future written request. J. Lindsey **seconded**. **All were in favor. Motion passed (4-0-0).**

- #9. The project includes sidewalks along some of the proposed roadway. The proposed development is required to be designed to provide facilities and services to meet the social and physical needs of older persons, as specified in Ordinance 5.05-3. A sidewalk should be provided at a minimum to provide access from all proposed dwelling units to the proposed club house. If sidewalks are only proposed on one side of the street cross walks must be provide for pedestrian safety in crossing the street.**

After further discussion with B. Ruoff of Stantec, the Board approved this item.

- #15. A landscaping plan is provided with a typical dwelling unit landscaping plan, it should be confirmed if the typical plan is appropriate for dwellings of all orientation (west, south, north and east facing). Additionally, the proposed limits of landscaping must be expanded to the parking area for the club house, club house building, entrance and other common areas, as specified in Ordinance Section 5.06-4.**

After further discussion with B. Ruoff of Stantec, the Board approved this item.

- #17. The tree proposed tree clearing for Stormwater Management Area “A” extends into the 50-foot ‘no cut’ vegetative buffer, this must be removed from the buffer area.**

C. Branon formerly requests waiver and after discussion, Board decides to review this item with council and it must be brought before the BOS for approval prior to the PB approval.

- # 20. The regulations require pedestrian provisions be provided including amenities like benches, street lighting and path lighting as specified in Ordinance 5.06-19. Although some street lighting is proposed, no path lighting is provided, only a small portion of the sidewalk is lighted and no amenities like bike racks or benches are proposed.**

After further discussion with B. Ruoff of Stantec, the Board approved this item.

- #36. A planting screen easement of at least 10-feet must be provided along High Street, as specified in Regulation Section 12.05.**

After further discussion with B. Ruoff of Stantec, the Board approved this item.

- #50. The headwall detail is provided as precast concrete, however headwalls must be constructed of native fieldstone and mortar, as specified in Regulation Section 19.07.**

C. Branon formerly requests waiver and after discussion, M. Chalbeck made a **motion** to approve a future written request. J. Pouliot **seconded**. **All were in favor. Motion passed (4-0-0).**

- #81. The drainage report provides the 2, 10 and 50 year storm events, but all proposed drainage must be designed for the 100-year event storm, as specified in Regulation Section 15.06.**

After further discussion with B. Ruoff of Stantec, C. Branon formerly requests waiver. M. Chalbeck made a **motion** to approve a future written request. J. Lindsey **seconded**. **All were in favor. Motion passed (4-0-0).**

C. Brannon requests a continuance to the February 20<sup>th</sup> meeting date. Board approves new date for FINAL. R. Cartier requests any condominium association documents, by-laws and updates are provided to the PB for review with town council before the next meeting.

R.Cartier closes public hearing for case #19-001 at 9:45pm

S. Komisarek returns to the Board.

**18-012 Final Major Subdivision Application:** Applicant: Richard Holt, Edward Holt, April Caswell & May Erwin, c/o Richard Holt, 79 Diamond Hill Road, Candia, NH 03034; Owner: same; Property Location: Patten Hill Road & Diamond Hill Road; Map 409 Lot 228; Intent: To subdivide lot 409-228 into 3 new residential lots; 3.48 acres, 4.06 acres, 4.78 acres, leaving 73.7 acres. Upon a finding by the Board that the application meets the submission requirements of the Candia Major Subdivision Regulations the Board will vote to accept the application as complete and a public hearing on the merits of the proposal will follow immediately. Should a decision not be reached at the public hearing, this application will stay on the Planning Board agenda until such time as it is either approved or disapproved.

On December 5<sup>th</sup>, 2018, the PB accepted the preliminary application but recommended in a letter dated 12/11/18, that specific items be addressed prior to completing the Final Application and plans:

**#1. Given that the proposed lots are within the 100-year flood zone, a pre and post comparison must be performed to confirm no advertise impacts the flood plain. The area in here is very environmentally sensitive and it's prone to flooding so there are concerns about flooding. Surveyor/Designer Joe Wichert is to meet with the Road Agent, Dennis Lewis to see the limits of the flooding, mark the limits and shoot a topo.**

D. Lewis suggests the flood area of 416ft elevation be noted on the plans to protect the town and future owner. After further discussion, PB gives options of either noting plans nothing below the 416 for building or losing a full lot (from 4 to 3). Current owners do not want to lose lot and agree to update the 416 elevation note for building on plans.

**#2. Move the driveway for lot 1 so there is no easement on lot 2.**

J. Wichert notes that the driveway lot has been moved and its own access point eliminates the need for an easement.

**#3. Erosion control: Follow 7 items in Article 16.02 standards, that's what the erosion control plan is. If it's on your plan and it's stamped that should be sufficient.**

J. Wichert notes that an added 3<sup>rd</sup> page (3 of 3) to the plans have the additional erosion control measures.

**#4. The plans must be stamped and signed by the Soil Scientist of record, as Specified in Regulation Section 10.06F. Waiver for HISS mapping to be requested but do site specific.**

This item is pending but PB approved because cannot hold project based on a state specific permits.

**#5. Add to final plan: The Applicant is required to provide the following statement on the plan:**

"This Preliminary Layout Application is accepted as complete this day of , 20\_ . By: Candia Planning Board"

**#6. Add note to the plan regarding the 75 foot setback for all septic, leach fields etc.**

J. Wichert states that this was added to page 1 of 3 on the plans.

**#7. The Applicant is required to provide a fire suppression water source for a major subdivision that is more than 1,000 feet from an arterial road, as specified in Regulations Section 19.14. Waiver request to be discussed at Final submission.**

Ordinance requires a cistern every 3 houses and due to the lots being road front, Fire Chief Young is agreeable to the plans and supports approving the waivers requested.

PB addresses the comments/issues in the Stantec Review letter, dated 12/28/18:

**#1. The submittal is required to provide a pre and post drainage analysis and watershed area as specified in Regulation Section 10.06L. It should be noted that the Applicant is requesting a waiver for this requirement. Based on the proposed driveway locations it appears that driveway culverts are required for proposed lot 413-46-2 and 413-46-3, we would recommend that at a minimum, culvert sizing calculations prepared by a**

**professional engineer licensed in the State of New Hampshire be provided for these culverts. As previously discussed at the December 5th Planning Board meeting, given the environmentally sensitive nature of the property, we recommend that drainage calculations be prepared and provided for review. The applicant is seeking a waiver, this comment requires a determination by the Board**

After further discussion with B. Ruoff of Stantec, the Board agrees with Stantec, and as a condition of approval, the location is in need of a storm water evaluation.

**#2. The applicant is requesting a waiver from the following Regulations \*(The granting of the waiver ONLY applies to the 74 acres that still remain).**

**h. Section 10.06k.4 – To provide fire protection facilities.**

**i. Section 10.12c – To provide a fire protection and emergency access plan(s).**

M. Chalbeck makes a **motion** to grant waivers. S. Komisarek **seconded**. All were in favor. **Motion passed (5-0-0).**

**a. Section 10.06b.2 – To show a boundary survey for the entire parcel.**

**b. Section 10.06e.1 – To show contours for the entire parcel.**

**c. Section 10.06f – To provide High Intensity Soil Survey (HISS) mapping.**

**d. Section 10.06g.1 – To show buildings within 200-feet of the property.**

**e. Section 10.06g.2 – To show roads, streets and drives within 200-feet of the property.**

**f. Section 10.06i.2 – To show buildings and accessory buildings within 200-feet of the property.**

**g. Section 10.06k.1 – To show a road profile.**

**i. Section 10.06l.1 – To provide preliminary drainage analysis.**

**j. Section 10.06l.2 – To provide plans with the watershed areas.**

**k. Section 10.11f – To show a wasting site.**

R. Cartier asked that it is clearly understood that is not a standard subdivision and no precedent is being set by granting these waivers. It is being granted because of the unusual history with this lot and the way the deeds have been written over the past 100 years, has created this unusual issue.

M. Chalbeck makes a **motion** to grant waivers. S. Komisarek **seconded**. All were in favor. **Motion passed (5-0-0).**

**#3. Given that the proposed lots are within the 100-year flood zone, a pre and post comparison must be performed to confirm no advertise impacts the flood plain. Additionally, it is recommended that a construction fencing be specified at the limit of the 100-year flood zone and that a note be added to the plan indicating that no disturbance will occur in the 100-year flood zone. Additionally, the plans show a portion of the site is within the 100-year flood hazard boundary, however the boundary shown is based graphically representation from the FEMA Flood Insurance Rate Map (FIRM). However, the flood hazard boundary must be shown based on the listed elevation in the FIRM study. Comment partially addressed, as discussed at the December 5th Planning Board meeting the historic flood elevation observed by the Road Agent is approximately elevation 416 along the road. In consideration of this the Road Agent has recommended a condition be added to the plans that the foundation drains for the proposed buildings outlet above elevation 416, we would agree with this recommendation.**

After further discussion, PB and owners agree to note plan with 416 elevation flood area.

**#7. The location of wetland boundary was determined using the standards of Site-Specific Soils, however it is required that wetlands boundaries be determined by on-site inspection of soil types and vegetation with data prepared by a qualified soil scientist using the standard of High Intensity Soils Maps for New Hampshire as specified in Ordinance 10.03B. It should be noted that the Applicant is requesting a waiver for this requirement, a determination is required by the Board. Comment requires a determination by the Board.**

This item is pending. PB approved based on condition the testing be completed for the new lot locations.

**#9. The project is pending NHDES Subdivision and Wetlands Dredge and Fill Approvals, and permit numbers added to the plan. The noted permit approvals are pending.**

This item is pending but PB approved because cannot hold project based on a state specific permits.

**#12. The Subdivision Regulations require that a Sediment and Erosion Control Plan be provided as specified in Regulation Section 16.03. Additionally, it is recommended that the Town's specifications for Sediment and Erosion Control Standards be provided on the required Erosion Control Plan, as specified in Regulation 16.02. Comment partially addressed. As discussed in the December 5th Planning Board meeting, given the environmentally sensitive nature of the site we recommend that limits of clearing, typical erosion control details and silt fence locations be shown on the plans and that a note be added indicating any proposed changes to the approved plans will require a submittal for review and approval to the Town of Candia Planning Board.**

J. Wichert notes that an added 3<sup>rd</sup> page (3 of 3) to the plans have the additional erosion control measures.

B. Ruoff recommends the siltation fence notes on the plan as well.

**#17. The Applicant is required to provide a fire suppression water source for a major subdivision that is more than 1,000 feet from an arterial road, as specified in Regulations Section 19.14. Comment not addressed. It should be noted that the applicant is requesting a waiver from this Regulation, a determination is required by the Board.**

PB approved waiver.

**#22. The approval block must be revised to remove the signature line for the Secretary.**

J. Wichert notes the approval block will be revised as requested.

J. Pouliot makes a **motion** to accept the application and approve the subdivision plans with conditions.

M. Chalbeck **seconded. All were in favor. Motion passed (5-0-0).**

R.Cartier opens public hearing for Zoning Amendments at 11:02pm

Resident, Will Nicosia has concerns regarding ordinance issues on vehicle class, although it is not being discussed or voted on by the PB currently. Wants to know when the issues will be open to the public so he is able to attend any meeting for information. Board is hopeful after September or October to start working on specifics. J. Pouliot recommends he writes up any suggestions and send to Lisa G. in the Land Use office.

**2<sup>nd</sup> PUBLIC HEARING ZONING ORDINANCE DRAFT FOR WARRANT ARTICLES:** Notice is hereby given that the Candia Planning Board in accordance with RSA 675:7, will hold a Public Hearing on Wednesday, January 16th, 2019 at 7:00 PM in Candia Town Hall, 74 High Street, Candia NH 03034 to consider the revised amendments regarding recreational vehicles & short term rentals to the Candia Zoning Ordinance for the 2019 ballot. The full text of all proposed Zoning Amendments are available for inspection and review at the Land Use Office during regular office hours.

**ZONING AMENDMENT #2: Article V, Section 5.01 D. Parking, Storage, or use of Major Recreational Equipment.** Purpose: to ensure this restriction applies to all zoning districts not just the R district. Amend by adding in any district with the Town of Candia. To read: “No such equipment shall be parked or stored in the front yard area in the R district, nor shall it be used for living, sleeping, or housekeeping purposes in any district within the Town of Candia. **(PROPOSED AND RECOMMENDED BY THE PLANNING BOARD)**

PB recommends and approves to leave as is

**Zoning Amendment #4: Article V, Section 5.02 (A-5) Residential.** Intent: To allow short term rentals in the R district. Omit not intended for occupancy by transient guests or tourists. To read: 5. Boarding, rooming and short term rental accommodations not to exceed 184 consecutive days Permitted by Special Exception subject to the provisions of Section 15.02 Special Exception Standards. **(PROPOSED AND RECOMMENDED BY THE PLANNING BOARD)**

PB approves with change from 14 days to 184 days based on information that is consistent with state laws.

Other Business

- Dick Snow (resident) wanted it noted for the record that he will not vote for Zoning Amendment #1, which strikes out detached after changes in wordage because he now considers it an ordinance.

B. Ruoff recommends ending the sentence in Zoning Amendment #7-A & #7-B with Site Specific Soils Maps. and removing on file with the Rockingham County Conservation District.

J. Lindsey **motioned** to approve and forward zoning amendments with changes. S. Komisarek **seconded**. **All were in favor. Motion passed (5-0-0).**

J. Pouliot **motioned** to adjourn at approximately 11:15pm. J. Lindsey **seconded**. **All were in favor. Motion passed (5-0-0).**

Respectfully submitted,

Lisa Galica ~Admin. Assist.  
Building/Land Use/Fire Dept.  
cc: file