

**CANDIA PLANNING BOARD
MEETING MINUTES OF
February 5, 2020
APPROVED**

PB Members Present: Rudy Cartier, Chair; Robert Jones, Alt; Brien Brock, BOS Rep.; Mark Chalbeck, V-Chair; Josh Pouliot; Judi Lindsey; Scott Komisarek

PB Members Absent: Joyce Bedard; Mike Santa, Alt.

Audience Present: Brian Platt (applicant engineer), Gary York (applicant), Dennis Lewis (Road Agent) and town residents

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

*S. Komisarek recuses himself from the Board.

Case #19-011:

Applicant: Gary York, 39 Hemlock Drive, Candia, NH 03034; Owner: Neil Sieminski Irrevocable Trust, c/o Gary York, 39 Hemlock Drive, Candia, NH 03034; Property Location: North Road, Candia, NH 03034; Map 406 Lot 38.

Intent: MINOR Subdivision. To subdivide lot 406-38 (approx. 27.171 acres) into 3 residential lots to be approximately 5.482 acres, 5.383 acres and the remainder of 16.306 acres to never be further subdivided.

B. Platt starts the presentation by introducing himself as the applicant's engineer. He states that the applicant's project is currently a 27 acres parcel that will be carved into 3 buildable lots. He notes that all lots meet the subdivision requirements for acreage and frontage and because the lots are all over 5 acres, they do not require DES subdivision approval. Test pits were completed for each lot and were suitable to site septic systems. A waiver was submitted in lieu of driveway permit applications because the applicant would like to leave that placement up to the future developers.

R. Cartier informs the applicant and his engineer that the Board will now go through the application checklist from the 1/15/20 meeting and make sure everything that was noted to be added to the plans has been addressed and then will vote whether to accept the application as complete. The items noted were fulfilled.

B. Brock made a **motion** to accept the application as complete. M. Chalbeck **seconded**. **All were in favor. Motion passed.**

R. Cartier opens the public hearing at 7:14pm.

R. Cartier gives the floor back to the applicant for further comment regarding the project. The applicant's engineer B. Platt states that they covered what was needed and would be open to answering any questions.

R. Cartier states the Board will now address the applicant's 3 waiver requests. The 1st waiver is for subdivision requirement C: Approval from the Dept. of Public Works and Highways for Driveways or driveway permit from Road Agent.

R. Cartier asks D. Lewis (Road Agent) to address this waiver in his professional opinion. D. Lewis references his letter to the Board regarding this case, and states that he requests a note on the final plans stating: *'no additional water runoff will be allowed to enter the roadway drainage. Culverts and a paved driveway apron will be required'*. His concern is based on experience from those situations where erosion comes down and before you know it, the swale at the edge of the road is gone. If it's paved when we approve it, it stays that way and the grades won't change. The Board agrees to have the note added to the final plans as a condition of approval.

B. Brock made a **motion** to grant the waiver for subdivision requirement C: driveways. J. Pouliot **seconded**. **All were in favor. Motion passed.**

R. Cartier reads out the 2nd waiver request for Section 12.04: 60-day limit from conditional approval to set bounds. Due to the current season and the groundcover of snow, the applicant request approval to

extend the time from 60 days to 120 days. Included in this request, is also the ability to use iron pins and/or drill holes for monumentation that fall within stone walls on the perimeter of the properties.

R. Cartier notes first that the request for iron pins/drill holes is allowed in the regulations. The request for 120 days extends this out to June. B. Brock notes that the extension being approved will also extend the time for the final plans to be approved, signed and recorded by the PB. B. Platt states that they will get the bounds set asap but doesn't want to hit an extended frost and not get it done in time. He suggests changing the extension request to 90 days. The Board agrees to the 90-day request and makes it a condition of approval.

B. Brock made a **motion** to grant the waiver for the 60-day limit to set bounds to 90 days. M. Chalbeck **seconded**. **All were in favor. Motion passed.**

R. Cartier reads out the 3rd waiver request for Section 5.06F: Approximate contour lines at 5-foot intervals for the entire parcel, sketched from a standard USGS map or a Town base map.

R. Cartier asks if the Board has any questions regarding this waiver? B. Brock notes that the engineer explained note 3 that was added to the plans by the surveyor discusses the datums are from and what benchmark they used to establish that data. When R. Cartier was going through the checklist, B. Platt also noted they used 2-foot contours from NOAA LiDAR data. They flew LiDAR contours/mapping and provided the 2-foot contours. They did topography along the road, all the stone walls and all the wetlands are located w/on the ground survey, w/the exception of those located w/the GPS and accurate w/in 5 feet. The rest of the tree lines, the fence lines, etc. was all located. It's just the topography, we used the NOAA as the contours are very accurate and usually within a couple inches. B. Platt states that they are requesting to use more accurate data then the Town requires.

R. Cartier notes that this is something for the Board to consider when we do the next revisions, we can add the NOAA maps because they are very accurate. B. Platt agrees and notes they have had really good luck with them as a resource. It's great for preliminary work as well because you can see where low points are, it helps you understand where wetlands may be, where the USGS maps are 20 foot or 10 foot contours and you miss a lot of those dips and valleys.

M. Chalbeck notes that LiDAR is so much more accurate and that's what he uses in the Eversource industry to make sure a tower is exactly within inches of where it's engineered.

J. Lindsey made a **motion** to accept the waiver request as submitted. B. Brock **seconded**. **All were in favor. Motion passed.**

J. Lindsey asks the applicant if they checked with Fish & Game about any endangered species that might be located on the land? B. Platt (applicant's engineer) says he doesn't believe they have. They often times do the NHB data check for every project, even when they don't have a permit. J. Lindsey asks that they look into that and provide the Board with the information and the engineer agrees. The Board agrees to make this a condition of approval.

G. York asks J. Lindsey if she is aware of anything in this area? J. Lindsey states yes, she has seen the big Blanding Turtles by the school, so they are potentially going towards the 55+ development, which abuts the land in question for this project. They are more in the woods than in the ponds because they travel frequently.

R. Jones asks about possible further subdivision but based on the frontage available, that is not possible.

Tom DiMaggio (resident/abutter on Right side) asks if these lots have a restriction that whoever buys them, will not run a road all the way up to the Candia Crossing development, and allow it to go through? Any stipulation that that can't happen? R. Cartier states there is in the Candia Crossing approval. It states none of the roads in the Candia Crossing development can be extended and B. Brock states that the roads can not connect up to go through either. T. DiMaggio asks when they put in the pins (bounds), will they be visible and able to be easily found? The engineer lets T. DiMaggio come up to the front of the room and look at the larger plans as to where the marker bounds will be set on the property line.

Paul Wilson (resident/abutter on Left side) asks if the opportunity for abutters to purchase the land that runs up next to it has passed? R. Cartier clarifies that P. Wilson is asking if he can purchase the property and he says it was mentioned earlier. The engineer shows him the land and notes it was going to be a lot line adjustment of the land in the back. P. Wilson then asks where the pipes would be on his property? The

engineer lets P. Wilson come up to the front of the room and look at the larger plans so he can be shown the placement. B. Brock asks the engineer if he would contact these 2 abutters and let them know when they will be setting the bounds and he agrees. He will get their contact info after the meeting. B. Platt notes that no new monumentation is planned on the Left side and only 2 new bounds will be set on the Right side.

R. Cartier closes the public hearing at 7:40pm.

After discussion, the Board has agreed to approve the application with the following conditions w/in 90 days:

1. per the recommendation of the Road Agent's letter to the Board, a note shall be added to the final plans stating:
 - *No additional water runoff will be allowed to enter the roadway drainage. Culverts and a paved driveway apron will be required.*
2. Natural Heritage Bureau (NHB) data check completed for endangered species.
3. Monumentation to be set and noted on plans per subdivision regulations and zoning ordinance.

M. Chalbeck made a **motion** to approve the application with conditions. J. Pouliot **seconded**. **All were in favor. Motion passed.**

R, Cartier reminds the applicant that because it is a Conditional Approval, nothing can be done at the property, it cannot be sold yet or anything until the conditions are met. G. York asks if he allowed to put up For Sale signs and B. Brock states there are no restrictions for that but cannot close a sale.

G. York thanks the Land Use Secretary for her help and professionalism provided in the interface between Brian and his firm. It's a true, good common for the Town's representation. B. Platt agrees with G. York and that it made the ability to work things out easier. The Land Use Secretary thanks and appreciates the comments as does the Board.

B. Platt reviews the conditions of approval once more with the Board and the Board thanks the applicant for meeting to review the checklist prior to this hearing date, as that makes for a much smoother potential application approval.

*S. Komisarek returns to the Board.

Case #19-006 (Final):

Applicant: Armand & Susan Hebert, 2001 Cedar Street, McKenzie, TN 38201; Owner: same; Property Location: Currier Road, Candia, NH 03034; Map 402 Lots 51 & 57.

Intent: MAJOR subdivision. To consolidate the two existing lots (402-51 & 57) and then subdivide into 5 frontage lots for residential use.

Applicant/Representative not available to attend this meeting but the Board briefly discusses the options for the road/culvert upgrades. D. Lewis notes that the Town Engineer, himself and B. Brock will all meet at the site to review it and come up with some plans/figures to bring back to the Board at the 2/19/20 hearing. D. Lewis or the Town Engineer will reach out to DES and try to get their guidelines/requirements for what would be needed at the site in question. This case will be on the next regularly scheduled meeting date of 2/19/20 with applicant attendance.

Minutes -January 15, 2020:

B. Brock made a **motion** to accept the minutes as presented. R. Jones **seconded**. S. Komisarek **abstained**. **Motion passed.**

Other Business

- D. Lewis notes that the subdivision regs. regarding the driveway permits needs to be changed. There must be an actual lot before a driveway permit can be accepted. This will eliminate the need for the waiver each time an applicant submits an application. R. Cartier notes that the Board can combine that change as well as the inclusion of the LiDAR mapping in the same meeting for the regulation update.
- The Board discusses the flyer they received for distribution regarding the 4 Corners District. It includes the basic information someone would need to provide an informed vote for the project. It is simple in placement

of information and executes the intent of the plan. Nate Miller from SNHPC put the flyer together and the Board thanks him for that. The Board discusses potential funding sources to provide a more detailed outlook on the fiscal impact of the project. The Board agrees to wait until after the Town vote so they can better judge the feeling of the voters.

- CIP draft was received from Stantec and the Board will review and meet with Bryan Ruoff to discuss further. Stantec will be gathering more financial information from the Town and that will also be added to the current version. The input from different outside sources, departments, committee's, etc. is very important for the program's accuracy.
- The Board discusses the possibility of having all hw improvements initially bonded, get the work completed and pay over time from the budget as usual.
- The Board discusses drafting a letter in support to challenge the State 3-person committee that could potentially overturn all municipality decision from the PB or ZBA if it goes into effect in July of this year.
- R. Cartier notes that it would be good to have another workshop with Attorney Steve Buckley and the Spring Seminar for planning and Zoning is coming up.

MOTION:

J. Pouliot **motioned** to adjourn the PB meeting at approximately 9:01pm. J. Lindsey **seconded**. **All were in favor.**
Motion passed.

Respectfully submitted,
Lisa Galica
Land Use Secretary
cc: file