

**CANDIA PLANNING BOARD  
MEETING MINUTES OF  
May 20, 2020  
APPROVED**

PB Members Present: Rudy Cartier, Chair; Brien Brock, BOS Rep.; Joyce Bedard; Robert Jones, Alt; Judi Lindsey; Mark Chalbeck, V-Chair

PB Members Absent: Mike Santa, Alt.; Scott Komisarek; Josh Pouliot

Audience Present: Jim Franklin (applicant Surveyor), Charles Dylun (co-applicant), Ron Severino (applicant)

\*Rudy Cartier, Chair called the PB meeting to order at 7:02pm immediately followed by the Pledge of Allegiance.

**Informational:**

**Applicant:** Branch Brook Holdings, LLC, 512 Raymond Road, Candia, NH 03034; Owner(s): same; Property Location: same; Map 407 Lot 005-2.

**Intent:** Construct a 9,000 square foot storage building

R. Severino starts by showing plans of the project to the Board and begins the presentation by explaining to the Board that his goal right now is to build a new storage building on his property to hold his materials that are currently outside on the ground. There will possibly be more added in the future and he will submit an application for either a Minor or Major Site Plan for that work. He feels he has 2 options with this: 1- get into a Minor Site Plan and what is the interpretation of that now or 2- protocol for the review process. He is working with Keach/Nordstrom as an engineering firm for the plan requirements and because his site is already developed, he feels a lot of the items that are required on the checklist do not apply to his site. He feels that when the Town's Engineer (Stantec) reviews the plans, they will bring up many items that do not apply and that is where months go by without any Board determination or therefore work being started on the project does not happen either. A big concern is the timing of responses being given back only a few days if not on the night of the scheduled meeting and there is no time to respond to those things that need to be addressed and then more time is needed and nothing gets done. R. Cartier states that if it's a Major Site Plan then yes, it has to go to the Town Engineer for review. The Board has asked that the turn around for the engineering information be faster.

J. Bedard asks if this 1<sup>st</sup> phase can be a Minor Site Plan and R. Cartier states that he believes the Board can accept a Minor and although the applicant has told the Board he is going to need a Major in the future, he is not bringing something forward that going to try to circumvent the whole system. J. Bedard agrees and notes that the property is existing.

R. Severino notes that the plans would likely have some of the Major requirements included, but if he can start with a Minor, he can begin with a foundation. Everything that is talked about in the Minor will also be talked about again for the Major. R. Cartier states that if the applicant came in with a Minor, but would be aware that there would be a condition of approval attached that a Major application must be submitted within a certain period of time, such as 60 days, the Board could agree to such a process.

R. Severino asks for the potential of a possible waiver on the size of the building for the Minor because he will be coming in with a Major application? R. Cartier asks what he is specifically asking for in a waiver and the applicant states that the Minor only allows 6k sq ft and he needs approx. 9k sq ft for the building he wants to construct at this time. R. Cartier notes that any waiver can be requested but at this time no decisions can be made because it's just an Informational. B. Brock states that he does not see why the applicant couldn't ask for the waiver, but approval would again have a condition that a Major application be submitted within the 60d time frame. R. Jones agrees with R. Cartier and B. Brock and notes the applicant is coming forward with all the information now and not trying to go around anything, just wants to get the process moving forward due to weather and health issues that have been arising.

R. Cartier states that they do want to review the Candia 1<sup>st</sup> Stoppe case as to what their process was for the addition of their building so things stay consistent. The applicant notes that was probably a Major and R. Cartier agrees but it shows the other additions necessary and what the phasing would be.

The applicant is adamant that the information from the Town Engineer be returned in a timely fashion to the Board and applicant. The Board agrees that they have been working to get Stantec to return a review letter within 5 days of receipt of the plans.

R. Cartier states that the Board agrees that the applicant submit a Minor Site Plan Application with the waiver request and during that time submit the Major as well so if the Minor is not acceptable for whatever reason, the Major will cover the items necessary for possible approval.

**Informational:**

**Co-Applicant:** Jonathan Dylun, 80 Old Deerfield Road, Candia, NH 03034; Owner(s): Jonathan Dylun & Charles Dylun, Candia, NH 03034; Property Location: Douglas Drive, Candia, NH 03034; Map 410 Lot 31.

**Co-Applicant:** The Charles & Nancy Dylun Family Trust, 123 Old Manchester Road, Candia, NH 03034; Owner: same; Property Location: Old Manchester Road, Candia, NH 03034; Map 410 Lot(s) 69, 70 & 71.

**Intent:** A Lot Line Adjustment and Minor Subdivision of Map 410 Lot(s) 31, 69, 70 & 71.

R. Cartier starts the meeting by noting that at the last meeting with these applicants, the Board was not comfortable with the layout of the lots and advised that a new design be drawn up and represented to the Board at a later date.

J. Franklin starts by providing the Board with copies of plans for the 2<sup>nd</sup> design for the potential LLA and Minor Subdivision. He begins the presentation by explaining to the Board that the applicant is looking to make a new lot in the back area of his father's already divided land. He notes that they have reduced the lots to almost the minimum 3 acres, there is sufficient frontage on the Town road and no survey has been done yet. The Board agrees it looks better and like it more over the last design.

R. Cartier asks if lot 410-31 is going to be the 200ft all the way back and J. Franklin states that it narrows in size going back and is approx. 100ft at its narrowest point. J. Franklin notes that they will have to do the wetlands delineation and the soils.

R. Cartier asks if the owner would be coming in off Old Manchester Road or off Douglas Drive and C. Dylun states they would try to use Douglas Drive. R. Cartier notes that could create a problem from a Fire Dept. numbering standpoint because you won't be able to have the house # off Douglas Drive because there isn't enough frontage but you do on Old Manchester Road so that would be fine. That wouldn't work out with having the driveway off Douglas because of the min. frontage required and that probably only 60ft? B. Brock notes that it is only 50ft. J. Franklin said he doesn't have the abutter information, so he isn't sure about house numbers and R. Cartier states it's not about the numbers, it's about the lot having 200ft of frontage on Old Manchester Road but the driveway access is on Douglas Drive. That is a concern for the Board to not set a precedence and it come back and give us a problem. B. Brock notes that it does make more sense to have the access off Douglas Drive. It has been an issue in the past regarding 1000ft driveways for the firetrucks when you have a 170ft access right to the house. He understands the concern but doesn't think it would set a bad precedence to have 2 driveways if they want. R. Cartier notes that those are usually on the same road and the required frontage would likely be on the road that the house # would be on.

R. Jones asks if R. Cartier is going down the FD angle because the Board's concern is that the driveway is listed on 1 area but the actual driveway that they use is going to be on another side. Is that going to be confusing from a fire access standpoint when trying to respond to an emergency? R. Cartier confirms this and adds that the 2<sup>nd</sup> part of this concern is if they had an address on Douglas Drive, it goes against the Regulations because they do not have 200ft of frontage on Douglas Drive.

R. Cartier notes that everything else with the new design looks fine.

J. Franklin asks if the Board can provide the regulation that prohibits what they are trying to do and B. Brock suggests a possible waiver. R. Cartier states that the applicant can ask for any waiver and J. Franklin says if there is a subdivision regulation that prohibits what they are doing, he asks the Board to find out what that is because he doesn't know what that is. R. Cartier states that the Regs are not set up to prohibit but for allowing. R. Cartier reiterates that a house # would not be on Douglas Drive. B. Brock says J. Franklin is right asking the Board to show where it prohibits this and R. Cartier states that there isn't going to be anything that says it prohibits it. B. Brock says what about something that says he can request a waiver on that point? J. Bedard asks why does it matter? Why do you prefer a Douglas Drive address rather than Old Manchester Road? J. Franklin states that it's a shorter driveway and they can avoid the wetland crossing. R. Cartier notes that if they ask for a waiver on this frontage issue, that goes before the ZBA not the PB because it's under the Ordinances and not the Regulations.

J. Lindsey asks why the ROW was created in the beginning and J. Franklin says it was created when Len Drew did the Douglas Drive Subdivision and left a strip of land for access into their property. C. Dylun says that Lenny Drew bought that land from his grandfather and he anticipated buying the rest of it and that's why he left that ROW. J. Lindsey states that they probably originally thought it would go back and be more of a development back there? R. Cartier confirms this.

J. Lindsey asks if these people in the 2 lot on Douglas Drive know that the applicant is thinking about building in their back yard? J. Franklin says it really won't be in their back yard. He asks what is in their back yard 200ft, 500ft or 20ft? J. Lindsey states that these property owners bought their lots and there was a ROW, they never expected it to turn into a driveway.

B. Brock asks what the Boards guidance is to the applicant. R. Cartier states that they would have to come in off Old Manchester Road. J. Franklin says the Board needs to show something that says the applicant can't have the driveway on a separate road than the house # with the frontage minimum. B. Brock notes that the applicant is asking for clarification, proof of that. R. Cartier states that he will get the information from the regulations and provide that to J. Franklin and the applicant.

B. Brock asks if there are any other concerns besides the access from Douglas Drive? R. Cartier notes that the angles are much better than before, the frontage on Old Manchester Road is there, the only concern is that you don't have the frontage on Douglas Drive and will not be able to get a house address there. J. Franklin asks if they were to propose the house be on Old Manchester Road, then there would be no problem and R. Cartier says yes, as long as there was a driveway on Old Manchester Road and that was the # for that lot. He goes on to say that properties can have a secondary driveway, which the Douglas Drive would be that, but not where the house # would be. J. Franklin asks again if the Board can show him that info and R. Cartier notes that he will get it to them as soon as possible. J. Bedard asks that if the Regs say what J. Franklin is saying is true, can he apply for a waiver? R. Cartier states that he is going to check that and determine if the waiver would be coming from the PB or the ZBA.

#### **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.

A 30d extension was requested by the applicant and the case has been continued to the 6/17/20 PB meeting date. The applicant will be submitting an application to DES for the cost estimate/requirements for the culvert upgrade.

#### **Minutes -March 4, 2020:**

J. Lindsey made a **motion** to accept the minutes as presented. B. Brock **seconded**. **Motion passed**.

#### **Minutes -May 13, 2020:**

J. Lindsey made a **motion** to accept the minutes as presented. B. Brock **seconded**. J. Bedard **abstained**. **Motion passed**.

#### **Other Business**

- **CIP -Draft Review:**

R. Cartier states that the Board is still working on the CIP update and additional information has been requested from the Fire Chief, Dean Young. Mark will get the information from the school. The School Board did have a facilities meeting and laid out things there so we should get that very soon from them and once received it will be sent to Bryan Ruoff at Stantec. R. Cartier asks B. Brock to send the cost estimate for the PD to B. Ruoff as well. R. Cartier confirms with B. Brock that the BOS did not keep the office addition in. He states that if all the information can get to B. Ruoff, we can hopefully get something new in Draft form by the next PB meeting on 6/3/20 but more realistically could be by the 6/17/20 meeting.

- R. Cartier asks B. Brock where the BOS left it with "The Pit" determination if the Town was going to pay for the review for Stantec or submit an application to the PB so that the applicant would be paying for the review of those plans? B. Brock states that this case is very unique because there are many departments that are or potentially will be involved. The way he believes they left it, the BOS did not have the authority to give them permission to do that reclamation plan based on so much material being trucked out. If they did grant this, it

would say they are granting an excavation project, which we can't in a residential area. It's going to have to go to the ZBA and then the PB or the ZBA could just say yes based on this code enforcement issue and possibly not involve the PB at all. It's such an old issue that if the ZBA accepts the fact they have a timeline of 2yrs or less for the applicant to move the material that they don't need onsite, and if they grant that, to me it's the 1<sup>st</sup> opportunity in 30yrs to clean that up down there. The plans I reviewed looked pretty good, some permits are already approved, and some are still pending. R. Cartier asks about the residents around the area and B. Brock said that will be a part of the ZBA process. If the ZBA says it's ok then by the Regs, the PB is supposed to do an Earth Excavation application for a plan approval.

**MOTION:**

J. Bedard **motioned** to adjourn the PB meeting at approximately 8:06pm. R. Jones **seconded**. **All were in favor.**  
**Motion passed.**

Respectfully submitted,  
Lisa Galica  
Land Use Secretary  
cc: file