

**CANDIA PLANNING BOARD**  
**MEETING MINUTES OF**  
**December 2, 2020**  
**APPROVED**

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

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

Audience Present: Dean Young (FD Chief), Mountain States, LLC (applicant), Ben Osgood (MS -Engineer), Bryan Ruoff (Stantec, Town Engineer), Dennis Lewis (Road Agent), Kevin Gagne (BI), Ron Severino (applicant), Jason Lopez (Severino -Engineer), Linda Doucette (applicant), Joe Wichert (Doucette -Surveyor) and town residents.

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

**Informational:**

**Applicant:** Linda Doucette, 216 North Road, Candia, NH 03034; Owner: same; Property Location: same; Map 405 Lot 126.

**Intent:** *Information on a proposed subdivision.*

R. Cartier starts by confirming that the applicant is present, and L. Doucette is in person, as well as their representative and Land Surveyor, J. Wichert.

J. Wichert starts by submitting an old subdivision plan to the Board for review depicting the 42-acre lot currently owned by the applicant. He states that the applicant is looking for information regarding subdividing off 1 building lot that would be used by her niece Jodi N. & her husband Tony N. He goes on to note that under the subdivision rules, 3 lots and under is a Minor but he's not sure if they would be considered a Major because they do have the potential for more than 3 lots. The subdivision plan provided to the PB was that done in 1983 which created a lot on Healy Rd. We would look to survey the new lot coming out, which would be 200 feet of frontage and 3 acres. Full bounds, topo and wetlands on the new lot and show the remainder per the plan. We would probably be looking at waivers on HISS, the full-blown boundaries, full wetlands delineation and everything on the remaining 39 acres. We didn't know if we did 3 acres for the house and 3 acres for the remainder house, and then we could get waivers for the 36 acres that would be fine too. We want to know how much work is needed to get in front of the Board.

R. Cartier notes that he has had a conversation with the applicant regarding this and that the lot would not be straight back because she wants to keep the fields the way they are and the tree line the same as well. Another question that came up, was at this point in time it wasn't clear from a surveyed standpoint that the barn and the house were actually on a separate lot. But what's on the tax records is that about 10 acres or so that were with the barn and the house that are considered not in current use and the rest of the property is considered in current use? The applicant says no, it is 1 acre around the house and barn, though she understood it was 3 acres. She is not sure how that happened, but the rest of the property is in current use. R. Cartier asks if she ever found out whether there was any surveying done or registry info. that had the house on it. B. Brock notes that he thinks that's only for current use and is not really delineating an acre. You have to take out what is developed that sustains that house and the rest goes into current use.

The applicant asks the Board if someone has 6 acres taken out of current use for building purposes, is that considered 1 lot? B. Brock says no, it is only for tax purposes. What that means is that it is taxed at a different rate than the current use. The applicant asks if someone has 6 vs. me that has 1, is the value for tax purposes the same? R. Cartier notes that it would be higher for the person that has the 6 acres because that wouldn't be in current use. B. Brock notes that there is a certain amount of land that is needed to build a house and is assessed for that whether it's an acre or 5 acres, it's going to be very close.

R. Cartier states that at the current time if they did 1 lot, it would be 2 total lots. If she decided to do a lot around the house as a surveyed lot, it would be 3 total lots, which would still be a Minor subdivision. B. Brock notes a concern of the PB, which is not to backdoor a Major subdivision. R. Cartier states that is the issue at hand. It is our understanding and pretty straight forward that the applicant wants to do another lot, and under the Regulations, so this doesn't turn into a pre-mature development, whatever is not cut off cannot be further developed. J. Wichert asks if that's only if they want to get a waiver and classify it as a

Minor correct. R. Cartier confirms this, and says if they wanted to go to a Major they could do whatever (3+ lots). B. Brock notes that what has happened in the past is that applicants have come in and done 1 or 2 Minors and then keep going and then it becomes a development and has really exceeded the 3 lots. The regulations have been updated and are more specific so as to assist in not creating these instances.

The applicant asks if she could ask for a waiver on this item. She says she has no intention of further subdividing her property and is looking to put the rest of her property into a conservation easement, however, until she makes a decision on that, she would like a waiver on that. R. Cartier states that anyone can request a waiver for anything, but from a Boards standpoint, they need to treat everyone equal and can't do anything just because someone says this is what they would like to do in the future. The Board has to have something in concrete that would stand up to a challenge, should that arise, and the whole Board would have to decide on the waiver.

The applicant notes that she would like to keep the costs down for her niece and just do a Minor but does not want her developmental rights infringed upon.

B. Brock asks the applicant what the initial request is & what is the possible further request? J. Wichert responds by stating the initial request is to subdivide off 1 building lot in the northeast corner and leaving 39 acres in the remaining parcel. B. Brock wants to know what they think that leaves potential for in the future and J. Wichert says that parcel will have more than enough frontage that it could do further road front lots and is big enough to put a new road in it if that was chose. The intent isn't to do that, but no one wants to sign away that ability. The value of the property is going to exceed any kind of costs that will incur to go in another direction. He references the Erwin property subdivision as an example to what they are looking at for initial potential. J. Wichert says he was not clear on this but asks if they are doing 1 lot, is it more likely for this 1 lot to not have to do the additional tasks? We are fine and can make it a condition of approval that this lot is going to be considered and starts the count at 1. Any subsequent, and when we hit 3 and go beyond 3 then the next lot is going to hit us into a Major. I don't think we have a problem agreeing to that, we're just trying to get a handle on how much work do we have to do. Do we need to survey the whole 42 acres or use the plan of record, take lidar contours for the remaining 39 acres and use field work for the new lot, we could use field work for the new lot and around the field and house just to prove we have viable 3-acre remainder parcel and use infill for the remainder because that's not being developed? That's the type of information we are looking for.

R. Cartier says the Board tries to look at these things at an individual basis, but the regulations are somewhat specific but do make reasonable accommodations that can be justified and not setting an unusual precedent. In an Informational we can't take a vote or make any decisions, but the Board does try to be open to hearing what can be done to make sure the intentions of the regulations are being met. We have solid reasons and evidence to support any decision the Board makes but still make it so the landowners in Candia can still utilize their land in appropriate manners.

J. Wichert states they do not want to agree to a Minor, so if they treat it as a 1 lot Major subdivision, will that be reviewed by Stantec? R. Cartier confirms this because it is a requirement for a Major subdivision. J. Wichert asks the Board if they know if Stantec has a set fee for a review or escrow amount for a 1 lot subdivision? R. Cartier notes that if there are any waivers requested, the Board would review them and determine what was acceptable.

Jodi N. (niece of applicant) asks the difference between a Major & Minor subdivision, and R. Cartier notes a Minor is 3 total lots or less and a Major is 4 or more total lots. Usually with a Minor, it doesn't have as heavy an impact on the Town as a Major might have because that could include such things as roads and multiple lots. Jodi N. asks the Board to confirm that because the overall lot is so large, they could not consider this a Minor because of the potential and R. Cartier agrees and says the capabilities to develop could create a bigger impact on the Town. Tony N. (nephew in-law to applicant) asks if there would be any reason the Board would deny an odd-shaped lot or do they prefer more specific shapes, such as rectangular? R. Cartier states that the intent is to have as regular a lot as possible but there are capabilities in the regs that allow for an irregular lot but there are certain limitations as well. In this particular case, the Board would also look at how the applicant is concerned with protecting fields and woodlands, that would be looked upon as a physical attribute that would make sense to the lot shape.

**Case #20-002:**

**Applicant:** Mountain States, LLC, P.O. Box 502, Weare, NH 03281; Owner: same; Property Location: 291 Raymond Road, Candia, NH 03034; Map 409 Lots 131.

**Intent:** *MAJOR Site Plan. To construct three 7,500 square foot contractor garages.*

R. Cartier starts by confirming that the applicants are present, and they are as well as their representative and engineer, Ben Osgood via ZOOM.

R. Cartier reminds the Board that the application was accepted at the last meeting and there has been updated information provided for review. There were a number of outstanding items that were discussed from the checklist meeting as well as from the Stantec Review letters that have been addressed and completed according to regulations. The AOT application is under review but the DES Notice of Septic Application has been received. R. Cartier notes that both of these will need to be received before approval and added notes to the plans. The Board discusses the flood zone area and states that area X needs to be depicted on the final plans as well.

The FD Chief, D. Young wants to make sure the cistern and the fire alarm system is updated and signed off on as well as installation of Knox boxes and labelling of the buildings.

K. Gagne (BI) asks what the actual intent of use is for these buildings and B. Osgood states that the applicants will set up 1 or 2 units for their business and will rent out other units to contractors. Each will have separate bathrooms and a small office.

B. Ruoff notes that DES may not have realized the piping was pressurized but they will upgrade to the SDR21 instead of the schedule 40 as approved previously. He notes that the plans need a bit more detail added.

R. Cartier continued to read through the item updates noting that signage needs to be up to regulations and permitting through the building dept. The East driveway needs a clear sign for OUT. All signage details for regular signs as well as painted signs/arrows on the cement will need to be provided and detailed on the final plans, including signage limiting truck size entering site. The Board will want a copy of the NHDOT driveway permit approval. The Board will want more information on the tree species that will be used in the landscaping. There are at least 7 approved species currently and they want to know what types may be planted or available. B. Osgood notes that the species will all be native. The Boards asks that the details be added to the final plans as well as the lighting be updated to provide a minimum 0.2. The retaining wall system will be submitted to the BI (K. Gagne) & Stantec for review if necessary.

J. Lindsey asks about the wildlife study for endangered species being completed and the engineer notes that the study is in process and will be submitted to DES. She asks about alternative asphalt for paving and the engineer notes that they did look into that, but for this project it wouldn't work well because of the required maintenance upkeep.

R. Cartier states that the Board will need notes for post-construction, all approved waivers will be conditions of approval and will be noted on the front page of the final plans and any conditions noted by the Board will need to be met before approval signatures are provided. No site work can begin before the plans are signed off on.

B. Brock made a **motion** that all approved waivers will be noted on the front page of the final plans. M. Chalbeck **seconded. All were in favor. Motion passed.**

\*R. Cartier closes the public hearing at 8:52pm.

M. Chalbeck made a **motion** to approve the application with conditions & waiver(s). B. Brock **seconded. All were in favor. Motion passed.**

**Case #20-003:**

**Applicant:** Branch Brook Holdings, LLC, P.O. Box 410, Candia, NH 03034; Owner: same; Property Location: 512 Raymond Road, Candia, NH 03034; Map 407 Lot 5-2.

**Intent:** *MAJOR Site Plan. To depict the relocation of an existing storage building along with its future addition, the construction of a garage addition and the construction of a new storage building.*

R. Cartier starts by confirming that the applicants are present, and they are as well as their representative and engineer, Jason Lopez.

This application was continued from the 11/4/20 PB meeting for additional changes and there has been updated plans/information provided for review. There were a number of outstanding items that were discussed from the checklist meeting as well as from the Stantec Review letter and they have been addressed and completed according to regulations. The applicant requests the application be accepted tonight and move forward to an approval as well.

The Board reviewed the application, and it was determined that it meets the requirements for acceptance. The Board voted to accept the application.

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

The applicant starts by introducing himself (Ron Severino), and stating that he was before the PB previously for a Minor Site Plan and is looking to do an expansion. 1 building is already in the process and we're adding the other 2. 1 building is being moved and 1 more being added. They have updated the outstanding items from the PB as well as the Town Engineer, Stantec (B. Ruoff -Rep). They have updated the plans and had Stantec review them for any additional items of concern. They were not ready for submittal to the Board for the November meeting and that is why they requested the continuance until tonight.

The Board then reviews the updates that have been done on the plans with the applicant, their engineer, J. Lopez and the Town Engineer against the checklist and discusses any additional requirements or outstanding items, including waiver requests.

R. Cartier requests that the Board start with the 11/25/20 Stantec Review Letter because there have been updates since the October letter.

The applicant notes that the lighting fixtures have been added to the plan but are looking for more information on the type and level required. He notes that there is already substantial lighting on the site currently and is not sure whether he is required to do this or can ask for a waiver. The proposed site development is further back on the property and there is sufficient lighting for the work to be done. The concern is that there are neighbors and does not want to cause any unnecessary issues if it can be avoided. He also notes the landscaping, signage, and parking requirements. He states that this is not a new development and he is not adding employees. He feels that these requirements do not pertain to his plan as his site is pre-existing and he is just adding buildings for basic storage of materials. He doesn't want to ask for a waiver for these requirements if not necessary since they already exist but will if the Board decides it is.

R. Cartier asks the applicant to confirm that they do already have a lighting plan submitted and J. Lopez says yes, but the plan that B. Ruoff may be looking for the points on the plan gridded across the property. He states that the current plan has the illumination of foot candles and lines going around the lights. If each individual point is necessary, they will do that. R. Cartier asks the applicant if these buildings are going to be basic storage areas without any heated space? R. Severino states that the 2 buildings in the back are both cold storage building and the addition onto the shop that is a continuation of what is already there, and that will be heated. R. Cartier asks B. Ruoff what he is looking for in regard to the lighting plan specifically? B. Ruoff states that typically what they see is candlelight level distribution across the improved area, but where there aren't any parking spaces in this area, he doesn't see that to be necessary or a benefit in this instance. They would want to know where the lighting cutoff ends, that is key from a regulation standpoint. The Board is in agreement with the Town Engineer's recommendation for this particular application. In addition to the lighting plan, there will be no additional landscaping plan required for the site.

The applicant notes the next item has to do with the proposed fire prevention system and that there was a letter received from the Fire Chief. He states that his site has always had access to the river for that and do not have the water available for sprinkling. R. Cartier confirms that there is not going to be any human occupancy in these storage areas and confirms with the Fire Chief that he is acceptable with this course of action. The applicant states that the buildings will be assigned numbers for emergency service and he will coordinate with the Fire Chief and the BI for this as well. The numbering will be noted on the final plans and the signage will be approved by emergency services as a condition of approval. All these new buildings will be getting occupancy permits and the labeling will need to be completed on the buildings before these are issued by the Building Dept.

The updated architectural renderings will be provided by the applicant.

The applicant states that he will be asking for a waiver on the item regarding the wasting areas and screening of the dumpster, but after further discussion, it is determined that it is not required due to the existing conditions of the site.

The applicant notes that the propane tank has been added to the plans and they will be following the regulations and guidelines for this. There is 1 small room in the heated storage room that needs to be heated so things don't freeze. J. Lopez states that note will be added to the plan as well as a condition of approval to coordinate with utilities and FD as well for this.

Item 7 on the review letter from Stantec was an item of discussion as to whether or not the applicant needed a Conditional Use Permit or a waiver for impervious areas (water resistant) of above 15%. After further review of the plans and discussion with the Town Engineer, it is determined there will be no drainage issues and that neither are required in this case.

The Board reviews the waiver request for Section 4.03(E)-Scale of the Town of Candia's Major Site Plan Regulations. The required scale shall be a minimum of 1' = 20' and the plan shall include a north arrow and the date. The applicant's waiver requests this project plan be set to minimize the need for sheet match lines and scale the plans at 1' = 30'. R. Cartier asks the Town Engineer if there are any issues with viewing the plans at this scale and he confirms this is acceptable and it will be added to the final plans. The Board agrees and votes to approve the waiver.

B. Brock made a **motion** to approve the waiver request for Section 4.03(E)-Scale, to allow the plan scale to go from 1' = 20' to 1' = 30'. M. Chalbeck **seconded**. **All were in favor. Motion passed.**

\*R. Cartier closes the public hearing at 9:50pm.

M. Chalbeck made a **motion** to approve the application with conditions & waiver(s). B. Brock **seconded**. **All were in favor. Motion passed.**

**Minutes -November 18, 2020:**

M. Chalbeck made a **motion** to approve the minutes as presented. S. Komisarek **seconded**. R. Jones **abstained**. **Motion passed.**

**MOTION:**

R. Jones **motioned** to adjourn the PB meeting at approximately 9:54pm. J. Lindsey **seconded**. **All were in favor. Motion passed.**

Respectfully submitted,  
Lisa Galica  
Land Use Secretary  
cc: file