

Town of Candia Planning Board Approved Meeting Minutes

Meeting Date: April 7th, 2021
Location: Town Office Building
Zoom Meeting ID#86067472255
Attendees: Rudy Cartier
Brien Brock
Judi Lindsey
Scott Komisarek
Mark Chalbeck
Robert Jones
Absent: Josh Pouliot
Joyce Bedard
Mike Santa

Rudy Cartier, Chair opened the meeting at 7:00 PM

Pledge of Allegiance

New Business

- Informational:
 - *Applicant:* Paul Brassard, 266 Donovan Road, Candia, NH 03034; *Owner:* same; *Property Location:* same; Map 411 Lot 40. *Intent:* To subdivide most southerly aspect with minimum acreage needed for a residential building lot for family.
 - Paul Brassard explains that he ended up moving from Dunbarton to Candia in early September with no intent to subdivide. He mentions that they did their due diligence and read the meeting minutes before this, and it looks like the person that owned the property before tried to subdivide. The road is a class 6 road and it needs to be a class 5 or be within the parameters of a subdividable lot for a building permit within the town of Candia. He is looking to subdivide the most southernly aspect with the minimum acreage for his father. He took the liberty to print out maps showing distances as well as subdivision rules and requirements. The consensus currently is that his lot is not subdividable and he needs permission from the Select Board to subdivide with the guidance and recommendation of the Planning Board. He meets the requirements of subdividing on a class six road and handed out maps showing the proposed subdivision.
 - Brien Brock asked how big is your current lot?
 - Paul Brassard answers 18.74 acres.
 - Brian explains that the problem is that if it was an existing lot that became yours everything would be fine and you would just need permission from the Board of Selectman. There is no way, unless you want to upgrade that road to a class 5, that you can subdivide the lot. This would mean upgrading from Chester Turnpike to the proposed driveway on your map.
 - Paul Brassard answered that he is prepared to do that and brought along the requirements to upgrade to a class 5 road including collaboration with the road agent.

- Brien Brock mentioned that the first hurdle is to get approval from the Board of Selectman to see if it is in the best interest of the town to upgrade to a class 5. From there it would get evaluated by the fire department ect. Discussion ensued. Refer to audio for details.
- Paul Brassard presented documents from the Supreme Court stating that the Select Board will have final say but will only do so with the guidance and recommendation from the Planning Board. He then asked if the class 6 road is upgraded and approved by the fire department, is this something that could occur?
 - Brien Brock said it absolutely could occur but the first hurdle is to approach the Board of Selectman with the proposal and say that you have met with the Planning Board as an informational, but I need your blessing to upgrade the class 6 road. Brian asked how many lots would be affected if you upgraded to a class 5 road to allow them to subdivide?
 - Paul Brassard answered 1 and that house is on Chester Turnpike which has land on Donovan as well.
 - Brien asked since the property is 380ft in, is that the pin for the beginning of the lot?
 - Paul Brassard answered center mass driveway. There is a 40 ft. swamp on the right.
- Rudy Cartier said that we did do a similar review of subdividing that property. He does not remember the previous proposed acreage but at the time it was 4 lots proposed. The problem was the class 6 road all the way down. He would have to go back and look to see what exactly what was considered class 6 road and where it started; or whether the class 6 road started right at Chester Turnpike and went in.
- Brien Brock asked if Paul has gotten any feedback from his neighbors?
 - Paul Brassard answered that he has not spoken to on Chester Turnpike but he has spoken to the neighbors on Donovan Road and they have no issue.
- Rudy Cartier mentioned that the Planning Board has no authority to approve a subdivision on a class 6 road. Like Brien said, the Planning Board can make a recommendation to the Select Board and then the Select Board makes the final determination. The recommendation of the Planning Board would be to bring the road up to town specs. Also, there should be a hammerhead or some type of turnaround for a fire apparatus.
- Paul Brassard asked what should be his next step?
 - Brien Brock answered that he should go to the Board of Selectman and Rudy Cartier concurred. Rudy Cartier also mentioned that he should present plans to the Board. Brien Brock said the plans should address the road, a rotary at the end of it, how far in it would be, and the cost of upgrading all of that. Discussion ensued on cost refer to audio for details. Brien Brock mentioned that there will be a cost to pave the road as well.
 - Paul Brassard said that the minimum standard for a class 5 road is dirt.
 - Brien Brock said that he does not think the town would approve if it was dirt. We do have some class 5 dirt

roads but we as a Planning Board would not put a development in anywhere that was not paved for maintenance purposes. Discussion ensued. Refer to audio for details.

- Paul Brassard took issue with the fact that there are standards set forth but it seems subjective because he is willing to meet the requirements but the planning board is asking for more than what the minimum standards are. The Planning Board is asking for paved roads when the minimum standard says dirt, and asking for a turnaround when it is written that it is not needed for 1000 yards.
 - Rudy Cartier said that they will do what is in the best interest of the town. The rules are minimum standards and we have been through this once before. We wouldn't be doing anything different than what we have done before. Discussion ensued. Refer to audio for details.
- Paul Brassard asked about a subdivision on Brown Road and was it approved?
 - Brien Brock answered that the Brown Road request that they were working on is a paved road which makes it different from this request.
- Paul Brassard stated that the next step would be to go to the Select Board.
 - Rudy Cartier said yes, you would have to follow the RSA: 674.40 and 671.41. The problem will be in RSA: 674.40 which is improvements to our approved streets. The issue is it can be done but it has to go to the local legislative body to approve it via town meeting to allow it to be upgraded. Also, in regards to the vote, if the planning board vote yes to the proposal the vote would be a majority vote; if we vote no we do not agree, then the vote would have to be 2/3rd majority to approve. Rudy said that he will check on the previous recommendations on the road to see if paving was a requirement.
- (unsure of who is talking?) I also have another question, what is the variable of having a shared driveway?
 - Brien Brock said that we are working with one now that has a shared driveway. I wouldn't say it is impossible but it is definitely complicated.
 - Paul Brassard asked if you can have two dwellings on the same parcel?
 - Rudy Cartier stated not by the regulations. If you wanted to go that way, you could go to the Zoning Board of Adjustment and request a waiver of the zoning ordinance that states you can only have one residential structure on a lot.
 - Paul Brassard asked if you have to change zoning laws or do you just ask for an exception?
 - Rudy Cartier and Brien Brock both answered, exception.
- Case #21-003
 - *Applicant(s)*: John Carroll, 117 Diamond Hill Road, Candia, NH 03034; *Owner(s)*: John & Linda Carroll, Kevin Carrol, 117 Diamond Hill Road, Candia, NH 03034 & Mark & Deborah Bussiere, 103 Diamond Hill Road, Candia, NH 03034; *Property Location*: Diamond Hill Road, Candia, NH 03034; Map 409 Lot(s) 159 & 160. *Intent*: Lot Line Adjustment. To adjust a common boundary line between Tax Map 409 Lot(s) 159 & 160.
 - Jim stated that he would like a lot line adjustment between abutting land owners. Lot 159 was a result of two subdivisions over 20 years ago and the house was

built too close to the lot line. The existing house was about 26 feet from the lot line. When the Carroll's bought the property last year, now is the time to move the lot line away from the residential building. It is currently 26 feet; we will move it to 77 feet and the garage will be about 44 feet from the lot line. We are basically swapping land area from parcel A and parcel B; which are the same exact size, so we do not need subdivision approval from the state. Everyone is on board with the plan.

- Rudy Cartier asked, in the back corner where you have notated L7, is that building a garage? What is the distance from the garage to the new lot line?
 - Jim answered yes, it is a garage and the distance is 44 feet.
- Rudy Cartier made a **motion** to accept the line adjustment as presented with the only change being the bounds being granite bounds for the corner lot.
 - Brien Brock seconded the motion
 - All in favor (Rudy Cartier, Brien Brock, Judi Lindsey, Scott Komisarek, Mark Chalbeck, Robert Jones)
 - **Motion Passes 6-0**
- Jim asked if there was a time frame on that?
 - Rudy said 30 days and please provide copies of the deeds for our records when available.
 - Rudy Cartier also noted that the three conditions for approval were the granite bounds, mylar, and copies of the deeds for the office.

Approval Minutes

- March 3, 2021
 - Rudy Cartier noted that in the March 3rd meeting, the approval that was done for Copart, a requirement was to submit approved permits prior to construction from AOT, Wetlands and Stormwater Pollution Prevention Plan. The State one of them back for more information so that is still in process at this time. They have 30-45 days to submit the information to DES.
 - Rob Jones made a motion to accept the minutes
 - Scott Komisarek seconded the motion
 - All in favor (Rudy Cartier, Brien Brock, Judi Lindsey, Scott Komisarek, Mark Chalbeck, Robert Jones)
 - **Motion Passes 6-0**
- March 17, 2021
 - Mark Chalbeck made a **motion** to accept the minutes
 - Judi Lindsey seconded the motion
 - All in favor (Rudy Cartier, Brien Brock, Judi Lindsey, Scott Komisarek, Mark Chalbeck, Robert Jones)
 - **Motion Passes 6-0**

Old Business

- Case #20-003 (South Branch Brook Holdings, LLC -Major Site Plan): Review of final plans for Board approval and signatures.
 - Rudy Cartier said that we do have both plans for South Branch Brook Holdings; the lot line readjustments and also the site plan. He noted that they have been signed but if anyone else could come in and sign they would be in Lisa's office.
- Case #21-001 (Copart -LLA): Review of final plans and mylars for Board approval and signatures
 - Rudy Cartier said that on Copart, please sign every page.

Other Business

- Town Planning
 - Rudy Cartier said that in the next meeting, he would like to spend time discussing the changes to the ordinances and he will send out some information before the next meeting. He noted that there was supposed to be a presentation from Stantec but it was a little premature so he would like to get some feedback during the next meeting.
 - Rudy Cartier mentioned that Tanglewood, which is the new name for Crowley Woods, submitted an application to Lisa last week but it was incomplete. They need to file a completely new and full application and so she sent it back and let them know that they had to submit a complete application. Rudy Cartier said that we are tentatively planning a meeting for that on May 5th or May 19th. Because of the interest that has been sparked in the past, we will have it at the CYAA instead of the town hall. There are still some logistics to work out and he stated that they do not have the application in house and we are unsure when it is going to come in. It will probably be closer to the 19th. Since we will not have Zoom capabilities there, people that want to give input will have to attend in person.
 - Robert Jones (?) spoke about the logistical issues around having a meeting at the CYAA including chairs, tables, and live streaming the meeting.
 - Rudy Cartier said that he will make a notation that if someone is watching it online, they can submit written comments to the board.
 - Robert Jones (?) asked in regards to the Town of Chester, have they done anything different or made any changes regarding Tanglewood?
 - Rudy Cartier said not that he has heard. The last he heard from Chester was that it was up to Candia at this point in time. He will send a note to Lisa to check with Brian Ruoff on the cost of the engineering review because there will definitely be a Stantec review due to the issues in that area. The full application has yet to be submitted and as soon as we get the plans, they will get reviewed.
 - Brien Brock said that Jeff should be involved as well during the review. Discussion ensued. Refer to audio for details.
 - Rudy noted that when they do the application review, Brian Ruoff takes a look at it to ensure everything is covered appropriately.
 - Rudy Cartier said he would like Clark to moderate again and if people would like to speak, to have them sign in so the meeting goes smoothly.
 - Rudy Cartier stated that he has not had anything come in for the 55+ community on New Boston Road.
 - Brien Brock noted that the Safety Facilities Committee met last night. They went over a few items that were charged a sub group with in a previous meeting. Unfortunately, there is a contract on the Viking property so that is off the table. There were two other properties discussed. One is over 7 acres and one is a little over 3 acres. Our next meeting is in two weeks where we will review appraisals on those two properties. Discussion ensued on those properties. Refer to audio for details.
 - Rudy Cartier also mentioned that he would like to also discuss the CIP plan update to make sure we keep on track.
 - Brien Brock said along those lines, if we are to move forward this year, we do have the capital reserve fund, it can be used at the discretion of the Board of Selectmen to purchase property ect. We do not have to go to town meeting

to expend those funds. The concern came up that this goes against our CIP plans because those kinds of expenditures were not forecasted. Brien Brock noted that the CIP is a plan and we have to be able to have flexibility.

- Rudy Cartier said it still follows the CIP that we came up with for this year, just maybe a change in the money spent.

Motion

- J. Lindsey motioned to adjourn the Planning Board meeting at approximately 8:06 pm. Robert Jones seconded. All were in favor. Motion passed.

Respectfully submitted,
Kaycee Vitale
Administrative Assistant