

**CANDIA PLANNING BOARD  
MEETING MINUTES OF  
June 2, 2021  
APPROVED**

PB Members Present: Rudy Cartier, Chair; Mark Chalbeck, V-Chair; Brien Brock, BOS Rep.; Josh Pouliot; Robert Jones, Alt. (sitting in for J. Lindsey)

PB Members Absent: Mike Santa, Alt.; Judi Lindsey; Scott Komisarek; Joyce Bedard

Audience Present: Al Hall (PB Rep. for SNHPC), John Bisson (attorney for James Logan)

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

After roll call, B. Brock asks if they can talk about PB members for a minute and asks if there is a number of unexcused absences that PB members are allowed, and the Land Use Office Coordinator notes per RSA it is 6 absences per year. R. Cartier states that we have 24 meetings per year so that would be 25% that could be missed and B. Brock states that is unacceptable. B. Brock states that the Board should be encouraged to attend all meetings regardless if the agenda is light or not. The other members in attendance agree and R. Cartier notes that he will reach out to everyone as a whole with this because the Board could always have things that need to be discussed that aren't on the agenda but do come up, like at tonight's meeting.

R. Cartier states that he is sure the Board will take this concern seriously because there is a lot of work to be done and it requires a team effort, not just a select few doing everything. He notes that if you run for an office, you should be expecting to spend the time to do it and the other members in attendance agree.

R. Cartier notes that he had a conversation with Mike Santa, Alt., before the last meeting and he would like to become more involved and work more directly on the sign ordinance with Stantec. R. Cartier notes that M. Santa used to be a full member on this PB and has also worked with the Nashua and Concord Boards as well, so he has a good background in planning. He did have to step back for personal reasons and has not been able to be a full member anymore but wants to stay active with the Boards as much as his time will allow which is why he chose to stay on as an alternate.

**Old Business:**

- R. Cartier states that since the Preliminary application has been accepted for the Tanglewood project off Crowley Road, a letter has been drawn up and signed to go out to the applicant, which he reads, that notes each concern they will need to address if/when they submit a Final application to the Board for their project in Candia. They have 90 days from the 5/19/21 meeting date to submit the Final application to the Board for review. The Board briefly discusses the road standards as to what upgrades would need to take place to bring it up to the required standards per the Subdivision Regulations for safety aspects. In addition, in order to change the status of Crowley Road from a scenic road to an arterial road would require a Town vote as well.

**Minutes -May 19, 2021:**

J. Pouliot made a **motion** to approve the minutes with changes noted. M. Chalbeck **seconded**. **Motion passed.**

**Other Business:**

- Attorney John Bisson is present at the meeting and asks to speak with the Board regarding his client James Logan (owner of map/lot 406-97) and his potential 55+ development there which is located off New Boston Road. Mr. Logan has been before the PB on 2 separate occasions at Informational meetings (12/18/19 & 3/17/21) for this 55+ project development and have been told both times he would need to submit a formal application in order to move forward with any waiver requests for the project. The attorney is here tonight because they do not agree with the PB's process and feel it's to large amount of money to spend on the application and engineering plans before they even know if they will be allowed to build off the road, since it does not meet the requirements of the regulations. If they cannot get a waiver for the road, they can go nowhere with the proposal.

Attorney Bisson asks the Board if his client can present a conceptual plan that basically shows what the Board needs, which in their view is the layout of the development, the # of units, # of bedrooms, where it's going to

connect, but without a fully engineered plan with drainage and all the other stuff and ask for only the waiver. If the waiver is denied, they're dead and they've spent a lot less money than if they fully engineered the plans, came to the Board and they were denied on the conditions. They believe that if the Board has the discretion to say that's acceptable, to accept a conceptual plan and make a decision on the waiver issue, he says practically it doesn't make sense to them as to the way the Board does it currently and wants the PB's feedback how to move forward.

B. Brock asks Attorney Bisson if the initial plan for that development a 55+ or a conventional development and Attorney Bisson says he believed it started out as a conventional development. B. Brock asks why that changed and if it had to do with the volume or couldn't get enough units to make it worth while and Attorney Bisson says probably because there is a lot of wet land in the back of the property, and he thinks it had to do with density and the layout of the property. By the time he had hired their law firm, it was already the 55+ project idea.

R. Jones asks if this would be a regional impact project and R. Cartier states that it would not be because it doesn't border any other towns.

Attorney Bisson says that as B. Brock has already pointed out, there are not a lot of arterial roads in town and his understanding is this part of New Boston Road goes back and forth to the dump. B. Brock notes, that was the old dump and R. Cartier notes that it used to be the road. Attorney Bisson says it was a heavily traveled road and not a dirt path. He says it seems like that's a requirement that's ripe to have a conversation about a waiver, not saying they will get it, but it makes sense to talk about it.

R. Cartier notes that a concern of his is the fact that the PB has the authority to grant waivers under Innovative Land and it goes against the regular process of zoning and the checks and balances. The Board understands Attorney Bisson's client's situation, but the process of the PB and the ordinance on waivers states that though the PB has the authority to act on waivers under Innovative Land Use, a submitted application is and has always been required. R. Cartier notes that Town Counsel has recommended to continue with the process that has always been done because there has been at least one case where the Town did grant a waiver without a formal application and the ramifications were negative for the Town.

Attorney Bisson states that ideally there would be a condition that says the waiver will be granted or approved based on the acceptance and approval of the formal application. R. Cartier states that the Board needs to be careful about what they set as precedents and discuss and approach this in a cautious way to not create an issue inadvertently down the road for the Town of Candia. They will have to work w/Town Counsel to see how this could impact the Town if the Board did grant the waiver. Attorney Bisson asks if it would be acceptable to provide the conceptual plan in this circumstance and M. Chalbeck notes he thinks it's best to have Counsel weigh in on this situation. R. Cartier notes that as of right now, the recommendation of Counsel has been to keep it the way we have been doing it and follow our current process so with that, no, a conceptual design would not be adequate to be considered an application.

Attorney Bisson asks how he will follow up with the Board on their decision about the waiver and the Board determines they will speak with Town Counsel further, have a non-public meeting on the 16<sup>th</sup> and then contact him with their decision.

- B. Brock notes that at the last BOS meeting, they were voting on the sale of the Donovan Road properties, and it did not go through, it was defeated 3-2. One of the concerns that came up was that the BOS had nothing in writing from the PB that they had no issue with the land being sold. In the future if this situation arises again, the BOS will need something formal and in writing from the PB just as the Conservation Commission had done this time. The Board noted that this item did come up in the PB meeting and was voted on to agree with the BOS decision to proceed with the land sale. B. Brock said the minutes of that PB meeting was not provided to the BOS nor a letter, so it was not sufficient for the BOS to all approve the sale and move forward. R. Jones asks if the PB did provide a letter at this point, could it go back before the BOS and B. Brown states that was not the only issue the Board had with the sale so it would not alter the vote.
- The PB is interested in having another on-site training workshop with NHMA and ask the Land Use Office Coordinator to check into that for this coming fall. It is recommended the Board members utilize the free workshops that have been sent to them since they are provided monthly, and they are free. R. Cartier states that in the future if people want to join a Board, they attend meetings beforehand so they can learn the process and take the time to learn the regulations and ordinances. B. Brock states that people need to get involved in their Town and take the initiative.
- The Board discusses and agree to have Stantec provide a step-by-step cost estimate proposal to implement the GIS system for Candia. R. Cartier asks the Board to think about what they want to see in the system and what

besides the basic requirements they want to be added in what sequence. The Board asks the Land Use Office Coordinator to check with them and schedule the presentation and put it on the agenda when they are available.

- R. Cartier states that in 2009, SNHPC did a Cost of Community Services study for the Town of Candia. It was prepared to provide a better understanding of the relationship between municipal revenue and expenses associated with various types of land use in town. The info. can be used in land use decisions and policies by Boards and Departments as they address consequences of growth. He would like to reach out to them and asks them to do a cost estimate on what it would be to update the study and if it would be beneficial to assist with other areas of planning. He also tells B. Brock as the BOS Rep. and BOS Chair, that it will require information in writing from the BOS Office to add into the new study. Al Hall (SNHPC Rep.) has a meeting in the morning and will bring them the idea for the update and will follow up with them as well.
- The Board discusses the possibility of having SNHPC do the next CIP. R. Cartier asks the Land Use Office Coordinator to obtain a copy of the Town of Chester's CIP and send it out for review to the PB. The Board discusses the impact fees, justify them and determine how they can't be used for regular things the Town needs. They need to be directly related to growth in order to use them. The Board would like to see the BOS more involved in the CIP as well to assist with other dept's to contribute their information, etc.

**MOTION:**

J. Pouliot **motioned** to adjourn the PB meeting at approximately 8:27pm. R. Jones **seconded**. **All were in favor. Motion passed.**

Respectfully submitted,  
Lisa Galica  
Land Use Office Coordinator  
cc: file