

**CANDIA PLANNING BOARD**  
**MEETING MINUTES OF**  
**September 1, 2021**  
**APPROVED**

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

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

Audience Present: Mountain States, LLC (applicant), Ben Osgood (MS -Engineer), Bryan Ruoff (Stantec, Town Engineer), Michael & Michelle Tossell (applicant), Jason & Kayla Miller (applicant), Jason Franklin (Rep. Surveyor for Tossell), Jeff Wuebbolt (Road Agent) and town residents.

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

**Case #21-007:**

**Applicant(s):** Michael & Michelle Tossell, 763 North Road, Candia, NH 03034; Owner(s): Michael & Michelle Tossell, 763 North Road, Candia, NH 03034 and Jason & Kayla Miller, 773 North Road, Candia, NH 03034; Property Location: North Road, Candia, NH 03034; Map 402 Lot(s) 32 & 32-1.

**Intent:** *Lot Line Adjustment.* To adjust a common boundary line between Tax Map 402 Lot(s) 32 & 32-1.

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

J. Franklin explains to the PB that the reason for the LLA is that at some point in the past there were encroachments from lot 32-1 onto lot 32. They want to adjust the lot lines to take all those encroachments into account so the Tossell's can enjoy their land and what they thought was already there when they purchased the property. He notes that as the plans show, the septic systems and leach fields are not being compromised because of this LLA.

R. Cartier states that the Tossell's were here a couple months ago for an information regarding this concept and asks Jason to explain a little about the details. J. Franklin states that the small land in the corner (parcel A -approx. .17 acres) owned by the Miller's will be conveyed to the Tossell's and the new lot line will hug the existing tree line.

J. Franklin states that the encroachments have happened over the years between the various properties because people didn't have surveying done and did not technically know where their lot lines were.

R. Cartier asks that for the new corner markings, all new bounds will be granite bounds and Jason confirms this.

M. Chalbeck confirms with J. Franklin that both parties are amenable to this project.

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. J. Lindsey **seconded**. **All were in favor. Motion passed.**

\*R. Cartier opens the public hearing at 7:08pm.

J. Pouliot asks J. Franklin if these are regular lots, have they just been this way for a long time (encroached upon by others) and that is confirmed. J. Franklin notes that it was just discovered recently, and the homeowners want to make the corrections for the future.

R. Cartier asks what the reason was that the owners found out that this correction was necessary and K. Miller states that they were interested in knowing where their property lines were and after not being successful finding them, they went to Jim Franklin to get a survey. They contacted their neighbors (the Tossell's) and are now before the Board getting the lines fixed.

R. Cartier asks if there are any further questions/comments from the Board, abutters or audience but there are none.

\*R. Cartier closes the public hearing at 7:10pm.

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

**Old Business:**

- **Case #20-002 (Review of final plan updates):**

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

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

The applicant is back before the PB to review the final plan updates on the drainage system. Due to the new drainage system, a LLA was recently approved by the Board as well for the applicant. Ben Osgood, the applicant's Engineer, explains that due to the high costs of the originally designed system they reached out to their neighbor (Severino -South Branch Brook Holdings, LLC) and made a deal to add land to their property at a reduced cost compared to what they would have spent on construction with the original design.

R. Cartier go through Stantec's Review letter as there are 3 outstanding items that are encouraged to be review with the Board by the Town's Engineer. The first notable item from the updated plan review was #7, which addressed a generic gate valve on the plans. The Board determined that this item would be a condition of the Revised Final Approval of the plans. This item shall include more specific details on the plans for the gate valve such as the material and type as well as any criteria that is required per NHDES Stormwater Pond Design Criteria (pg. #:25) as noted in Stantec's letter. The next item addressed was #19 and talked about the 100 year storm water storage system. B. Ruoff noted that the current design with the 50 year elevation peak should not be and issue but wanted the Board to be aware of it. The last item #21 addressed the potential lack of access for emergency vehicles around building #3 on the plans. The PB agrees that though they have a letter from the FD Chief stating there are no issues at this time, a written waiver request would be required by the applicant for review by the PB. The PB agrees to allow the applicant, through their Engineer to submit this waiver and the PB votes to approve.

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

R. Cartier notes that this waiver is specific and only for this particular site and therefore no precedent will be set.

S. Komisarek made a **motion** to approve the application as amended. M. Chalbeck **seconded**. **All were in favor. Motion passed.**

- **Case #21-005 (Final Application Extension) -Review:**

**Applicant:** DAR Builders, LLC, 305 Massabesic Street, Manchester, NH 03103; Owner: same; Property Location: Crowley Road, Candia, NH 03034; Map 414 Lot(s) 152 & 152-10.

**Intent:** *Major Subdivision -Lot 152 will be a residential lot and its remainder and lot 152-10 will be deeded to the Town of Chester for Right of Way purposes.*

R. Cartier states that this case was before the PB for a Preliminary application on 5/19/21 and was accepted at that time. They were given 90 days from that date (deadline of 8/17/21) to submit a Final application for the project to the PB, which they did not do in a timely manner. Correspondence was not initiated by the applicant nor any representation regarding the case until an email for an extension to submit the Final application was received on 8/19/21 by Eric Mitchell (applicant's Engineer).

In light of the information, the Board determined they would vote to deny the extension request, given that the deadline date had passed before any communication was provided by the applicant/representative.

J. Lindsey made a **motion** to deny the request for an extension. R. Jones **seconded**. **J. Pouliot** opposed the motion. **All others were in favor. Motion passed (6-1).**

- **Stantec –GIS Mapping System:**

- B. Ruoff asks what the Board would like to see as an initial setup as far as the implementation of the system. He notes that by starting with this basic information, it can be added onto yearly and also in time updates where available and be an indefinite point of continuity.

B. Brock notes that this is a tool that we all will be working with and others that may not be aware of the potential are waiting to see how it can apply to them down the road.

The Board would like to start with all the current Town mapping such as steep slopes, flood zones, tax maps and then add on items such as assessing maps to include valuation, Town zoning, aquifers, wetlands road info to include culverts dates of road work completed/date to upgrade, conservation info., the State Wildlife Action Plan, cemetery lot info. and to be able to pull from outside sources such as SNHPC, satellite, etc.

The Board notes that this info. may also assist with the CIP going forward because the road info. would already be included and the Board can pull from these updates and get a more accurate picture of the timeframe for each project.

J. Pouliot asks how many people would have access and what their level of access would be. B. Ruoff notes that the public would have access to all the info. and there would be 1-2 administrators or Stantec could be considered as their administrators and do all the updating if the Town chooses.

S. Komisarek asks what the timeframe is to complete the basic phase and B. Ruoff states that from the NTP to setup would be approx. 6 weeks.

He will start work on the proposal for cost on startup and preliminary info. and for each additional resource that the Town wants to add, those can be broken down individually on the estimate so they can be added at a later date and the Board will be aware of the cost beforehand.

- **Maplewood Drive Development -Stantec Review Update:**

- R. Cartier reminds the Board that the Road Agent and Town Engineer had done a site walk and had provided a summary to the Board with recommendations that the Developer complete the outstanding items immediately. R. Cartier explains that a new partner, Wayne Garland, had contacted the Land Use Office and both he and Robert Carrigg (currently known developer and all correspondence done with him until Wayne called directly to the LUO and became a known interested party) had no knowledge of any outstanding items they had to address at the site and were never provided the engineering letters from February or August of this year. It was confirmed by the Land Use Office that the letters have been forwarded to them for review so they can work with the Town to complete these items before any CO's are provided by the Building Dept. The Board agrees to have a letter written to both Mr. Carrigg and Mr. Garland for the next steps to be completed so the current property owners do not become liable for the outstanding items. The performance bond needs to be verified that it is active and in place, the developer needs to appear before the Board to request an extension of the project, make sure the driveway across the street from lot 1 is replaced and will be then on Maplewood Drive and a new easement be put in place for maintenance of the retention pond.

- **SNHPC:**

- **Representative nomination:**

- R. Cartier volunteered to be the PB's Representative for 1 year. The Board agrees and voted to nominate him. His nomination will go before the BOS at a public meeting for approval.

S. Komisarek made a **motion** to approve the nomination for Rudy Cartier to be the PB's Representative for Southern NH Planning Commission for 1 year. J. Pouliot **seconded**. **All were in favor. Motion passed.**

- **SNHPC's Annual meeting:**

- Being held on September 28, 2021, at 11:30am and all attendees are welcome to register. Please let the Land Use Office Coordinator know if you want to attend so she can register you appropriately via the email she already sent out.

- **Town Proposal Requests:**

- Cost estimates for Impact Fees, community services & CIP. This estimate should be completed soon and submitted to the Town for review.

- **Zoning Ordinance:**

- Large gathering ordinance was finalized by the Board and once language is edited, will be ready for vote at the next scheduled PB meeting on 9/15/21.

**Minutes -August 4, 2021:**

J. Lindsey made a **motion** to approve the minutes as presented. M. Chalbeck **seconded**. **Motion passed.**

**Other Business:**

- B. Brock gives an update from the Safety Facility Committee and states that the land swap is officially not going to be an option. The Town will be buying the land at the purchase price of \$400k. There will be a public hearing by the BOS to vote to draw out funds from the capital reserve fund account. There will be 2 warrant articles asking for \$100k since there is already \$300k in the capital reserve fund for the purchase as well as to have money to assist with the site/structure and cost to build the facility. They will be meeting with an engineer to look at what they may need to do moving forward for the project.

**MOTION:**

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

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