

CANDIA PLANNING BOARD
MEETING MINUTES OF
October 6, 2021
APPROVED

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

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

Audience Present: Jeff Wuebbolt (applicant), Dan Lewis (JW co-owner), Don Seward (applicant), Eric Mitchell (applicant), Todd Goodman (EM -owner), Sherry -Greg Grimard (applicant), Jim Franklin (Grimard Rep.) and town residents.

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

Informational:

Applicant(s): Jeff Wuebbolt, 270 New Boston Road, Candia, NH 03034; Owner(s): Dennis & Daniel Lewis, 225 North Road, Candia, NH 03034; Property Location: 225 North Road, Candia, NH 03034; Map 406 Lot 94.

Intent: *A 2 lot Minor subdivision of house lot from conserved land with a waiver for frontage.*

R. Cartier starts by confirming that the applicant is present, and they are in person.

J. Wuebbolt states that he is here with Dan Lewis, the co-owner of the property. Dennis Lewis, Dan's brother and co-owner of the property, passed away earlier this year and they were working on a possible subdivision of the house lot from the conservation land. Jeff is assisting the family in this potential project as the property is now in probate, so they are here to gather some feedback from the PB on what options they may have.

J. Wuebbolt explains that for historical and because the easement is already in place, they are looking to divide the lot out almost exactly along the easement line. In doing so though, that will only leave the house lot with approx. 179 feet of frontage, so they would be asking for a waiver from the Board on that.

R. Cartier states that this subdivision would be creating a non-conforming lot and the PB cannot legally do that without 1st having ZBA approval for a variance for the frontage to be less than the ordinance allows.

The Board briefly discusses the lot in question and its combining history. It is not known currently if the lot was originally individual lots legally merged together into a large one or involuntarily merged for assessing purposes only and therefore may actually be pre-existing, non-conforming lots and that may change the project outlook. The Board recommends the applicant look into this property information further and then determine their next course of action.

Informational:

Applicant(s): Donald Seward, Jr., 445 Baker Road, Candia, NH 03034; Owner(s): Donald & Judith Seward, 476 High Street, Candia, NH 03034; Property Location: 476 High Street, Candia, NH 03034; Map 405 Lot 30.

Intent: *A 2 lot Minor subdivision for a new house lot with approx. 92 feet of frontage.*

R. Cartier starts by confirming that the applicant is present, and they are in person.

D. Seward, Jr. states that he is here to get feedback from the PB on a minor subdivision with a potential new building lot with only 92 feet of frontage. He wants to create a new lot behind his current property with the available frontage area off High Street.

R. Cartier states that this subdivision would be creating a non-conforming lot and the PB cannot legally do that without 1st having ZBA approval for a variance for the frontage to be less than the ordinance allows.

The Board asks how much frontage availability there is on the other side of the lot and the applicant states that there is approx. 680ft but is not available to him for family reasons. The Board briefly discusses the option of a possible future road being developed or changing the location of the lot to have the frontage necessary to meet the zoning requirements. S. Komisarek notes that historically, he hasn't seen the ZBA grant cases like these because they do not want to set a precedent, but it would be the next step before the PB could hear/act upon the case.

Informational:

Applicant(s): Eric Mitchell & Associates Inc., 39 South River Road, Bedford, NH 03110; Owner(s): Richard L. & Cassandra S. Abood, 654 North Road, Candia, NH 03034 and Todd Goodman & Bokyoung Mun, 656 North Road, Candia, NH 03034; Property Location: North Road; Map 402 Lot(s) 17, 18 & 19.

Intent: *Lot Line Adjustment & Minor Subdivision w/a proposed 30 foot driveway easement benefitting lot 18. To adjust a common boundary line between Tax Map 402 Lot(s) 17, 18 & 19 and then subdivide lot 18 (currently a non-conforming lot*

with only 15.5 feet of frontage on North Road), into 2 building lots (proposed: 402-18 = approx. 42.4 acres w/84ft of frontage and 402-18-1 = approx. 7.4 acres w/200ft of frontage).

R. Cartier starts by confirming that the applicant is present, and they are in person.

E. Mitchell states that he is here to get feedback from the PB on a LLA and then a minor subdivision. The new lot being created would be formed out of an existing, non-conforming lot with currently only 15.5 ft of frontage access, but then after the LLA, it would have approx. 60'-84' of frontage instead and the new lot would have the required 200 feet. These 2 lots would also share the driveway that is now the access to the main house on the property in the back of the lot. They would share this access because of limiting wetland issues on the property.

E. Mitchell asks the Board if they would require test pits for the new lot and what their feedback is on the irregular shape of the potential new lot and the Board states that the test pits are required for the new lot but not the existing as long as no changes are being made to that septic system and he confirms that is not. R. Cartier notes that the irregular shape can easily be altered by making the lot more rectangular in shape instead of cutting into the land to follow the driveway. They ask if there is any particular reason besides following the driveway for the line to be that way and the applicant states that they want to keep as much land with the original lot as possible, but if they did change it, they may also change the lot design to the other side as well, but that is something the owners will have to discuss further.

Old Business:

- **Case #21-008 (continued from 9/15/21):**

Applicant(s): Roland & Sherry Grimard, 178 Deerfield Road, Candia, NH 03034; **Owner(s):** Roland A. & Sherry M. Grimard & Trustees of Grimard Family Revocable Trust, 178 Deerfield Road, Candia, NH 03034 and Peter D. Foti & Laura L. Short, 184 Deerfield Road, Candia, NH 03034; **Property Location:** Deerfield Road, Candia, NH 03034; Map 406 Lot(s) 69 & 71.

Intent: *Lot Line Adjustment. To adjust a common boundary line between Tax Map 406 Lot(s) 69 & 71.*

R. Cartier starts by confirming that the applicants are present, and they are in person well as their representative, Jim Franklin. This is a continued case that required ZBA approval for a variance before the PB could move forward with their application.

J. Franklin states that the ZBA approved the variance application on 9/28/21. He goes on to state that at the prior meeting, the PB asked for any history of the lots and how they became encroached. J. Franklin presents plans to the Board that show the historical dates the lots were created. He notes that he thinks the reason these lot lines do not look like the tax maps is because, the plan that he got from the registry done by William Gunnarson and approved by the Candia PB in 1976 was recorded just as a boundary. He believes that Mr. Gunnarson got this lot line information from the "Blister Rust" maps that were created in approx. 1939 during the outbreak around the state.

R. Cartier asked if this plan has changed since they were here last in September and Jim confirms it is the same but will make the necessary changes if they are approved by the Board.

The Board reviews the application checklist requirements and confirms the approval details from the ZBA with the applicant. The signature block will need to be added to the final plans as a condition of approval as well as setting new monumentation and noting it on the plans.

After discussion, the Board determined that the application meets the requirements for acceptance. The Board voted to accept the application with the following condition(s):

1. The signature block shall be added onto the final plans;
2. Monumentation shall be set at all new property corners with granite bounds (unless site conditions make that impractical) and noted on plans per regulations.

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

- **Case #21-009 (continued from 9/15/21):**

Applicant: Deer Run Road Investments, LLC, 16 Deer Run Road, Candia, NH 03034; **Owner(s):** same; **Property Location:** same; Map 408 Lot 30-22.

Intent: *Major Site Plan. To construct a 2,500 square foot addition to the existing building and add 8,800 square feet to the existing gravel pad out back.*

R. Cartier starts by noting this is a request for waiver approval for the Major Site Plan that has been previously approved by the PB under Section 2-8.04.B for Traffic Patterns. There were 2 waivers on letter #2 and only 1 was approved at the original meeting. This 2nd waiver request needed to be review by the Board and voted

upon. R. Cartier reads the waiver to the Board and notes that there will be changes to the existing fire cistern as well on the property. Tom Severino said they will be moving it closer to the road.

- Waiver Request Letter #2:
 - Section 2 -8.04.B -Traffic Pattern
 - Waiver request for access on all building sides. The vehicular access on 3 sides is existing and that shall remain the same for the addition.
 - Motion to grant waiver -M. Chalbeck -2nd J. Lindsey (Unanimously approved per roll call vote)

M. Chalbeck made a **motion** to accept the waiver request. J. Lindsey **seconded**. **All were in favor. Motion passed.**

- Zoning Ordinance -Large Gatherings (Public Hearing):
 - The Large Gathering Ordinance language was finalized by the Board, and it has been determined by vote to add it as presented as a new section of the ordinance to the March Town Warrant.

*R. Cartier opens the public hearing at 8:05pm.

R. Cartier asks if there are any further questions/comments from the Board, abutters or audience and J. Pouliot states that they previously talked about camping not being listed as a specific activity because it usually is encompassed with the larger event taking place on the property and the Board agrees to that change. Also, the sentence detailing the R and MX districts shall be moved to the end of the ordinance for clarification of responsibilities upon the applicant.

*R. Cartier opens the public hearing at 8:06pm.

R. Jones made a **motion** to move the proposed warrant article as restructured to the warrant in March. J. Pouliot **seconded**. **All were in favor. Motion passed.**

- Stantec -GIS Mapping System:
 - Review & Funding
 - R. Cartier had gone to the BOS budget hearing on 9/17/21 and was surprised to see that the PB budget sheet said only \$5k for the MP line when this is usually at \$10k for the year, and the Board agreed to a level funded budget for the next year. R. Cartier asked Donna Becker if there was a mistake and was told no, the BOS changed that. R. Cartier states that then he spoke with B. Brock regarding this situation and after some investigation, it was determined that the BOS approval of that change could not be found. R. Cartier then attended the 9/27/21 BOS meeting requesting the BOS to return the \$5k in funds back to the PB budget and the request was thankfully approved. The change was made in finance to take money from the software line item in the general fund (which makes sense because the GIS is new programming for the Town), and the new 2022 budget now includes the full \$10k for the MP again.
 - R. Cartier reviews the cost estimate from Stantec for the basic setup of the program and what would be included initially. The Board will confirm with Stantec about the number of administrative accounts that the Town is required to have vs. do they have the option of starting with the 2 accounts or have just 1 an Stantec will do all the updating. B. Brock asks about the timeframe of starting the project and R. Cartier notes that Stantec said it would complete the tasks within approx. 10 weeks from receipt of the signed NTP.

M. Chalbeck made a **motion** to authorize the signature of the NTP for Stantec to proceed with the GIS setup for the Town of Candia. B. Brock **seconded**. **All were in favor. Motion passed.**

Minutes -September 15, 2021:

R. Jones made a **motion** to approve the minutes with changes noted. S. Komisarek **seconded**. M. Chalbeck **abstained**. **Motion passed.**

Other Business:

- R. Cartier notes that the cost estimates for impact fees, community services & the CIP have been received from SNHPC and sent via email to everyone for review. He notes that as a reminder, SNHPC no longer does work on CIP's or impact fees but can assist as a reference of information if needed. The issue is that since the studies are both approx. \$5k each so with the GIS, they are only going to be able to do 1 each year and they can discuss that further to make that determination going forward.

- R. Cartier notes that Tanglewood is back with another Preliminary application that will be scheduled for the 11/3/21 PB hearing. The owner, Reggie Moreau (DAR Builders) contacted the LUO and was provided with the next steps letter that was sent out after the 5/19/21 PB hearing. He originally thought this was Stantec's Review of items, but this was directly from the PB. He said he never received the information from his engineer (Eric Mitchell) and will be meeting with him to get updated on the project and will be more directly involved going forward. The meeting will be held at the Moore School in the gym on 11/3/21 at 7pm. J. Pouliot asked if someone can keep coming before the PB repeatedly with applications or can the Board limit this. R. Cartier says technically no, the Board cannot do that. The applicant's have the right to submit the application as many times as they want, with the condition that the Board has not *approved or denied* the final project application. In this particular situation, the prelim. application was accepted and they had 90d to submit the final app. but failed to meet the deadline date or request and extension of the deadline before the 90d. Now they will come back before the Board with a new prelim. app. submittal and start the process all over. R. Cartier will confirm in the regs. if they can use the items in their next steps letter for this new app. as well.
- R. Jones asks the PB if they want to be represented with a table at Candia's Informational Night and R., Cartier says yes, he will attend and any other member who can, it would be good to have them there as well.
- Scott notes that he went to the meeting regarding the Infrastructure Bill and Candia is still next on the DOT 10y plan list for next year to be assigned to a project manager and will start with planning.
- The LUO received a call today from Attorney Cronin's office regarding the James Logan 55+ conditional use application and when it will be heard by the PB. It was clarified to the office assistant Linda, that as previously discussed, the submission was insufficient, and a formal site plan application must be submitted in this case and then they will be added to the agenda. This was confirmed on many occasions by the Board as well as Town Counsel with the applicant as well as their representatives.
- B. Brock gives an update from the Safety Facility Committee and states that they have now hired the Architectural Firm as well as the Contract Manager for the project. The BOS had their public hearing on the 27th of last month and the BOS approved the Committees request to use the \$35k out of the capital reserve fund for some of the project costs. Currently the PD area is approx. 6,500 sq ft but final plans have not been created yet so it's an ongoing design process at this moment. They have also started gathering information pertaining to a bond situation as well and will provide further details as they have them.

MOTION:

J. Pouliot **motioned** to adjourn the PB meeting at approximately 9:07pm. J. Lindsey **seconded**. **All were in favor. Motion passed.**

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