



Stantec Consulting Services Inc.
5 Dartmouth Drive Suite 200, Auburn NH 03032-3984

November 1, 2021
File: 195113407

Attention: Mr. Rudy Cartier, Chairman

Town of Candia Planning Board
74 High Street
Candia, NH 03034

Dear Mr. Cartier,

**Reference: Tanglewood Major Subdivision
Candia Tax Map 414 Lot 152**

In accordance with the request of the Town of Candia, NH Land Use Office we have reviewed the following information submitted by Eric C. Mitchell and Associates Inc. (ECM Inc.) for the above referenced project received on August 20, 2021, with a notice to proceed, for the review of the updated plans received from the Town on October 21, 2021:

- Subdivision Plan set entitled Tanglewood Subdivision (previously submitted as Crowley Woods), prepared by Eric Mitchell & Associates, Inc., 17 plan sheets, last revised May 8, 2021.
- Response Letter to Stantec May 17, 2021, Review Letter, prepared by Eric Mitchell & Associates, Inc and dated August 20, 2021
- Major Subdivision Application with attachments, prepared by ECM Inc., dated September 30, 2021

The submittal was reviewed in response to a request by the Town of Candia and was reviewed for conformance with the Site Plan Regulations (Regulations) and the Zoning Ordinance (Ordinances), as well as other relevant local and state regulations and generally accepted engineering practice. Comments from our May 17, 2021, review letter that have been addressed by the additional information have been removed, comments that remain unresolved are indicated in *italics* and new comments based on the additional information provided are indicated in **bold**. We offer the following comments:

General Comments

1. *Crowley Road currently functions as a low-volume rural road with an average of 189 vehicle trips per day, in general, conforming with the AASHTO's standards for Very-Low Volume Local Roads. However, the increase in vehicle traffic from the proposed subdivision would result in the change of classification of Crowley Road from a Very-Low Volume Local Road to an Arterial Street as defined in Regulation Section 14.15. Based on this proposed change it is recommended the Board discuss with Town Departments necessary upgrades to Crowley Road to meet the design standards outlined in Regulation Section 14.15 for an Arterial Street as a result of the proposed vehicle traffic increases. **Comment not addressed. The Applicant's engineer has responded that AASHTO and the applicants traffic engineer recommend the widening of existing roadways to 18-foot or 20-foot and that the proposed road widening meets this AASHTO guidance. However, the plans indicate the roadway will be widened where possible, this reference to AASHTO is guidance not a standard that also does not account for the current roadway geometry, the narrow right***

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of way (ROW) and current site conditions of trees, utility poles and ledge immediately adjacent to the .

3. *The plans propose to deed property within the Town of Candia for the purpose of creating the road right of way for Shannon Road to the Town of Chester, it is unclear if this can be done and it is unclear what it intended for the remainder lots within the subdivision, additional detail and a legal confirmation by the Town's attorney is recommended. **Comment partially addressed; the Applicant has responded that the Town of Chester has agreed to accept the deed to the right of way, but formal documentation must be provided for the record.***
5. *The easterly intersection of Crowley Road and Shannon Road has previous been described as a three-way stop but only a stop sign and stop bar are proposed on Shannon Road on some of the plan sheets, the intent is unclear. Additionally, given that this stop condition on Crowley Road will be a new traffic pattern we recommend that stop ahead signs also be provided with spacing consistent with MUTCD standards in either direction on Crowley Road. **Comment not addressed, stop signs, and stop bars are not shown in the proper location and must be shown on all proposed plan sheets.***
6. *In conjunction with the previous comment, it is recommended that Crowley Road be re-aligned at the proposed easterly Shannon Drive intersection be to provide a tee intersection and three way stop in lieu of the proposed intersection off the existing bend in the road, as previously discussed. **Comment not addressed.***
7. *The plans specify a 10-foot plant screening easement on the proposed Tax Map Lot 414-152 but the remainder nonbuilding lots where the Shannon Road right of way are proposed must also have a 10-foot planting screening easement placed on those lots as specification in Regulation Section 12.03. **Comment not addressed.***
8. *Proposed Tax Map Lot 411-152 is proposed to have roughly 153 feet of frontage in Candia, although the lot is proposed with frontage and access off Shannon Drive, this roadway is proposed to be deeded to the Town of Chester. We recommend that the Board discuss this, as specified in Regulation Section 12.02 it is the Board's discretion on whether the frontage on a Road in Chester meets the zoning requirements for a building lot in Candia. **Comment not addressed.***
10. *The project is a development of Regional Impact as defined in Regulation Section 2.14, it is our understanding the Town of Chester, previously provided a conditional approval for the project, please provide, for the record, all other correspondences relative to the presentation of the proposed plans to other communities. Formal action associated with the subdivision submittal must be provided in accordance with the requirements of Regulation Section 2.14. **Comment not addressed.***
12. *Benchmarks must be provided on the plans for the layout and construction of the proposed improvements, as specified Regulation Section 10.06c. **Comment not addressed. A minimum of two benchmarks with northing and easting, and elevation information must be provided for the layout of construction.***
13. *The plans indicated that engineering was performed by Bernard Temple, but the P.E. stamp is missing from the engineering drawings. **Comment not addressed.***
14. *The plans are required to provide all existing and proposed utilities as specified in Regulation Section 10.06k, this should include but not be limited to utility pole installation, relocation or proposed cable TV, electric and communication lines within the limits of the proposed improvements on Crowley Road*

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and Shannon Road. Comment partially addressed; existing utility poles are shown on the plans but not the associated overhead wires.

15. *The submission is required to provide a preliminary drainage design of all proposed (and existing) drainage features, analysis, and comparison of pre and post conditions as specified in Regulation Section 10.06l. Comment not addressed, no drainage calculations or drainage report has been received to date with this submission.*
16. *The submission is required to include a statement from the Candia Tax Collector indicating whether the property is under current use taxation status or not, as specified in Regulation Section 10.06m, the application checklist indicates N/A under this item, which is not incorrect. Comment not addressed.*
18. *The plans are required to specify the existing and proposed pavement markings, as specified in Regulation Section 10.06p. Comment partially addressed, stop bar locations where shown, must be revised to the correct locations, and must be shown on plan sheets where they are not shown.*
20. *The plans must show vehicle turning movements for a WB-67 into and out of the proposed road without impacting other vehicles, private property, or pedestrian traffic, as specified in Regulation Section 10.06t. Additionally, turning movements should also be provided for the two existing intersections of Crowley Road confirm that the intersections are adequate for the proposed traffic. Comment not addressed, the Applicant's engineer has indicated that turning movements for a WB-40 have been provided but this is a deviation from the requirements and no waiver has been submitted to date.*
21. *The plans must provide the limits of all wetlands, delineated in the field, and certified by a Wetlands Scientist registered in the State of New Hampshire as specified in Regulation Section 10.06v. This should include the limits of the proposed improvements to Crowley Road. Comment not addressed.*
22. *A list of all proposed waivers must be provided on the plans as specified in Regulation Section 10.06y, to date we are not aware of any proposed waivers. Comment not addressed, see comment #20.*
26. *Construction details must be provided for the proposed improvements as specified in Regulation Section 10.11h, although a cross section is provided, it is unclear how the road will be widened to provide the specified roadway width, additional details are required. Comment not addressed.*
- ~~27. *A final drainage design of all proposed drainage features, analysis, and comparisons of pre and post conditions must be submitted with the Application as required in Regulation Section 10.11i. This should also include any necessary proposed drainage improvements to Crowley Road. Comment not addressed; specifically, the existing drainage in the proximity of the proposed Tanglewood Drive intersections with Crowley Road should be reviewed and confirmed. to be adequate- prior to the proposed construction.*~~
29. *The intersection grading and/or modifications of the existing intersections are not clearly defined, it is recommended that intersection grading plans be provided to clearly specify the proposed improvements for construction. Comment not addressed.*
30. *The plans are required to include a schedule, including an anticipated start and completion date for the project as specified in Regulation Section 10.12a-9. Specifically, the schedule must include the timing for the proposed improvements to the existing Crowley Road intersections, the proposed upgrades to Crowley Road and the proposed construction of the Tanglewood subdivision. Comment not addressed.*

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34. *The Applicant previous submitted a traffic study with the previous Major Subdivision submission, the traffic report as amended to address all comments previously received from the Town and Town's Engineer must be submitted for the record. Stantec provided the following comments in response to the previously submitted traffic study, with no responses to date:*
- a. *The proposed subdivision results in an average daily trip increase from 189 vehicle trips per day to 666 vehicle trips per day on Crowley Road. The effective life of Crowley Road will be significantly reduced with this increased traffic due to the project (subdivision in Chester). The Applicants Engineer should provide recommendations in the report that address the immediate and long-term viability of the roadway given the increases in traffic proposed as part of this development. **Comment not addressed.***
 - b. *The study does not address or provide recommendations for required offsite improvements on Crowley Road to account for the increased traffic from the project. It is necessary that recommendations for the increased traffic loading on Crowley Road address the following:*
 - iii. *Existing pavement thickness on Crowley Road. **Comment not addressed, the applicant has indicated there is 2-3 inches of pavement, but no information has been obtained to determine the pavement thickness and the limits of the thinner pavement.***
 - c. *The study identifies three intersection options for comparison but does not identify which will be utilized for the project. Additionally, none of the three intersecting options match the intersection proposed in conjunction with the development. **Comment not addressed.***
 - d. **New Comment: As discussed at the last Planning Board meeting the Application was heard the Applicant was requested to provide an updated traffic study, to date, none has been provided as previously discussed.**
35. *Crowley Road is listed as a scenic road, all proposed tree clearing required for offsite improvements to Crowley Road or as required for the access to Shannon Drive within Candia must be identified, reviewed, and approved as part of the approval process. A proposed tree clearing report with the limits of clearing, the individual trees identified to be cut down and the evaluation by an arborist is required for any proposed tree cutting or clearing. The plans specify the removal of existing 'dead' trees, this classification but be formally confirmed as appropriate. **Comment not addressed; the Applicant has responded that a scenic road hearing will be held as a condition of approval. This determination will be made by the Board not the Applicant or the Applicant's engineer and we recommend that they discuss this item with the Board.***
36. *It must be determined whether Chester or Candia will be responsible for providing first responders for emergencies within the proposed subdivision. If Candia is assumed or anticipated to provide first responders for emergency services, it is recommended that the fire suppression water sources be provided to meet the Town of Candia Regulation Section 19.15. It is recommended that an agreement between the Town's relative to this be established prior to plan approval. **Comment not addressed.***
37. *Improvements to the Crowley Road / Chester Road intersection must be provided to provide school bus access to Shannon Road or a boarding area must be provided as specified in Regulation Section 14.22. **Comment not addressed.***

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39. *Given the proposed increases in vehicle traffic to the intersection of Crowley Road at Chester Road it is recommended that additional pavement striping, and signage be provided to make the traffic pattern at this intersection clearer for motorists and pedestrians. **Comment not addressed.***
40. *The plans are required to provide traffic detour signage plans for the proposed construction of Shannon Drive and the proposed improvements to Crowley Road, as specified in Regulation Section 10.06n. **Comment not addressed.***
42. *A note is required to be put on the plans that specifies that all new lot corners be marked with granite bounds and adjacent iron detection pins unless a written waiver is granted by the Board, as specified in Regulation Section 12.04. **Comment not addressed; it should be noted that the Applicant has requested a waiver on the plans, but a waiver letter request has not been submitted to the Land Use Office but we do not recommend granting this waiver.***
44. *It is recommended that a note be added to the plans indicating that appropriate surety be provided for the full cost of the offsite improvements on Crowley Road and that a separate maintenance surety be provided for the cost to replace/repair Crowley Road for the duration of construction on Shannon Drive. It is recommended that these surety amounts be established, reviewed by Stantec, and provided by the Applicant prior to Planning Board approval. **Comment partially addressed; the note, as provided on the plan is vague and does not effectively address or identify the requirements as outlined in this comment.***
45. *As documented and discussed during the previous subdivision submission, improvements on Crowley Road are required to be performed prior to the construction of the Tanglewood Subdivision include the widening of the roadway and gravel shoulders, the widening of the roadway 'clear space' and the potential improvements to the existing drainage. The submitted plans do not specify in any detail any of these previously discussed improvements with the Town Departments. **Comment not addressed.***
46. *Per previous discussions, it was recommended that a determination be made by the Town's legal counsel as to whether the proposed storm water systems (culverts, catch basins, detention basins, etc.) be required to meet Town of Candia drainage standards. Per the previous response of the Town's legal counsel, it is our understanding that all proposed drainage is required to meet Town of Candia drainage standards. **Comment not addressed.***
51. *The Crowley Road/Chester Road NHDOT Sight Distance Plan and Profile (plan sheet 9 of 17), appears to demonstrate that there is adequate sight distance at this revised intersection location, however, we observed that the existing sight distance at this location is limited in both directions due to existing brush/vegetation. **Comment partially addressed, the Applicant's engineer has indicated that sight distance easements have been obtained but must be provided for the record and the easements must also provide access to the Town of Candia.***
53. *The intersection of Crowley Road and Lane Road is shown with an added stop sign and stop bar on Lane Road, this was previously reviewed by the Town of Candia Departments in 2018 and they unanimously indicated that they were not in favor of these changes. However, with the unsafe condition at this intersection and the added traffic from the subdivision it is necessary for the designer to re-evaluate a solution to create an intersection that meets AASHTO standards. **Comment not addressed.***

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56. *Based on the existing information it appears that a portion of the existing Crowley Road is super elevated, given this, it is unclear on how a 2% crown will be provided on the roadway for the proposed improvements. **Comment not addressed; the Applicant's engineer has responded that a 2% crown will be provided where it is existing, this does not address our comment.***
57. *The plans specify a 0 to 2' gravel shoulder "when possible", as previously discussed, this must be revised to provide a minimum 3' gravel shoulder and a 30-foot cleared right of way space that is free of ledge, stone walls, trees, or other obstructions to accommodate the proposed increases in traffic associated with the subdivision. Currently there are multiple locations along Crowley Road where is only twenty feet of 'clear' ROW, which only allows for one way traffic for a snowplow to pass during the winter and currently requires traffic to back up during plowing operations. **Comment not addressed.***
58. *The proposed improvements plan for Crowley Road indicate that the road is to be upgraded to provide a twenty-foot paved roadway and two-foot gravel shoulders, "where possible". It was agreed by the Town Departments and Stantec during the site walk in 2018 that these proposed improvements are insufficient and at a minimum it was recommended by Stantec and the Town Road Agent that the roadway be upgraded to provide two eleven-foot-wide paved travel lanes with two-foot gravel shoulders. It is noted that this proposed roadway widening would be a reduction/reduction in requirements from the Town roadway requirements for an Arterial roadway of a sixty-foot right of way with two twelve-foot-wide paved travel lanes and two six-foot gravel shoulders. **Comment not addressed.***
59. *The proposed offsite improvements to Crowley Road only specify pavement improvements but should also evaluate and provide recommendations for the necessary upgrades to the existing guardrail, signage, and drainage systems on Crowley Road to be in compliance with current AASHTO standards to accommodate for the proposed increase in traffic volume. **Comment not addressed.***
62. *There is an existing telephone pole in the proposed Shannon Road roadway, it is unclear if this is being removed in conjunction with the proposed improvements. Additionally, there are a number of existing utility poles within the Crowley Road ROW that appear to be in conflict with the existing road and may be required to be relocated to allow the proposed improvements but no detail on the plans is specified, additional information is required. **Comment not addressed.***
63. *When this proposed subdivision was previously submitted for review in 2018, the Candia Town Departments met in the field with the Applicant's surveyor and Engineer to discuss the necessary offsite improvements to support the proposed traffic increases that the subdivision will create. It should be noted that none of the direction that was provided by the Town Departments has been incorporated into the plans. Additionally, a site walk with the Town of Candia Department heads to review the project and the necessary offsite improvements may be warranted given the time that has lapsed since the previous meeting. **Comment not addressed.***
64. **As discussed during the previous Planning Board meeting, the following concerns were identified by the Board to be addressed with the Final Plat submission by the applicant that included the following that have not been responded to or addressed to date:**
- a. **What upgrades are proposed as part of Crowley Road.**

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- b. Provide Drainage Analysis for Crowley Road upgrades**
- c. Provide design improvements at the following intersections for safety.**
- d. Provide the Board with the requirements for improvements to Main Street & Old Candia Road and Main Street & Chester Road.**
- e. Present a schedule as to when improvements would be made to Crowley Road.**
- f. Update the Traffic Study to provide traffic information during the months that school is in session to show true traffic patterns and impacts in the area. The study should include but not be limited to Crowley Rd, Chester Rd, Brown Rd, Patten Hill Rd, Depot Rd, Langford Lane and Palmer Rd.**
- g. Provide a well yield (water supply) probability study and water source availability (report).**
- h. Include landscaping buffers at the development entrances per Major Subdivision Regulations.**
- i. A site walk for the proposed Crowley Road improvements will be required.**

These comprise our comments at this time. We invite the Engineer and Applicant to meet with us to discuss these comments or other issues, which may affect the project. We reserve the right to make future comments based on revisions and additional submissions.

Please call if you have any questions.

Respectfully,

Stantec Consulting Services Inc.



Bryan Ruoff PE
Project Manager / Associate
Phone: 603 854 9501
bryan.ruoff@stantec.com

Attachment:

- c. Lisa Galicia, Candia Land Use Office
Kevin Gagne, Candia Land Use Office
Candia Board of Selectmen
Jeff Wuebbolt, Candia Road Agent
Mike McGillan, Candia Police Chief
Eric Mitchell, Eric C. Mitchell and Associates, Inc.
Rene LaBranche, Stantec



Candia Police Department

74 High Street
Candia, New Hampshire 03034
Telephone (603) 483-2317 emergency
(603) 483-2318 business
Fax (603) 483-0253

RECEIVED
MAY 19 2021
BY: *[Signature]*

Michael D. McGillen
Chief of Police

May 18, 2021

Rudy Cartier, Chairperson
Candia Planning Board
74 High Street
Candia, NH 03034

Re: Crowley Road subdivision/Candia Tax Map 414, Lots 152 and 152-10

I have viewed the plans dated March 1, 2021, and noted the following concerns:

- With the proposed development there would be a substantial increase in vehicular (several hundred trips) and pedestrian traffic on Crowley Road as well as the adjacent roads. Crowley Road should be upgraded to safely accommodate fire apparatus, snowplows, school buses, delivery vehicles, etcetera. The road should be sufficient to allow for a commercial vehicle and a passenger vehicle to safely pass by one another. There should also be a shoulder to accommodate pedestrians.
- The intersections of Crowley Road and Chester Road and Crowley Road and Lane Road have sight distance issues. They both would need to be upgraded to accommodate larger vehicles.
- Sight distance issue; Shannon Road at the bottom of Crowley Road.
- Sight distance issue; Shannon Road on the hill, across from 166 Crowley Road.
- I do have concerns with the intersection of Chester Road at Main Street. The intersection should be upgraded to accommodate the increase in traffic. Also, I suggest signage be put up with DOT approval during the construction period to alert motorists of the increase in truck traffic.
- There may also be an issue with the intersection of Main Street and Old Candia Road by Turn Key Auto. Already during the commute times, it is difficult to make a left turn onto Old Candia Road.

Michael D. McGillen
Chief of Police



Candia Volunteer Fire Department

11 Deerfield Road
Candia, New Hampshire 03034
(603) 483-2202 (603) 483-2311 (fax)
www.CandiaVFD.org



May 7, 2021

Rudy Cartier, Chairperson
Candia Planning Board
74 High Street
Candia, NH 03034

Re: DAR Builders, LLC
MAJOR Subdivision -Crowley Road (Map 413 Lot 18)
Intent: Minor subdivision with common driveway.

Dear Mr. Cartier,

I have reviewed the plans referencing the Major Subdivision application for Crowley Road in Candia, NH.

Based on my review, I have no concerns and see no issues with this proposal.

If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Dean M. Young".

Dean Young, Chief
Candia Volunteer Fire Department

cc: file

05/17/2021

To: Candia Planning Board

From: Road Agent

Re: Crowley Woods Subdivision, items to consider

RECEIVED
MAY 18 2021

BY: 

1. Road classification: Candia NH subdivision Regulations for the Town of Candia, Section 14.15 classification of streets, states that 500 or more cars per day is classified as an arterial street. This would require a 60 foot right of way with 24 feet of pavement and 6 foot shoulders. This would require a minimum of 36 Feet. Presently the Crowley Road Right of way is only 33 Feet. In addition, Crowley road only has 20' maximum of pavement at any point in the road, and no shoulder due to trees, rock walls and ledge.
2. Maneuverability of Vehicles: At a minimum, there should be two 11 foot wide lanes with a 2 foot gravel shoulder, and the right of way should be cleared of all ledge, boulders and trees to give a completely cleared space of 30' wide. As it stands right now, two larger trucks would not be able to meet each other and pass safely. In winter, a truck with a plow and wing would not be able to safely pass a passenger vehicle. If this development is to go in it would be increasingly likely that there would be an accident due to the width of the road.
3. Road Maintenance: With the increase of housing on Crowley Road there will be a significant increase of vehicles navigating the road. How that will affect the surrounding traffic patterns already in place is an issue that needs to be addressed. It is worth noting that, with an increased vehicle load on Crowley Road, there will also be an increased cost for maintenance at complete expense to the town. Currently, Crowley Road is not on the capital improvements plan to be rebuilt.
4. Safety: There will be a higher risk to pedestrians as a development of this size will significantly increase the amount of foot traffic on Crowley Road. With no shoulder for pedestrians to walk on they are forced into walking on the road, which creates a greater chance of accident given the increased traffic load. As mentioned above, in note 2, there could also be potential for one way road scenarios with larger vehicles utilizing the road with insufficient roadway.
5. Sight Distance: Sight distance will be an issue at the intersection of Crowley Road and Chester Road as well as when you pull out of both entrances to the proposed development road onto Crowley road. Town of Candia section 14.15 states that there be a minimum of 400' of sight distance needed for an arterial road, which this would become.

Jeffrey Wuebbolt

Road Agent

November 1, 2021

Dear Planning Board,

The Candia Conservation Commission has reviewed the plan, Tanglewood, on Crowley Road, Map 414 - Lots 152 and 152-10 and have found no problems with the submitted design.

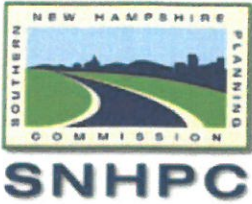
However, at the hearing on this property held prior at CYAA, Planning board Chair Rudy Cartier said the town would have to vote to remove the scenic road designation of Crowley Rd.

Is that because the traffic increase dictates the road be redesignated?

If the upgrade of Crowley Rd. is approved, they will have to take some road frontage by eminent domain. What is the defining line between eminent domain by a government entity and by a private entity?

Thank you for sharing this plan with us for our analysis and feedback.

Sincerely,
Judi Lindsey
Chair of the CCC



Southern New Hampshire Planning Commission

438 Dubuque Street, Manchester, NH 03102-3546, Telephone (603) 669-4664 Fax (603) 669-4350
www.snhpc.org

Nov. 2, 2021

Mr. Rudy Cartier
Chairman
Town of Candia Planning Board
74 High Street
Candia, NH 03034

Re: Development of Regional Impact- "Tanglewood" (Crowley Woods) Subdivision

Dear Mr. Cartier:

As stated from past reviews, we recommend the Candia Planning Board review carefully impacts and improvements planned for the project's many intersections and those along Crowley Road especially regarding sightlines, safety, and roadway integrity. It should be noted that the primary intersections reviewed are located at Crowley Road and Chester/Candia Road, the intersection at Crowley Road with Lane Rd, and the intersections created by the new proposed Shannon Road.

Although we understand that the plans are considered "preliminary", they indicate improvements to Crowley Road such as "regrading", "shim", and "overlay", however, there are no engineered design details for these improvements (plans provided dated 3-1-21) or notes indicating how the improvements will dovetail with existing grades, existing driveways, or roadway segments. Similar details are missing for the intersection improvements, both for existing and new intersections. Furthermore, improvements cited on existing intersections are minimal and again, no engineered details are provided such as dimensioning, slopes, construction materials, roadway surface, curbing, drainage and other typical roadway construction information.

Also, the new roadway may impact existing residents and there are no buffer or landscaping details included for areas that would be impacted by the new road system.

Other possible issues remaining aside from those discussed above include:

1. As this proposal started in 2017, existing conditions along Crowley Road may have worsened and a new review should be completed to verify areas that need to be addressed/improved.
2. Construction sequence outlining offsite improvements from design to implementation as it relates to required thresholds for those improvements, such as the number of building permits or COs allowed prior to a triggered improvement.
3. School bus route verification and/or drop-off and pick-up points.

Thank you for your consideration of these comments,

Sylvia von Aulock

A handwritten signature in black ink that reads "Sylvia von Aulock".

Executive Director
Southern NH Planning Commission

Carl Eppich

Principal Transportation Planner
Southern NH Planning Commission

RECEIVED
NOV 03 2021

Karen Reis

351 Chester Rd

BY: 

The following is an excerpt from Planning Board Basics Roles and Responsibilities: "When you are denying an application, whether for site plans or subdivisions, give every legitimate reason you can think of, provided it is substantiated by testimony or other evidence on the record-something is bound to stick, and the court only needs to agree with one of your reasons to uphold your decision." (June 4, 2016; Page 21)

So I will present you with four.

The Town of Candia Subdivision Regulations (2010) Standards for Subdivision Design, Article 11.03.

Prohibition of Premature or Scattered Subdivision: NH RSA 674:36

Definition: Scattered or premature subdivisions of land as would involve danger or injury to health, safety or prosperity by reason of:

- Inadequate water supply
- Drainage
- Transportation
- School
- Fire protection or other public service,
- Or would necessitate an unplanned and/or excessive expenditure of public funds for the supply of such services,

Shall not be approved by the Board

1. Inadequate water supply-

- Candia Master Plan of 2004 cites: groundwater resources, especially recharge potential, have significant limitations in the town (NROC 2004, page 50).
- In July, 2017, SNHPC notified Candia of a 2009 water resource issue in the Town of Chester. The parameters for the study were based upon estimates of obtaining 40 gallons per minute or more of water from a 400-foot deep bedrock well. The results of the study indicate that the parts of northwest Chester, located near Crowley woods site, have a very low well yield probability of less than six units. SNHPC recommended a study be conducted to better understand how this development will impact well-yield and how this development will impact wells adjacent to the development site. This was never done.
- Residents of Crowley Road-
 - Saul Levesques, of 29 Crowley Rd had a well drilled last year. They went 1000 ft and no water. They fracked and it yielded 1.2 GPM.

- Jason Gustin, of 161 Crowley Rd, says he gets about 1 GPM
- As a reference, the Federal Housing Administration says new construction homes or old homes with a new well must provide a minimum of 5 gallons a minute. Older homes must provide a minimum of 3-5 gallons a minute.

2. Transportation-

- We have discussed over the past 4 years the limitations Crowley road. Being a scenic road, it has challenges in both width and sight distance. 600+ cars daily classifies it as an arterial street which requires a 60 ft right of way (ROW) with 24 ft of pavement and 6 ft of shoulders. The pavement widths on Crowley Rd range from 18.5-20.0 ft. with an existing ROW of 33 ft and cannot be widened in some areas.
- A development of this size is required to follow ASHTO standards 400ft sight distance. Four intersections do not meet that sight distance requirement. Site distance from Crowley to Chester Rd southbound is 250 ft and 0 ft when turning Northbound. There is only 165 ft of sight distance at Crowley Rd and Lane Rd and the sight distance at Chester Rd and Main St is only 200 ft.

3. Fire protection or other public service-

- Police Chief McGillian stated as a result of this development, the volume of calls for MVA's will most likely increase.
- Additionally, safety for pedestrians is a concern, as well as the passage of fire apparatus, snowplows, school buses, delivery vehicles etcetera on such a narrow road. (May 18, 2021)

4. Necessitate an unplanned and/or excessive expenditure of public funds for the supply of such services.

- SNHPC and the Candia Transportation Plan identified three intersections that pose a safety hazard. They include Lane Road/Crowley Rd, NH 43(Old Candia Rd)/Main St/Raymond Rd, and NH 43/Old Candia Rd/Old Manchester Rd, all of which will be directly affected by this development.
- They recommended including both 43/Main St and 43/101/Old Manchester Rd intersections in the traffic study, which was not done.
- Chief McGillian also stated concerns for the intersection of Chester Rd at Main St and the intersection of Main Street at Old Candia Rd. (May 18, 2021)
- All of these intersections will need improvements to accommodate this volume of traffic at the excessive expenditure of public funds.

What next?

The question was asked "May a planning board deny a subdivision application if it determines that the condition of access roads is so poor or inadequate that the safety of the present residents will be jeopardized further by the subdivision for which approval is sought?" (Planning Board Basics Roles and Responsibilities; NH Office of Energy and Planning, Spring conference. May 11, 2013; Page 17)

Zukis v. Town of Fitzwilliam, 135 NH 384 (1992) found that a planning board may properly consider the **PRESENT** condition of access roads when ruling on a subdivision application, and if a hazard is created by the **PRESENT** level of development, it may find that future development is premature.

In Garipay v. Town of Hanover, 116 NH 34 (1976), the court held that, as part of the statutory authority to prevent 'premature development,' the hazards posed by the condition of the access road may be considered. These statutes empower the planning board to consider offsite factors in so far as they render subdivisions 'scattered or premature'.

Over the last 4 years, you have heard numerous testimonies from citizens and town officials. You have received consultation from professional organizations such as Stantec and SNHPC, reviewed State of NH Statutes and RSA's, and referenced our own Town of Candia Plans and Regulations. All of which has offered ample reasons to deny this development.