

CANDIA PLANNING BOARD
MEETING MINUTES OF
March 16, 2022
APPROVED

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

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

Audience Present: Tom Severino (applicant/owner Branch Brook Holdings) and a town resident.

*Mark Chalbeck, V-Chair called the PB meeting to order at 7:00pm immediately followed by the Pledge of Allegiance.

Case #22-002:

Applicant: Branch Brook Holdings, LLC, P.O. Box 410, Candia, NH 03034; Owner(s): same; Property Location: Critchett Road, Candia, NH 03034; Map 406 Lot 140 & Map 407 Lot 13.

Intent: *Lot Merger.* Remove the existing lot line between Map 406 Lot 140 (approx. 26 acres) and Map 407 Lot 13 (approx. 33 acres) and consolidate the two lots into a single lot, resulting in a new parcel of land equaling approximately 59 acres.

M. Chalbeck starts by confirming that the applicant is present, and he is via zoom.

T. Severino asks the Land Use Office Coordinator about the Lot Merger documents and she explains there is an extra form he needs to sign before the recording can take place. The applicant confirms he will do this once he returns back to town and then we can move forward with the recording.

M. Chalbeck asks if there are any questions/comments from the Board and J. Pouliot asks the applicant why he is doing this merger. T. Severino states that he has a proposed subdivision plan he will be submitting an application for to the Board in a couple weeks and this is the 1st step to that process, merging and consolidating these 2 lots for that development.

M. Chalbeck states that as a condition, monumentation shall be set and noted on plans per the subdivision regulations and T. Severino says they should not have to do that. T. Severino says the plan was to get this plan in and use it for the initial plan submission. Ultimately before they come back with the final subdivision plan, yes, Jones & Beach will be out there, will set monumentation. We just wanted to come to the 1st meeting, showing these combined lots that we're creating the subdivision on. When Lisa & I talked about it, it's like, the lots have to be merged 1st because you're showing the 15 lots on it cause then we would have had to come in with the lot consolidation plan in the subdivision plan set and it gets confusing to do it together. So ultimately that will be done but really, technically from an RSA standpoint, if you, I think it's.....the Land Use Office Coordinator notes that Jim (Jim Franklin-applicant's Land Surveyor) does usually put these on the surveys too. T. Severino says if you go to RSA 674:39, you're allowed to consolidate lots. He says the only thing you need to do if there are 2 lots and consolidating the lots does not make them non-conforming, this is the 1 time that an owner can consolidate the lots, there is no need for public notice, like we're not doing tonight and no new survey or map needs to be recorded in the Registry of Deeds but the PB does need to sign the notice of merger that gets recorded. B. Brock says right. T. Severino says once that notice of merger gets recorded, we are now using that new lot number to create this new subdivision and at the end of the day, there will be a whole new plot plan for that consolidated lot, there will actually be subdivided lots on them.

B. Brock and M. Chalbeck both say that makes more sense. B. Brock says typically the new boundaries are set if you're making new boundaries and, in this case, we're not making new boundaries. M. Chalbeck says well you're going to make new boundaries, but after he brings an application. B. Brock says no, not at this point we're not and M. Chalbeck agrees. B. Brock says the existing boundaries consolidate the whole thing. The Land Use Office Coordinator asks even for the survey that Jim is doing, and B. Brock says no, when they come in with a survey for the subdivision, then they'll be new boundaries set. The Land Use Office Coordinator notes that he's (Jim Franklin) not doing a survey for the subdivision, this is the survey, he's going to do it now. B. Brock says personally he doesn't think there's any need, we're not creating new boundaries, the boundaries are there. The Land Use Office Coordinator says no the boundaries are not there because they are different because right now you have boundaries for this lot and boundaries for this lot (showing the Board that there are currently 2 separate lots and with the merger we will not be removing the center boundary to combine the 2 into 1) and now we're going to consolidate them, so boundaries are only going to be here. B. Brock says correct. R. Jones says so we are eliminating boundaries, we're not making any new one. The Land Use Office Coordinator confirms this and says that's why it needs to be noted and why monumentation has to be set and noted on the plans, which like I said, Jim usually does

this, and we've seen it before in our cases. M. Chalbeck states that he is going to have to defer to B. Brocks experience.

T. Severino says he thinks this is a little different and asks the Board if they can pull up RSA 674:39 or he can share the screen and J. Pouliot notes that he has it and asks if the applicant is talking about RSA 674:39a (voluntary merger) and that is confirmed. J. Pouliot reads the RSA out loud to the Board.

The Land Use Office Coordinator notes to the applicant that this is just about the bounds of the new lot, that's all this condition is, which he's going to do as part of the subdivision, part of the subdivision regulations, which is what this condition says. B. Brock says but it's not part of this exercise and the Land Use Office Coordinator says but they're making new bounds for this, and B. Brock and M. Chalbeck both say no they're not. They both agree that the though the inside is being removed, the outside perimeter boundaries aren't changing and are still there.

T. Severino says there are no bounds there, all Jim (his surveyor) did when he surveyed the Maxwell parcel and surveyed the Weber parcel, those are 2 Candia map/lot numbers, and we're just merging those, that survey together, and all those are is the 2 surveys of drill holes in the stone wall, there's no monuments out there. It's the old monuments of drill holes or barbed wire or whatever is out there.

T. Severino says this RSA says that you're allowed to take those 2 lots and merge them. Now Jones & Beach will use this new merged single lot number to create this subdivision and when this subdivision is approved, Jones & Beach, yes, will be setting bounds in numerous places around the perimeter of this because it will be the back of the 15 house lots. All the bounds will be scattered, yes, around the whole perimeter, but basically in numerous locations because it's at the back of every house lot, so there would be no reason to bound any of this at this point in time. B. Brock says it makes sense and J. Lindsey and M. Chalbeck both agree as well. B. Brock says he doesn't see that RSA saying anything about new boundaries. J. Pouliot states that it doesn't, but it does say for municipal regulation and taxation. M. Chalbeck says but you're making it 1 lot, so you are taking the outer boundaries. B. Brock says which is a map and lot number and that's what we go by for taxation. R. Jones asks what the new lot number is and the Land Use Office Coordinator notes that it will be the original lot #: 406-140.

B. Brock says he thinks if the Board wants to make a condition that once this moves forward with the subdivision approval, that the bounds will be part of the conditions, which they will be anyway when we discuss it. M. Chalbeck agrees and asks for a motion to accept that. B. Brock says he will make the motion and discuss it further if the Board wants. He makes a motion to put a conditional approval on this merger that new bounds will be set when the applicant comes forward for the subdivision.

J. Pouliot asks if there are any mortgages on the lots and the applicant states there are on the Weber parcel, and it states such on the application with their signatures of consent.

M. Chalbeck asks if there is any more discussion and there is none.

B. Brock made a **motion** to conditionally approve the application stating new bounds will be set when the applicant comes forward for the subdivision. J. Lindsey **seconded**. **All were in favor. Motion passed.**

Minutes -March 2, 2022:

R. Jones made a **motion** to approve the minutes as presented. J. Pouliot **seconded**. J. Lindsey **abstained**. **Motion passed.**

Application/Case Status Update(s):

- none

Other Business:

- none

MOTION:

J. Pouliot **motioned** to adjourn the PB meeting at approximately 7:17pm. J. Lindsey **seconded**. **All were in favor. Motion passed.**

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