

CANDIA PLANNING BOARD
MEETING MINUTES OF
April 20, 2022
APPROVED

PB Members Present: Rudy Cartier, Chair; Mark Chalbeck, V-Chair; Brien Brock, BOS Rep.; Josh Pouliot; Judi Lindsey; Joyce Bedard

PB Members Absent: Mike Santa, Alt.; Scott Komisarek

Audience Present: Reggie Moreau (DAR applicant), Eric Mitchell (DAR applicant Engineer), Andy Sullivan (DAR applicant Attorney), Jeff Wuebbolt (Road Agent), Dean Young (FD Chief), Bryan Ruoff (Stantec), Carl Eppich (SNHPC) and many town residents.

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

R. Cartier briefly reviews the procedure for tonight's meeting with the Board and audience.

Minutes -April 6, 2022:

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

Case #21-012 (Final):

Applicant(s): 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 along with lot 152-10 will be deeded to the Town of Chester for Right of Way purposes.*

R. Cartier starts by confirming that the applicant is present, and they are, as well as their Engineer, Eric Mitchell and their Attorney, Andy Sullivan.

E. Mitchell starts his presentation by introducing himself and noting that there was a Preliminary Hearing at the end of last year in November and they are here tonight for their Final Hearing. He notes that they have addressed items of concern on the plan since the preliminary hearing and have also had a meeting with the Chair and another PB member (Judi Lindsey) for the checklist meeting, where they were asked for additional information or clarification, which they did submit and feel the application itself is complete. He says he understands that a complete application doesn't mean an approved application, but that it means they are continuing on with the public hearing process. The project itself, as it was indicated in the February final has not changed. The project has 2 lots in Candia, one of which the Town of Chester would take over and the other is to be a single lot of 3 acres and the remaining 1 acre of that lot would also be part of a right of way, which is proposed to be Shannon Road. Shannon Road is a loop road that goes through the property which is actually in Chester and for everyone's information and clarity, there are 60 proposed lots in Chester and 1 proposed lot in Candia. They have gone through and talked about phasing and will do more if the Board would like. Since the preliminary, they have had a site walk (Dec. 13, 2021) with some PB members and also some representation from the Town departments and also met with Stantec on a couple occasions in addition to the checklist meeting to go over the application. He notes that if the application is sufficient and accepted, he can go forward with a further presentation.

R. Cartier asks J. Lindsey to review the checklist meeting outstanding items with the applicant to determine if they have updated the plans sufficiently to meet the regulation standards. J. Lindsey reviews each item on the list, and it is deemed that the items have been updated and the Board makes a motion to accept the application as complete and then a motion to accept the application for consideration.

J. Lindsey made a **motion** to accept the Final application as complete. J. Pouliot **seconded**. **All were in favor.**
Motion passed (6-0-0).

J. Bedard made a **motion** to accept the Final application for consideration. M. Chalbeck **seconded**. **All were in favor.**
Motion passed (6-0-0).

*R. Cartier opens the public hearing at 7:22pm.

B. Brock asks the Chair to clarify why they will be accepting the application as complete before acting on the waivers. R. Cartier states that as far as accepting the application, if there is an item that is not specifically covered, if they request a waiver, it covers the application checklist. Once they go through the checklist to say the application is complete, to say they have the information that the Board feels they need to move on to an actual evaluation of the application itself, that is where the waivers come into play, which is once they go into the discussion of the application itself.

R. Cartier asks if the Board has any questions or comments and M. Chalbeck says his question is on the road and that it says it's going to get 1 1/2 inch wear course and 1 inch, so that's a shim coat. He asks E. Mitchell and B. Ruoff (Town Engineer) their professional opinions as to their best estimation of how long the shim coat will last. He then asks if there will be any upgrade to the road before they do this shim coat because of the construction of the vehicles and depending on how long the construction lasts, will there be some type of an escrow put in to help rebuild this road once that shim coat is no longer serviceable. E. Mitchell states that initially when they were here a couple years ago, it was suggested that a shim coat be put on where it's needed, and then a 1 inch wear course put on. Since then, they have had different site walks and looking at it, and in some places based on their site walk last December where they contemplated putting a shim coat down, the pavement had a lot of alligator cracking in it, wasn't very good so putting a shim coat on that may not last for very long. They were and are proposing to do a final wear coat from Chester Rd. all the way down to the eastern entrance of Shannon, so that a full wear coat on the entire length. As far as improvements to the existing pavements there, he believes what was talked about on the site walk and what they show on the plan, at areas instead of doing the actual shim coat at varying places they will chew up the pavement at places, put it back down and put a binder coarse down as well as a wear coarse, in essence reconstructing those portions of the road and they have shown those on the plan. In terms of how long that would last, his understanding on the history of this is that when the frontage lots down by our project were approved the roads may have possibly been a dirt road in places and that a binder course was put down and a wear course was supposed to be put down. He doesn't know the circumstances on that, he doesn't think it was necessarily the applicant that was going to do it, or the Town was going to do it and it never got done, so the road never got finished back 15 years ago or more. What they propose to do is make sure the same thing doesn't happen again.

E. Mitchell states that they do have a phasing plan they show that would still be open to interpretation. On a project of this size, because of the amount of traffic for construction vehicles coming up and down the road, it is not proper to go ahead and rebuild Crowley Rd. and then start doing construction for 3-5 years because it will get torn up. What they have proposed to do is on the 1st phase of the project, which is noted on the plan (sheet 1, note 18A). This phasing can still be subject to review and alteration, but what we're actually looking to do is build the first 25 lots in Chester and the 1 in Candia for the 1st phase of this project. In doing so, the amount of trips per day which is just over 10 trip per day per house, you add that to the existing traffic on Crowley Rd. and that brings us just under the 500, which would make it an arterial road. It just seems reasonable to build that phase, not do the improvements to Crowley Rd. yet because it would get chewed up. The 2nd phase as we propose it would have Shannon Dr. loop all the way back to Crowley Rd. on lot 152-10, and at the completion of that would be when we put the wear course down for Crowley Rd. The way we proposed this, Crowley Rd. would be finished by the time Shannon Rd. is completed. The last phase of the project in the back, which is Black Gum Rd., that's a cul de sac with a few houses on it and that would be done as the 3rd phase of the project. They would expect that most of the site work for the road would be done during the course of the 2nd phase so you would not have large trucks coming up and down the road after it's been finished. You would have paving vehicles coming to pave but a lot of the material coming and going would be done in the 3rd phase. A quick synopsis they would like to do the first 25 lots in Chester without the improvements to Crowley Rd, the improvements would be finished at the time we finish phase 2, which is looping Shannon Rd. back out and that's when the finished coat would go down. As far as setting bonds and that stuff, that is something they will work out with the Town to have surety that the work will get done. He says they understand there would be room for review but first they are asking for phase and it what they came up with.

R. Cartier says he has a few questions and starts with when they talked about the project when it first started approx. 5 years ago, was access through Chester, and one of the issues that came up is that there was a 55 acres parcel of land that is in conservation easement that would connect directly from the current site over to what is Candia R.D. in Chester and it was said that the Town of Chester didn't want to give up any of

the land that was in there. He happened to look at the site on the maps of Chester the other day and there are 4 other parcels of land that abut Shatagee Rd. in Chester that have the possibility to get either a right of way through there or tie it into the property that is being developed so the road would actually be in Chester entirely and wouldn't need to be in Candia at all. He is wondering why those 4 lots were never considered to be accessed for this project, so it all stayed in Chester and there wasn't really an imposition in Candia for such a large development. He asks the engineer to follow up on that and E. Mitchell says yes, they looked at several parcels, though he's not sure which ones specifically, fronting on Shatagee to see if there was a way to get in from the very beginning and also looked more last year. Some of the properties were never up for sale, one of the properties was owned by the Chairman of the PB and he didn't think that was something was wanted to have development on that. He says the biggest problem they have with many of the properties there is wetland crossings and environmental ability to get from this project out to Shatagee Rd. Even though on the tax map it looks flat we can just put a road out there and put lots on both sides and make it work, it did not work so that it wasn't feasible to do it, or the owners of the properties were not interested in selling. He asks the Board if they want to give him those 4 lot numbers, he will look into them more but yes, they have looked into that in the past. R. Cartier notes the 4 lot #'s as: lot 33 (approx. 23 acres) -Earnshaw, lot 31-1 (approx. 8 acres) -Landau, lot 35 (approx. 27.5 acres) -Mathes & lot 37 (approx. 30 acres) -Myers Trust. E. Mitchell says they will look at those, but he notes they did look into that, and it wasn't feasible right off the bat.

R. Cartier states that another thing he noticed when looking at both the USGS map and also the wetlands conservation map, there used to be a road that went through there from Deerfield, through Candia all the way through Chester that came out on Shatagee Rd. and it still shows up on both the USGS map and also the wetlands conservation map and was wondering whether that was also considered to see if that was considered to be an abandoned road that wasn't transferred over to owners or not because it does basically goes right through the property and out to Shatagee Rd. E. Mitchell says they will look at that. He says some of those have been abandoned, some may have been old range ways, but they will look at that. He asks if that is on the eastern side of the property and Rudy says yes, and that it was called Dearborn Rd. at the time the older maps were in there. We did have it in Candia that we traced it down to what the new roads are now, all the back to 1840. R. Cartier says when he looked at it and it was another alternative other than going through Candia for the impact on the roads. E. Mitchell says they have looked at alternatives and one of the primary reasons is the improvements to Crowley Rd. are expensive so if we had another way of going out, which would also involve getting lots as well, that's something that we've looked at, but we will revisit it on the lot #'s that you've just indicated and look at Dearborn Rd. as well.

R. Cartier states that another question he has is with Crowley Rd, the development except for one house lot would be in Chester with the proposed site access road (Crowley Rd.) being entirely in Candia. From our CIP for roads, Candia has no plans to do anything with Crowley Rd. in at least the next 10 years because we feel it's adequate for what the traffic is on the road right now and confirms this statement with Candia's Road Agent, Jeff Weubbolt as well. R. Cartier continues to note that Crowley Rd. is classified as a very low volume road from Stantec and generally meets the State's AASHTO for that classification and confirms this statement with Candia's Town Engineer, Bryan Ruoff. He says all the consultants for traffic and the engineering firms have agreed the traffic's going to increase from 189 vehicle trips per day to over 600 vehicle trips per day so from that information, Section 14.15 of the subdivision regulations, require this level of traffic volume to meet Section 14.15 with the expected increase in vehicle trips per day by the development, would expect to increase road maintenance costs in the future. Another problem on Crowley Rd. that we have right now is that it is a scenic road, and it is one of the most rural areas we have in Candia, and it is used by pedestrians, bicyclists and horse riders on a fairly regular basis. He is aware of at least 2 horse farms on that road, and it makes it nice for them because the road is such a rural road that there's not a lot of traffic and obviously Candia is very supportive of agricultural uses, which having horse farms is one of the things we enjoy. That is an issue of increasing traffic without upgrading the road up to the required specifications would result in a significant safety issue for those uses.

R. Cartier states that another interesting thing was when he looked at the plans was that right now, they are proposing to do a 20 foot travel way where they can with 1-2 foot shoulders where possible. He happened to review the subdivision plans in Chester and specifically looked at their road construction and the road construction requirements in Chester (they only have 1 specification) are every roadway has to have 24 foot travel roadway and 6 foot shoulders on either side. He asks the applicant's engineer to explain what the good engineering practice would be to go from a 24ft roadway in the subdivision down to a 20ft roadway

that doesn't have anything more than maybe a 1-2ft shoulder and then comes back out onto a State road which is a 24ft roadway width with probably at least 6ft shoulders on each side. He says he doesn't understand how you can go from 24 to 20 to 24 and have it make sense. Can you please explain how that is supposed to work? E. Mitchell says initial traffic report that was submitted looked at the traffic in town and yes, the increase puts it at 189 up to close to 500 or 600. The regulation of Candia with approx. 50 houses a day with roughly 10 trips per house, that's where the 500 comes from on the arterial, but when you look at the AASHTO requirements, which the Candia regulation refer to and several other places, AASHTO is different on brand new roads vs. roads that are being rehabbed or rehabilitated vs. a low volume road and all have different standards. The traffic report talks about the AASHTO requirement for the amount of traffic as proposed requires the 19'-20' width of pavement and that's where we came up with that. We also looked at the site on Crowley Rd, and we measured, and the plans do show the width of pavement up and down the road and the pavement goes from 19-20ft and in many cases it's close to 20 and we know we can replicate the 20ft. The short answer is on brand new roads there is a standard to have the roads be a certain width but on a rehabilitation of existing roads, AASHTO has a different standard, which is a lesser standard because they realize you can't always meet what the standard would be for a new road. On this particular project, he doesn't know the history and wasn't around when the frontage lots were approved and when the wear course was supposed to be put down or who was supposed to do it and doesn't know what the status of that was. He's not saying the Town needs to participate in the improvements that they are doing but the improvements that are being proposed do include the improvements that were supposed to have been done when the frontage lots were created, and the binder course was put down, but no additional pavement was done. R. Cartier says he understands what E. Mitchell is saying but it does not make sense to him. It would be like having a 6' pipe full of water going down to a 4' pipe and then back to a 6' pipe, it just doesn't make engineering sense. R. Cartier says another thing is that if the roads in the subdivision are to Chester's standards and Candia has basically the same standards, as a matter of fact we have 3 different levels of road construction as opposed to Chester having 1. The way that the road is right now, just putting 10 houses in the first project phase and right now you are at 189 trips per day with what's just in there and it's barely able to handle anything. He says he asked the Road Agent last winter to take a picture of snow plowing on that road and it shows with the way the road currently is, when the Road Agent plows that road there is no way for another vehicle coming from the other direction to safely get around that vehicle so either the plow has to back up, take the wing up, get off the road or the car will have to get off the road. He says he sees that being worse if they have more people coming out there and it puts an unfair burden on the Road Agent. He has a big problem going from the 24' to a 20' then back to a 24' road. E. Mitchell says to address some of that, during the review meeting of the checklist, they did want to have their traffic consultant here to address these traffic items including the AASHTO standards but unfortunately he had foot surgery last Friday and he's not up and about yet but would be able to attend the next meeting so they can take down these questions that the Board is asking them and see if he can give additional responses for that.

B. Brock says the applicant's Engineer brought up the fact that they would be considering doing the first 25 houses as phase 1 and without any road improvements at all, and he doesn't see how that could be feasible. To him, the traffic could not exist on that road with construction going on. Not worrying about destroying the road to begin with but he thinks it's very difficult to put that many houses in without any improvements to Crowley Rd. to begin with. E. Mitchell says he did not speak completely and should've said more of a letter of response back and says in phasing for the first, the physical improvements to the surface of Crowley Rd. are not proposed to be done but for the site line visibility at both Crowley and Chester Rd., the brush will be cut down as well as the site line improvements down on Lane Rd. and Crowley Rd. The clear zone, it was asked to be 30ft but at some places the right of way is not quite 30ft but the clearing of the trees, the brush and all the dead trees along the road....just for the Boards information, he says he understands they will need a scenic road hearing once they decide what improvements are going to be done so that's still something that has to be done. So, the improvements that were proposed in phase 1 would be to clear the trees, clear the brush so you would have a good travel path and then also do the site lines on both ends so vehicles can go up and down. He says he understands what the Board is saying to the improvements physically to the pavement but again they are going by what AASHTO indicated but they are here for discussion.

J. Lindsey reads some of the updated questions/concerns letter from the Conservation Commission (see attached).

R. Cartier asks about the water well yield, and states that the PB requested a water well yield study and water source availability report be provided and what was submitted was an unsigned copy of the source water protection plan that was prepared by SNHPC for the Town of Chester. It's not exactly what the PB requested, what they requested was an actual well yield probability study which was also one of the recommendations from SNHPC back in 2017. Between Judi & I, when we looked at it, we found at least one particular critical piece of information that was important to our discussions on here and that was on map #3 of the report on page 22. It talked about the well yield probability around the proposed development. E. Mitchell confirms he has a copy of this and says it may be pertinent, but it does have well yield that SNHPC came up with. R. Cartier says when he looked at that, for the record there is about 10 levels of well yield probability going from very phenomenal to really bad. The unfortunate part is that the whole areas where the development is going in is in the bottom 2 for well yield probability, which is very troublesome, especially having some of the residents living on Crowley Rd. giving testimony that they have wells that are 800-1,000 feet deep and are only getting 1-2 gals per minute. That is a substantial problem and then adding another 60 houses in there with an area that has a very poor well yield probability is troublesome, and we have to make sure that the wells of the citizens of Candia on Crowley Rd. are not going to be adversely affected by both blasting in that area and also the fact that there would be 60 more wells in that very confined area. E. Mitchell said the purpose of the report that was originally done had to do with large municipal or community wells so while the well yield is low, he thinks the color implies it is 6-8gal a minute, may not seem very good if you want a community well but 6-8gal per minute for a 400ft deep well is reasonable for a single family house. R. Cartier says he doesn't disagree with that except it's not just 1 house, they are talking about 60 houses. The study is saying 1 well has 6-8gal per minute at 400ft deep. There are probably 20 houses over on Crowley Rd. now and now you want to increase that by 3 and we're talking about well yield probability of only 6gal per minute, you're talking about basically distributing that over a pretty large area, and probably negatively effect the wells in Candia. He says this study was done very well, though we are not certain where all the data was based off of, but just looking at it from this standpoint, it just looks bad.

R. Moreau (applicant) introduces himself and states that he does a lot of this size and types of cluster subdivisions throughout the state and it's not very uncommon for that yield and state reviews and all their applications and they have to meet water requirements to get a CO. They have done this in all kinds of communities including Chester, and if you look at other parts of Chester there are similar yields and neighborhoods very similar to this have been done and to the best of his knowledge, they have had zero issues with regards to the water situation. He has also built homes in areas where they basically showed no water where they have gone down 1,000ft with very little yield and had to hydrofrack to get the water at those depths. He says there are methods to utilize if they do run into this situation, and he can bring someone in to speak to this, but wells can go as deep as they need to go to get the yield you want and not everyone is on the same fractures, they all travel in different areas. You go down or even using dowsing, that works, but usually we're going down and getting the yields and it's not uncommon to have this kind of density now because we are doing common open space subdivisions, so we try to keep the houses in and keep the land more sparse. This is something that is happening all over the State currently today and without major difficulties.

J. Bedard asks the applicant how long ago he bought the property and if it was his firm bought the property and R. Moreau confirms he did buy the property in 2017 or 2018. She then asks why he bought a property to develop that he did not have a right of way to make it work and the applicant says quite frankly, he met with the Road Agent before he purchased it and said he was told what was required and that it was just a shim and overlay of Crowley Rd., so they moved forward on that. She said it sounds like he didn't get the information from the right person and the applicant says he was the person that they spoke to because he was the person that was dealing with other people at the time. J. Bedard asks how many other developments the applicant has done like this, and the applicant says he's done over 2,000 homes in the state. She then asks if he goes in and takes the word of a Road Agent without looking at rules and regulations of the town and development and the applicant states that they did look at the rules and regulations and moved forward based upon comments from the Town. She notes that he said he moved forward based on the word of the Road Agent and that it was said only certain things needed to be done and the applicant says it was based on the Road Agent comments and looking at the regulations. She says, so you knew going in that there was no right of way going into Chester and that the property was in Chester and he says they knew there was no right of way at the time, and they looked for a right of way but there was none they could find and these 2 right of ways were left for access to that parcel.

R. Cartier says if you look at the well yield probability study that was done for Chester, that area is the worst area in Chester so he's assuming it will probably be no different crossing that town line into Candia.

R. Cartier states that he would like to get some information from the B. Ruoff from Stantec regarding the latest review letter received regarding the property and he asks the Board if they would agree to hear from the J. Wuebbolt first (Road Agent) and then he will comment, and they agree to that.

J. Wuebbolt states that his previous statements he's made in the past meetings still hold true. He wanted to bring a couple things up and the first is that there are various spots on Crowley Rd. that are in need of reconstruction and either go through very swampy areas, they are very cracked and have significant drainage issues. Something that he and the Town Engineer identified when they did the site walk, there are 3-4 areas that need to be completely reconstructed but also have road fabric put down and under drain. One being about halfway between Chester Rd. and where the new development road would be, there is a very large swamp and that gets very soft especially in the Springtime or if they get a lot of rain. It was identified that specific spot along with a few others really need to be reconstructed, they need road fabric and need to be under drained. He wants to state for the record that none of that was addressed in the response letter and he feels that is something that would be very important if something like this was to go forward. His second point is that any road improvements need to be completed prior to the start of construction, and that would be the complete road improvements that would be needed to make the road up to the standard that is deemed necessary along with the composition of the road and the width of the road. His last point is that it is not uncommon to do a road reconstruction or even construct a road and make the base suitable and put down a binder course, complete your project and then at the end you put down the wear course. That is how most projects are completed, and it is not uncommon to do a reconstruction or construction prior to construction on a development. What normally comes at the end, after heavy trucks and that, you put the wear course (final course) on the road.

B. Brock states that most developments, there is no road in the development, and they are actually building the road and that's why they do that. The roads leading to that development are usually pretty good roads but, in this case, this road is not in good shape and agrees with the Road Agent in that it would have to be completely with a base coat before the construction began. J. Wuebbolt says he agrees with that knowing the amount of equipment, the size of trucks and the amount of lumber and raw materials that will need to be brought into that site in order to complete a project of this magnitude, that road really would need to be reconstructed before any construction on the new road would take place or he believes they (the Town of Candia) would have some significant issues.

R. Cartier asks B. Ruoff from Stantec (Town Engineer) to go over the review letter that was submitted on 4/18/22, which is the latest letter of issues that some of them have been on here for 4-5 years. B. Ruoff starts by asking if it's alright with the PB, he would like to go over some of the key points and thinks it would be most beneficial and he believes his positions has been well stated over this course as well and the Board agrees. He goes into specific items he considers most important at this time from the review letter (see attached) for the Board to consider and discuss (#'s: 1, 34, 35, 45, 56, 57, 62 & 64).

R. Cartier asks the Road Agent when the Town rebuilds roads in town what are the minimum standards that are used for their guidelines that are relatively minor roads, and Jeff says that any time they reconstruct a road their minimums are 11' lanes (22' pavement) and 2' shoulders on each side minimum. That is applied to roads that are not very highly traveled. If you look at a road like South Rd., that road has 12' lanes and full 6' shoulders. R. Cartier says that his standards for rebuilding basically goes along with what the subdivision regulations have, and he confirms this and says they try to stick as close as they can with what the subdivision regulations are.

M. Chalbeck ask if there are any agreements with Chester for emergency services/1st responder services reimbursements where Candia will be servicing this development. E. Mitchell says there have been discussion with an understanding the Chester portion of this project has been conditionally approved by Chester and are still waiting some meetings here in Candia. They have had some discussion with Department Heads in Chester, and they are willing to do mutual aid. It is his understanding that mutual aid is usually provided no matter what, whether it's a development or not. If somebody needs help in another town, they go to it. In this particular case, the Candia FD is ok with what it is, and the Chester FD would come here. The improvement they have done for fire, there is a proposed cistern on the project which is one of the reasons why the FD in Candia is ok with the project. The Police as his understanding in Chester have no issue to responding out here and the ambulance service will come out here but he believes the ambulance

service comes from Derry for Chester so that may be a little longer but again, mutual aid doesn't always look at municipal boundaries and goes if needed. The Chester HW Dept. would maintain the roads for the development. As far as the bus traffic, the bus would come down for students for Chester would come down Crowley Rd. through this site and come back again. He thinks this would also benefit Candia because now they would also have a place to turn the school bus around on Shannon Rd. and come back around.

R. Cartier notes that he read some of the conditions of approval from Chester and one item on the list was that written agreements with the Candia emergency services were to be provided to Chester and E. Mitchell says he doesn't remember that specifically, but he would definitely do that if required.

J. Lindsey reads the last items of the updated questions/concerns letter from the Conservation Commission.

R. Cartier asks if the FD Chief Dean Young has anything to add to his letter that was submitted and he states that the concern of the added work for Candia, the Town of Chester has a contract with Derry FD to provide their ambulance service and Derry Fire wants those transports and they get the reimbursements from those people and if Candia went there, we would get those reimbursements. It's not so much of a tax on us as you might think it would be especially since now, we have the full time in the station. Sometimes they don't go anywhere in Candia and so if they could go to Chester for a run, it wouldn't be a bad thing. He doesn't think it would be an added cost to the Candia taxpayers with this development. Obviously if they have a fire, they will go, but not very often. From the fire side, he doesn't think it would be a huge increase or impact on the Candia taxpayers for this development as the Fire Chief.

R. Cartier states that the Police Chief is not in attendance but stated that his letter dated 5/18/21 is still valid and his concerns were both in the traffic area, the safety aspects of Crowley Rd. itself for fire apparatus, snowplows, school busses, delivery vehicles, etc.

R. Cartier states that J. Lindsey had submitted a letter back in Nov. 2021 from the Conservation Commission and that still stands. J. Lindsey adds that because in Candia we have the Ford Way Brook and the Bear Paw Easement that is protecting all that sensitive area, a high priority is right there on Crowley Rd. Everything is connected and one roadway is not going to stop the animals and it will affect it all so it's a very critical area for the whole State.

R. Cartier asks Carl Eppich (SNHPC Rep.) to highlight some of the issues that they provided in their letters over the course of the evolution of this project. Carl introduces himself and states that they generally look at projects of regional impact and looked at this project primarily because it's adjacent and impacts a town boundary. Most of the comments over time have been about traffic and says he hasn't heard much tonight about is the intersections. The issues were around the plans not having adequate details around some of the roadway alignments, the engineering details such as dimensions, slopes, construction materials, curbs, drainage and other typical roadway construction information. They also flagged site lines, views from left and right and couldn't tell if they were adequate or night on the plans. This is the access to the roadway network and because the traffic will be coming from one town into another, most likely from 101. He says another important item is the internal school bus route verification for drop off and pickups. He believes the school route would be local, but will it transcend that into high school as well. R. Cartier states that he has a couple responses regarding the traffic in the area from Stephen Pernaw, P.E. & Moses Jones Yellin, DOT (see attached). He asks Carl if in his experience if he's had any conversations with DOT and if they are concerned with the increase in traffic at some of the intersections and would that impetus come from the town to say we think we have a problem, can you do a study or how is that usually handled. C. Eppich says the town would have to include a cumulative effective of multiple development. Growth along the roads is so incremental that when you have a large development like this, the spotlight is shown on it and you can see quickly where that traffic is coming and going from and what intersections are impacted. You would really need to flag what's happened over the last 5-15 years and look at any past studies, if any, in conjunction with this one and see what that cumulative effect is on those key intersections the State would be interested in. He's not sure if they keep track of it over time but the town could say, well we've had X amount of new building construction on this road, etc. and it may be a reason to have them look at it more closely or a development that bring other traffic to the areas. R. Cartier states that SNHPC have done studies for Candia on traffic counts and asks him if SNHPC have any data on Chester Rd. or Main St. and he says yes, they do different counts every 3 years on a rotating basis so there is a lot of data going back over the last decade. That is available upon request if they Town is interested in that, and the information is from both DOT and SNHPC.

R. Cartier notes that the Town of Candia BOS have also submitted a memo to the PB and asks if B. Brock would please read that into the record (see attached).

R. Cartier opens the meeting up to public comment and begins by reading into the record a letter from resident, Carol Kazazis of 197 Chester Turnpike (see attached). In addition, many residents come forth to speak (*audio for more details) regarding the project and the concerns about the impact it will have on Crowley Road itself, many other surrounding roads, the water, well, septic issues, and the fact that the road is currently categorized as a scenic road and that any changes to that must go before Town vote.

J. Lindsey reads the remaining updated questions/concerns letter from the Conservation Commission regarding a conservation easement and E. Mitchell says he believes it will be to the Town of Chester, which will not allow any additional buildings.

E. Mitchell states that they have talked about doing the waivers and they have received a lot of input from the Board and public tonight and asks if they can continue for 30 days to get additional information to cover comments by the public, Stantec and the Board and would like to give the Board that additional information before they give consideration to the waivers. R. Cartier says that would be at the discretion of the Board to grant that or not. J. Pouliot states that he disagrees with continuing the case. He notes that the issues have been the same over the last couple years and they have still not been addressed. The Board asked for a traffic study and were basically told no, and the same with the well information and so he doesn't think it should be continued and they have had enough time. B. Brock states that he's looked over the waivers and there are 5 of them and in those waivers, he doesn't see anything in there by allowing the applicant another 30 days it was change the concerns the Board has with them. E. Mitchell says one of the responses for one of the waivers was about additional improvements for Crowley Rd., have had input from Stantec and the Road Agent about doing additional improvements from what we show on Crowley Rd. as well as comments from the public and the Town and the phasing plan and doing that, so we would like the opportunity to give additional information to the Board before they look at the waivers and the same on the comments about, maybe some of them don't matter on the surety bond because that would be reasonable and would come later, but what we don't want to do is have all this input from all the comments that we had now and then be restricted from being able to come back and try to address some of the comments that we've heard tonight from everybody. J. Bedard states that every single one of the comments she's heard tonight have been said before and notes that the applicant & reps. have heard them before as well. She states that she is not in favor of continuing. M. Chalbeck states that he is not in favor of continuing and thinks they should proceed with going over the waivers. J. Lindsey states that she agrees and wants to move forward. The Board agrees and votes to not continue the meeting and move forward with discussion on the project.

J. Pouliot made a **motion** to not continue the meeting to another meeting night and continue discussion and debate on the project at tonight's meeting. J. Bedard **seconded**. **All were in favor. Motion passed.**

R. Cartier states that he agrees with the rest of the Board and the project has been going on for 5 years, and looking at Stantec's comments that are still outstanding, some that have been outstanding for 4-5 years and the last preliminary hearing we had all these issues came up again and there was enough information given that they should have been addressed at this time. He says they will continue on and the first thing he would like to do is reference the last paragraph of the waiver letter that says..."for the purpose of acceptance of the application....", he is not quite sure by what they meant by this and asked the applicant's engineer to explain. E. Mitchell says the reason why that was added was because during the site walk this past December, it was questioned about if every single comment that Stantec had do we have to give a positive answer back to Stantec before we can even discuss this at the PB level and the answer at the site was no, they would be able to let Stantec give the advisory information and that we can get the application accepted and open up the public hearing and then proceed with the public hearing with Stantec's comments being addressed as we go. He says he wasn't asking to have all the comments addressed here tonight, he just wanted to get the application accepted, get additional input and comments from the Board as well as the public and the Town Departments so they can address further comments that may have come up tonight and do that as well as with Stantec. We met with Stantec on a couple different occasions, and it was his understanding that based on what the Board is also going to say that their input is advisory, and he thinks that they have done a lot of what they're looking for. The elephant in the room is that there is a lot of traffic coming down Crowley Rd. from this project, there is only 1 house in Candia, and they understand that but the improvements that they proposed do meet AASHTO requirements and they want to still have the ability to address those concerns and other concerns for the Board and that why they asked for the waivers, so they could keep this thing going.

R. Cartier states that as he has said before, all the issues Stantec has raised have been raised many times before and there has been plenty of opportunities to address the issues so he thinks they should continue on with the waiver requests. He asks, if the Board agrees, he would like to change the order of the waiver list and the Board agrees. R. Cartier reads through the waiver request letter dated 4/7/22 (see attached) and starts with waiver for Section 12.04....

1. Section 12.04 - J. Pouliot made a **motion** to approve the waiver. B. Brock **seconded**.
All were in favor. Motion passed (6-0-0).
2. Section 10.12e - J. Bedard made a **motion** to approve the waiver. M. Chalbeck **seconded**. B. Brock **-No.** **All others were in favor. Motion passed (5-1-0).**
3. Section 10.06u - B. Brock made a **motion** to approve the waiver. J. Bedard **seconded**.
All were in favor. Motion passed (6-0-0).
4. Section 14.15 - B. Brock made a **motion** to deny the waiver. J. Bedard **seconded**. **All were in favor. Motion passed (6-0-0).**
5. Section 10.11i - B. Brock made a **motion** to deny the waiver. J. Lindsey **seconded**. **All were in favor. Motion passed (6-0-0).**

R. Cartier says having been through everything in here, he gives the applicant an opportunity to speak. E. Mitchell says he understands the waivers that were approved and those that were denied, and he wants to know what the Board's process going to be. Is this project going to be continued to another date certain so they can address the other comments or is the Board's position is to act on the application tonight and either approve it or deny it. If the Board is not willing to continue it, then they would like to withdraw the application, but if the Board is willing to continue so they can further address the issues they would like to do that before the Board takes action on the application. R. Cartier states that the feeling of the Board is to continue tonight with the discussion and whether approve, approve w/conditions or deny the application. The applicant then tells the Board he would like to withdraw the application. E. Mitchell says if that is the feeling of the Board then they do not feel it is favorable to them and would like to request to withdraw the application before the Board makes a decision. R. Cartier confirms with the applicant and his engineer that they would like to start from the beginning again.

R. Cartier states that the applicant can withdraw the application up to the time the Board makes a decision. He lets the audience know that they are done for the evening and the applicant has withdrawn and will be able to start again in the future from the beginning.

Application/Case Status Update(s):

- none

Other Business:

- none

MOTION:

J. Bedard **motioned** to adjourn the PB meeting at approximately 9:25pm. J. Lindsey **seconded**. **All were in favor. Motion passed.**

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