

**CANDIA PLANNING BOARD
MEETING MINUTES OF
May 4, 2022
APPROVED**

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

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

Audience Present: Tom & Ron Severino -Branch Brook Holdings, LLC (BBH applicant), Joe Coronati (BBH applicant Engineer), Peter Pantazelos (P&K Funding Trust applicant), Al Talarico (P&K Funding Trust developer), Eric Lane (P&K applicant Engineer), Jeff Wuebbolt (Road Agent), Dean Young (FD Chief), Bryan Ruoff (Stantec) and many town residents.

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

Other Business:

- Letter of Interest -Tim D’Arcy:
 - Review letter received by Tim D’Arcy regarding his interest in serving on the Candia Planning Board as an alternate member.
 - R. Cartier read the Letter of Interest to the Board, and it was determined by a unanimous vote of the members present, to accept Tim as an alternate to the PB for a 3 year term.

J. Lindsey made a **motion** to accept Tim D’Arcy as an alternate PB member. M. Chalbeck **seconded**. **All were in favor. Motion passed (5-0-0).**

Informational:

Applicant: P&K Funding Trust, 246 Andover Street, Peabody, MA 01960; Owner(s): Richard A. Holt, Et Al, 79 Diamond Hill Road, Candia, NH 03034; Property Location: Diamond Hill Road, Candia, NH 03034; Map 409 Lot 228.

Intent: MAJOR Subdivision. To subdivide the lot into 13 residential lots that will be accessed from the two proposed cul de sac roadways.

R. Cartier starts by confirming that the applicant is present, and they are, as well as their Engineer, Eric Lane (Hayes Engineering). Richard Holt (current property owner) is also in attendance.

E. Lane starts his presentation by introducing himself and reviews the property details with the Board. Their intent is to divide the property into 13 lots with single family houses, modest homes with 2-3 bedrooms at approx. 2,500-3,000sf each and access to the property is at a point that’s about 2,100ft from Raymond Rd. The reason they are here for information is the permitted length of dead end is 1,000ft and they are looking at about 1,900ft. He wants to point out that the length of dead end from where they are coming off of to the existing end of Diamond Hill is approx. that same length, so it wouldn’t be any more detrimental than what exists now. The major reason they are asking for the extra length for the dead end is because the first 550ft is held by the current owner, so they don’t get any frontage by building the first 550ft of roadway. They don’t start generating that until they get beyond that so that is part of the hardship which is forcing them into being at length of dead end longer than what’s allowed.

R. Cartier asks if the Board has any questions or comments and M. Chalbeck asks if the back piece of land going out towards Patten Hill Rd. going to remaining undeveloped and the engineer confirms this.

R. Cartier says the back part of the property to the left side doesn’t go all the way down anymore, but only to the railroad bed. That is one of the questions he would have on that is that when the portion that was subdivided off on Patten Hill Rd., there was a total mess of deeds and right of ways and railroads and things. When the Holt’s came in to do those 3 lots, which normally would have been a minor subdivision, it wound up to be a major subdivision because the way you have it in there is what the deeds actually said at that time. One of the things the Board would be looking at is to make sure the deeds and property lines have been properly done so no one has these problems anymore. The engineer states that they have a surveyor in their office that will dive into this project and will figure it all out.

R. Cartier asks about the back land, would that be turned into conservation land or how would that be handled because it looks like the way the subdivision is right now with the cul de sacs, there really isn't any access that's going to be capable to go back there and the engineer says that is certainly open for discussion and is one of the main considerations. Until they get further into knowing what they will own for property officially and what the subdivision will look like but yes, that is certainly on the table. R. Cartier says they are looking to purchase the property if it looks possible to do the subdivision and the engineer confirms that.

R. Cartier asks what the frontage is on the lot, and it is approx. 149ft. He says so the roadway coming in would be a 60ft roadway and the engineer confirms this. He says so the other parcel is going to be kept by the Holt's and asks if they will require a right of way or that is existing already now. When they did the original one, B. Brock states that all the other stuff was done in 2012 and confirms this with Rick Holt in the audience as well.

R. Cartier says the length of the cul de sac can be addressed with waivers. Waivers are also granted based on 3 items, topography, access and things like that so it's definitely a possibility, but the Board cannot tell you until a Final Application is submitted but historically it has been done.

R. Cartier states that the lots are the most irregular he's seen come to the PB. One of the requirements in the regulations is that the lots are regular as much as possible. If there are issues with the particular land, you can request a waiver and it will be up to the full Board to grant it or not. On any waiver, the more detail the better so just saying the topography isn't good for example, that is not good enough. It needs to have details so if the Board is challenged for the waiver there is no question what the reasoning was behind the waiver. The Board wants to make sure anything that's done is done so that it would stand up to any challenge.

R. Cartier says that a few major things he sees to address at this point are making sure the survey shows what the actual land is now, what happens to that backland and the irregular shaped lots.

B. Brock says with that 2nd cul de sac that dead ends any future development and R. Cartier says as long as those lots are listed as lots and B. Brock says and not open space. B. Brock confirms with the engineer that is their plan and all the lots they have now are all the ones they want to sell. He says to clarify what their thoughts are on that back piece would be helpful. E. Lane says he can't speak for the applicant directly, but he understands that has been one of the discussions they have been having and will probably be the direction they will go.

A. Talarico (developer) introduces himself and says they are considering making the backland conservation land. In talking with the Fire and Police Depts., they want some sort of access to that area to that to so if they do get it approved, they want to create an easement to that land. He notes that the problem they are having with purchasing it and making it work is the feasibility for this road. Road construction is just crazy right now and the first 500ft are really not going to do anything for this project. He says the only way they are going to make it work, and he's not asking for any decisions and the Board made that clear, but they want to start a project that the community is completely against it. Whatever they do it will be fine for Candia and his family likes the community and are contemplating taking one of the lots for themselves. As far as this area, he knows there are some concerns about wildlife or conservation and he says if anyone has actually walked this property there a lot of down trees on this property, more than he'd like, but it's still raw land and is very open to making this conservation.

B. Brock asked how big is the biggest piece in the back that they would put the easement on, the acreage of the lots they have developed that they want to put the easement through. A. Talarico says they are over 3 acre lots each but he's not sure. B. Brock says there is a large one there and is that roughly where you want the easement to go and A. Talarico says that is where he would want his lot to go and B. Brock says so the easement would go through his land and he says yes, that would be ok with him. B. Brock says designating that conservation would probably go along way wouldn't you say Judy, and she says if it was a conservation easement where it wouldn't be developed ever. The applicant says they are not against that. He loves mushroom hunting, going into the wilderness, and open land.

Gail Peligrino (abutter Diamond Hill Rd.) asks if the railroad bed backland is what they are talking about and that is confirmed by the Board.

J. Pouliot asks if there any potential of doing a few less lots to make them more regular shaped and the applicant says he would've loved to do that, but the problem is that the construction costs for the road is so crazy, we're talking about maybe close to \$900k just for the road and we're not talking about the purchase price or the engineering or all the soft costs that are involved in it, it's just not feasible to do it that way. They actually wanted more lots, but this is the best they could do that the project makes sense.

J. Lindsey says if he likes this land for his family, can't they have just 1 lot for themselves, and B. Brock says they don't have enough frontage. J. Lindsey says she knows he would have to put a road in a certain amount and maybe if it didn't go too far back, he could spring 3 lots off it and call it quits. The applicant says they looked at it at every possible angle, but they can't.

Linda Carol (abutter Diamond Hill Rd.) says she thought it was 5 acres where it was residential and 2 acres downtown and when she looked that's what they were told, and R. Cartier clarifies it is 3 acre minimum building lots in residential areas and mixed use district.

R. Cartier says to answer the applicant question about whether or not it can be done, obviously the Board can't give you an answer in an Information or until the Final. What they can tell him is to follow the regulations that are in there and you'll be looking for at least 2 waivers which will probably be the part that would make the most discussion up on the Board.

R. Cartier asks if the Board has any questions or comments and then asks Dean Young (FD Chief) if he has any concerns and he says as long as the radius is big enough, nothing else.

Case #22-003 (Preliminary):

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

Intent: MAJOR Subdivision. To subdivide the lot into 15 residential lots that will be accessed from the proposed cul de sac road built to town standards.

R. Cartier starts by confirming that the applicant is present, and they are, as well as their Engineer, Joe Coronati.

T. Severino starts by introducing himself and he represents Branch Brook Holdings with his brother Ron Severino. The project is on map/lot 406-140, which is a recently consolidate/merged parcel. What they are proposing is a 15 lot subdivision on 59 acres that will require approx. 2,400 linear feet of road with the length around the cul de sac so it probably approx. 1,890 ft to center of cul de sac. The lots in general are all approx. 3 acres and probably 3-4 lots that are over 3 acres and all of the lots meet the requirements of both frontage, contiguous upland. The property has been surveyed as part of the lot consolidation, topography has been done, all the wetlands have been located. The lot layout has been done and tried to space the lots, so all the lot lines were conforming and perpendicular with the roadway. They created the easements along the roadway, which are for utility, drainage and retention areas. The sheet with overall grading plan shows the contour lines on the roadway and the location of the drainage basins for the drainage structure. This roadway, we didn't build it to the typical town section, they did a curbed section with sloped granite curbing along the roadway. The slope granite curbing helped them minimize the disturbance area along the roadway, so they do have closed drainage along the roadway. The subdivision requirements state that they have to show that the lots are buildable, so each lot is demonstrated to show the driveway, well radius, septic area and a proposed building. None of these are actual locations, they are just hypothetical locations to show the lots are buildable. The entrance for the roadway they chose because both the wetland impact constraint and the sight distance constraints. There are 2 existing homes on the property and those homes are going to remain. To cross into that site where they have the minimal wetland impact is what drove where we connected that road to Critchett Rd. Because of where that road approaches into such a steep hill of the existing ground, they will be requesting a waiver for road grade from 7% to 8.5%. The roadway location, we spent a lot of time placing the location because where the isolated wetland areas are to avoid wetlands. The total wetland impact is under 3,000sf which puts us in a minor category for wetland impact. So far to date they have completed all their engineering, submitted to Stantec, submitted our AOT app, submitted our wetland impact app, reached out to the Lamprey River Advisory Committee and they have responded as well, have been in front of the Conservation Commission and also have a letter from them, spoken to the FD, PD, Road Agent and have all those letters as well. This being a Preliminary Hearing tonight, we are looking for the Boards input on where we are to date. We just got Stantec's comments, and they did meet with Bryan & Jeff out there at the on Monday but where we just got the comments, he and Bryan wanted to converse before the meeting tonight, but both didn't have time to do that. He went through most of the items and a lot they have discussed about and the majority of housekeeping and a lot of that they agree with, and he marked those up and Lisa has presented those to the Board. He has a couple of those comments that he would want to review with the Board tonight and Joe is available for any technical questions and Bruce Gilday is the soil scientist but is on vacation so will be at the next meeting.

R. Cartier goes through the process of the application at this point with the audience and notes that there are no decisions being made at this point and will only be going through the technical aspect of the application for completeness. They will not go over or grant/deny waivers until the final app. is in. The normal way they do it is the Board would have questions, take input from the town resources such as the FD Chief,

PD Chief, Conservation Commission and anything like that who has comments and then open it up for public comments. Public comments are not gearing on the merits of the proposal, it is on the technical aspects of the proposal to see if there is anything that was missed, or some information not previously made available to the Board or applicant or engineers.

R. Cartier states that he did meet with Joe and Tom on 4/14/22 and did come up with several items that need clarification before it was deemed complete. He reviews the outstanding items and the applicant and engineer note the updates provided. All items are updated or noted that a waiver request has been submitted for the item and deemed reasonable by the Town Engineer as well. The Board deems the application complete and votes to accept the application.

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

*R. Cartier opens the public hearing at 7:42pm.

J. Lindsey ask how this project will affect the road and the Road Agent states that the road was redone approx. 4 years ago and is in good shape.

J. Lindsey asks about the applicant using the old air strip for the road and T. Severino notes that they took the open area for this so the remainder of the wooded area could remain.

R. Cartier asks B. Ruoff to comment on his responses and says there aren't a lot that look like they couldn't be worked out or if there are any that stuck out to discuss with the Board. B. Ruoff notes possible additional signage. There are no outlet signs or line stripping, no fire suppression or cistern on the plan and according to the regulations there are 2 places that defer to this so speaking with the FD Chief would be a good idea on that item. The current lot/lots appear to be non-conforming. The waivers all sound reasonable and provide the best possible subdivision for what's being proposed. Critchett Rd. is a scenic road, and the clearing of trees may require a hearing for tree removal. He notes that in all fairness, his comments go through from the preliminary application to the final, so some are a non-issue at this time. We don't want to run into the same issues as on High Street so if the access and easements can get worked out and who will be responsible for maintaining this. The applicant is already working on this, but it seems to be the most hurdles. R. Cartier says a comments to Jeff and Bryan about the grade on the road going from 7% to 8.5% so a waiver for the road by the final application, so it doesn't create a future maintenance problem.

R. Cartier asks Jeff if he has any comments, and he says the biggest issues was the retention pond but they are working on that with the engineer already so there is nothing that B. Ruoff hasn't already brought up.

R. Cartier says from one of the standpoints that B. Ruoff brought up but would have to be addressed with Town Counsel is the lot that is going to have the two houses on it, though they are grandfathered in, there is a question he has but they would have to see if a zoning variance would be required or not. Right now, there are two houses existing on 1 property and therefore the problem that the PB faces is that they can't approve a non-conforming lot so if you have two residential structures on that lot it's a non-conforming lot and they can't do that. T. Severino says that house was built in 1822, R. Severino says 1822 was the furthest deed he could find but it was built prior to 1822 and there were 2 lots there and the little house sat on a separate lot than the big house. T. Severino says 60 ft wide he believes and R. Severino says like an acre but through the lot consolidation because of the historic value, they don't want to tear it down. It's one of the oldest houses in town but doesn't want to tear it down and rather have it as an accessory structure like shed, etc. and leave it on the lot. R. Cartier says he can't say if that's a good idea or not but would probably be up to Town Counsel but doesn't sound unreasonable. R. Severino says there might be a point where they can't fix it but he doesn't want to the PB telling him he has to tear down a 250y old home before they can decide what to do with it and R. Cartier agrees the PB doesn't want to do that. The PB would feel it had some kind of historical value, but they need to go about it legally and not by feeling and that can be looked at and wouldn't be a residential property and then there isn't 2 on a single lot and then everyone is covered, and they would have to have some type of note on the plan that is to be recorded that limits that.

R. Cartier states that on the waivers, the PB has been a little lack in the past on waivers. In the regulations there are 3 criteria that have to be met for the waivers, but he thinks there needs to be more details on the waivers. There are a lot of details in the plans which is great, but he is concerned because even talking with the last people that came in for the Informational, we as a Board have to really start looking at these things

from a standpoint of can these stand up if someone challenges us, whether it's here or on the court system. He suggests that the applicant do more detail analysis for the Board so they can base it on good, solid evidence for example, the one for the road that's 1,000ft. They put in there just to do the physical shape and existing wetlands is good but make reference to certain things on the plans so a tie-in is there so again if someone says you guys just said ok and why, then the PB says because it was a good idea and then they say well it's not a good idea, it has to go according to something that will stand up to that challenge. T. Severino states that he did go through the regulations as he personally wrote each waiver request and did go by a, b, c for each but he understands what the Board is saying if you look at the plan, you'd want to have an 8 1/5 x 11 with each waiver that would demonstrate that to justify the waiver and they are happy to do that. R. Cartier says they would like that, so they have good data to back up the waiver. M. Chalbeck notes one of the waiver requests and the additional details that shows, and R. Cartier agrees with that comment. R. Cartier says what they should be done is each should be pulled out separately and addressed on its own merit so it's in the file of why they approved or denied it and then there is no question on challenge. The applicant agrees to this.

R. Cartier says the applicant worked with the FD Chief to develop an alternate plan for fire protection over there and there are just 2 things: one is that the section you referenced, it has one other item in there that the Chief and the Town engineer need to develop what the alternatives were, what you went through, the fire protection needs for a 15 lot subdivision, come up with the estimated cost and based on that what you are proposing to do. The reason he says that is right now he doesn't see that in the proposal, and it needs to be in there for the application. He says he knows there is an off-site proposal so what they need to make sure of is the equivalent cost of doing an on-site fire protection system, because the only other option is, even though he knows they want to put one across the street here, the only other option that is in the regulations is they would have to give the FD directly into their capital reserve funds for water supply and the FD would determine where they wanted to put that. That's the straightforward way that no one can really say anything that if they challenge us in that, don't take this wrong but, well "there making deals in the backroom", and if someone challenges that. T. Severino says they have no problem showing the cost that they are going to incur there and the costs we would've incurred there, it's black and white. R. Cartier says and that's what we need because right now there isn't anything in there that the Board can say yeah, they followed the regulations, because in theory you didn't, however if the arrangement is made with the Fire Chief with what you are planning on doing somewhere else there's detailed plans for what you're going to be putting in over here (dry hydrant on High Street across from Town Hall) and the equivalent cost analysis has been done, then we have the date that no one can say "well, these guys got a deal", but if we have the numbers that are presented to us with the waiver, it proves that no, no one got a deal but an equivalent aspect and the Board was able to grant the waiver based on the best interest of the town according to the Fire Chief and the Town.

R. Cartier asks if they will be putting street lighting in and T. Severino says no.

J. Pouliot notes that Bryan (Stantec) wanted the Board to talk about extra signage and T. Severino says they want to post the road at 15mph. They think there is something they have to go through to request a certain speed limit and R. Cartier says that would go through the BOS. T. Severino then says when they enter the cul de sac they want to make it one direction, so they want to put up a directional sign for the cul de sac to make sure they can make it one way in and one way out, so people travel around that cul de sac, but wanted to get the Board's preference on that before he showed signs all over the plans. R. Cartier says they should add them to the plan and one of the conditions of approval, if it does get approved, would be the signage be approved by the BOS. T. Severino says as far as the stripping goes, he knows some town do but they prefer not to put a yellow line if they are required to. R. Cartier asks B. Ruoff if there are any regulations for stripping and he states they are not a requirement. R. Cartier says the Board is looking at making sure it's appropriate for the residents of development in Candia. J. Pouliot asks if it needs a sign that says not a through way or something and B. Brock says that was one thing Stantec suggested and J. Pouliot says that might be nice then and the applicant agrees. R. Cartier says that should be something they have on the cul de sacs and thinks that's one of the reasons why the 1,000ft cul de sac item was in there because they didn't want it to be very long. J. Pouliot asks the Road Agents opinion on the signage and the road, and Jeff says he doesn't think they need the stripe either. On the no outlet, it's not something we do on any of our other developments so that would be something he wouldn't care or not care to have. He says he will ask the applicant after about the one-way cul de sac, he has some questions but that's something they can talk about after and will come back at the next meeting. R. Cartier says if he feels that's appropriate and obviously, he will have to go over this stuff with Stantec too and Jeff agrees. B. Brock says it does make sense because if you're in the cul de sac and if you meet somebody it's difficult to pass so it makes sense to have a one-way and a lot of them do. R. Cartier says

but the cul de sacs are going to be to town standards correct and T. Severino confirms this with the Board. B. Brock says even though, it's still tough when you're in that radius and T. Severino says they did make the radius larger than what was required because they wanted to have a green area in the center of the cul de sac. J. Lindsey says sometimes it's good to have a sign at the beginning so people don't think it's another road and they go exploring, and she puts her sign for a private driveway at the beginning because if not, people would just come down and what big development is happening here and there was nothing.

T. Severino says as to Stantec's comments, he agrees with Bryan that most are just housekeeping stuff, but he highlighted a few and would like to talk about. The regulation that they have to have underground utilities but when he met with Bryan (Stantec) and Jeff (Road Agent) out at the site, the overhead power is going to come into the subdivision at just a short distance (he shows the Board on the plans) because they want to set the drop pole where the conduits sweep down on the inbound side on the proposed box culvert so it doesn't cross that so Bryan's correct, there would be overhead technically on the subdivision, but he just doesn't know that that short distance to put the drop pole in warrants a waiver, so he wants to get the Board's opinion on that, if not, they will write the waiver. M. Chalbeck says that he'll agree with that because you don't want it in the wetlands. The more water you get into them (inaudible word), the more problems. T. Severino says where the wetlands are right there, he needs to get a drop pole on the other side of the wetlands. M. Chalbeck says if we can keep it out of the wetland because that keeps us from squeezing and breaking the wire over the winter and T. Severino says so we want to start beyond that. R. Cartier tells the applicant to submit the waiver for this to cover everything and the applicant agrees. T. Severino moves onto the next couple comments 36&37. He says Bryan asked about the driveway grading for 4,6,9 &15, just to confirm if the driveways can be installed in conformance with town standards. All of these driveways are all hypothetical and are all there because of the condition that they have to show the driveway, house, septic, etc and he finds it wasteful and doesn't want to do it. He says Bryan isn't wrong in asking for grading, but he knows for instance on lot 4 his buddy is going to be on that lot and that driveway isn't going there, he wants to put it in the middle of the lot, so each grading would be a futile exercise and doesn't make sense to draft that when every driveway they submit for will meet the regulation. R. Cartier says he thinks they have that covered by the fact that they know it's in the regulations and Stantec has highlighted it, which is a good thing, but he thinks they also addressed that and the fact that's going to have to be reviewed by Jeff when it comes time to get the permit applications in there. T. Severino says lot 15 is one that is mostly in question, but he just showed that house there because they have to show a house and driveway, but they are not building a house on that lot. That was with Linda's place and want to keep that building with Linda's place so that lots is not for sale and is why they made it bigger than 3 acres so technically, they didn't need to do a test pit or show the septic but we were there and did it anyway so we showed a driveway but no intention right now, it's so far down in the future for me to hypothetically draw that driveway right now when it would be years before something happens there, for those reasons they don't want to go through that exercise of grading all these driveways out is a lot of work to do that. R. Cartier states he thinks we have that covered and asks Bryan (Stantec) if he has any other opinion and Bryan says he thinks that's reasonable and any time they can receive a clarification on some of these items, they can resolve these comments without changes to the plans.

R. Cartier asks if there is a separate deed for that property too and R. Severino says he doesn't know now with the lot consolidation. The Town always showed it as one because the Town consolidated everything back in the 70's, but there was always a separate deed for it. It was bought at two different times even though it was owned by the same family, the big farmhouse was bought in the 40's and they bought the little house in the 70's with a separate deed. R. Cartier says that sounds like it's reasonable to do and covers what the Board needed from a legal aspect.

R. Cartier says the question of the retention basins and that's one of the big things. T. Severino says they are going to work that out and they don't want to do an HOA that gets to complicated when you sell each lot. Him and Ron are going to work up some language of how they will handle the maintenance of those as the developer and just keep it completely separate from the homeowners, so the Town doesn't have that obligation. They did mention it to Jeff and Bryan but haven't worked out yet how to come up with that, but they will come up with something.

M. Chalbeck notes that the scenic road hearing will need to take place before the final app. and T. Severino says he will get an arborist to look at the trees, mostly large overgrown pine trees that need to come down. That part of the road actually has a ditch problem, and the ice comes out into the road in the winter right there because there is no ditch, so that will actually help to create a ditch and cut that slope back and get rid of those overgrown pines and need to come down anyway and he's sure an arborist would say that as well.

They will go through the arborist, come to the Board and get that hearing out of the way. R. Cartier asks the Land Use Office Coordinator to check with legal on the sequence of events for the public hearings on the Final application and the Scenic Road. The intent is to have both hearings on the same night if possible. M. Chalbeck says it will be good to get some sun in there because this winter it came into the whole land and if it makes it safer for people driving the road it's better. R. Severino says the scenic road hearing is usually not difficult and when he was Road Agent and had to do them, they can't stop you, you just need to hold a hearing and let people know what's going on and the abutter has the most say, which in this case is us, and those trees are just long overdue and need to come down, one already came down and went through that roof of that house one time. R. Cartier says the only thing he can't figure out right now and wants to check on the sequence of events. He asks the Land Use Office Coordinator to check with legal. B. Brock notes that he thinks it should come before. The Land Use Office Coordinator notes that they will tentatively schedule them on the same night and if that changes for whatever reason after speaking with town counsel, she will update the Board and applicant either way.

R. Cartier opens the meeting up to public comment and a few residents come forth to speak (*audio for more details) regarding the project and the concerns about the impact it will have on Critchett Road itself, more traffic concerns with pedestrians that have issues walking on the road now and the scenic value of the road itself, drainage issues on the road and potential for flooding, sight distance issues, wetland concerns and well impacts. The applicant goes over each of the items of concern with the audience and J. Pouliot thanks him for providing and clarifying this information. D. Young (FD Chief/resident) says as a resident of Deerfield Rd., in relation to the traffic, it's not the people on that road, that's become a cut through. He watches them pull across the street from his driveway all the time and they go in Old Deerfield Rd., they go in and go up onto Raymond Rd., so this development really isn't adding. You're going to have a lot of traffic but it's the people going through, they pay their registrations and everything and they are allowed to use any road they can in the State so you can't really stop that. As for the lady that talked about not being able to walk on the road, you'll have a beautiful road to walk on with very little traffic so you can stay off the busy road and walk on the nice quiet road.

R. Cartier asks the D. Young (FD Chief) about the dry hydrant and if it will require State permitting and approval to do the pull off and stuff that will be needed. D. Young says he will talk with them and believes they have in the past and says Dennis (former Road Agent) was going to do it years ago and he said he would touch base with whoever the powers that be at the State were because he knew them, but Dean is sure they will have to talk to someone but whether there will be written paperwork required, he doesn't know. R. Cartier says that is something the Board would like to see from that is to make sure that can happen, just one of those little things to tie it up so there are no questions. He asks the applicant/engineer rep. to work with the Fire Chief to get this information. T. Severino says they can put a value on that and put that money even in escrow until they do the work so it doesn't...cause again if it takes more time or to get the decision...just to know they will do the work or have the money in escrow to make up for that value, through the permit process they could put that money in escrow or bond it or another option that is appropriate.

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

*R. Cartier closes the public hearing at 8:51pm.

R. Cartier notes that there will be no decision made at this time and the applicant has sufficient information to go on from here. He briefly reviews the items of concern with the applicant that will be written up from the Board for the preliminary meeting:

1. Increase the waiver request details;
2. A note shall be added to a recorded sheet of the plan that states there will be a home with an accessory building on the lot;
3. Plan for continued maintenance of the retention basins;
4. A scenic road public hearing will be held for the tree cutting proposal before action is taken on the final application;
5. The applicant & Fire Chief will work together to determine if any State permitting/approvals are required for the dry hydrant proposal.

Application/Case Status Update(s):

- PB case #17-002 (Candia 1st Stoppe) -Compliance Inspection Site Walk (4/25/22)
 - R. Cartier says the site walk took place and Rudy, Tom Severino & Bryan Ruoff (Stantec) all attended for the site plan and there was a letter that Stantec put together and Tom is working on getting the updates from that. He noticed a couple things that were surprises, one was that part of the building was actually in the setback so they will have to go to the ZBA. B. Brien & M. Chalbeck note that this is the State setback and ask why they would need to go to the ZBA for the State right of way and R. Cartier clarifies that it is not the State right of way, but the Town setbacks and T. Severino says it's the 50' setback of the end of the State right a way by 3-5ft. R. Cartier says they have to cover it. T. Severino says he met with Doug McGuire and Joe Sobel today at 1pm, met with Lisa (LUOC) prior to that to walk through the steps here so he can get to the finish line. They are on the agenda for the ZBA for the 5/24/22 meeting, between now and then Dubay is going to take all the as-built information that he had and redraft the site and do a plan for the PB and are in the midst of preparing those, talked to Lisa about getting on the agenda for the 6/1/22 meeting as well and before that Doug is pretty confident he will get the submission AOT, don't have to have their response, but is going to submit the amendment in for the AOT. They hope the format is that when Kevin is back, they get an inspection on the building so if there are items to work on if necessary over the next few weeks, the ZBA on 5/24/22, present the plan to the PB on the 6/1/22 and hopefully between the inspection and the 1st, they get all their punch list items hypothetically completed and after the 1st, they could be in line to get their Certificate of Occupancy. Of course, he is project they will get the approvals where needed and everything will be done. He walked through those steps with Lisa, he walked though those steps with Joe & Craig, he went to meet with Doug McGuire and did his day job. He did try, thanks to Lisa for walking me though it, he needed to make sure he gets them to understand this is what they have to do, and he apologized to Lisa because he's been impatient too because he's doing this as a favor, but he just had to say this is the date and do this. They are just nervous that if they submit the plan and there's 22 more questions or something but that's not what was asked for and think they are just gun-shy at this point. He hopes that if they submitted the plan and there were any questions, the Board wouldn't hold them up at this point and if an amendment was needed, they would fix it. They are going to as-built everything they designed and submit a plan with their stamp on it and re-submit it to AOT for an amended AOT permit because of the change of the shape of the lot. R. Cartier says there are 2 things for the Board, one is the AOT permitted needed to be re-submitted to the State because they went from having a couple building to having more parking so that had to go through anyways and they did meet on site and identified what issues were outstanding and there was very few, one was lighting, and they had to have that in there. The bottom line is this is going to be an administrative change and not require a formal public hearing. Once they get the plan, they can look at it and finally get this to the point where the Board has a plan that shows what is there and what was taken out. T. Severino says he will stay on task with them to get to the finish line. R. Cartier notes this process has been frustrating for everyone, but we will get to the end. R. Cartier thanks Tom from the whole Board for assisting with this.

Minutes -April 20, 2022:

The Board agrees to defer the minutes to the next scheduled meeting date.

Other Business:

- J. Lindsey says she drives up to Concord through Pembroke and sees those little cottages, Pembroke LLC, she thinks of innovative housing and affordable housing. She is not sure what regulations they have but it seems Candia could be doing something different in allowing something like that. She is talking about something for a college kid that just needs a small place or a young couple starting out, innovative/affordable/something different. She shows the Board an article and asks the Land Use Office Coordinator to email it out to the whole Board. R. Cartier says there has been talk about tiny houses and J. Pouliot says they are not legal in Town and R. Cartier says there was someone that wanted to do that up on Healey Road. J. Lindsey says going forward if we could think less big, unaffordable housing that is so unnecessary, to maybe something small, manageable affordable and especially if there was buy-in for the people long range and R. Cartier says that's what we are looking for for the innovative and need to be working on. M. Chalbeck says the structure of the town, you're going to start attracting the professionals

that want a little more space, want to have a nice property to build a house on and hopefully have some kids so we could start putting some more kids in the school.

MOTION:

J. Lindsey **motioned** to adjourn the PB meeting at approximately 8:50pm. J. Pouliot **seconded**. **All were in favor.**
Motion passed.

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