

**CANDIA PLANNING BOARD
MEETING MINUTES OF
June 15, 2022
APPROVED**

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

PB Members Absent: Joyce Bedard

Audience Present: Town residents, Diana Patterson (abutter)

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

New Business:

Case #22-003 (Scenic Roads -Tree Trimming/Removal):

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: To trim and remove risk trees on roads that have been designated by town meeting vote to be scenic roads, within the proposed work area, pursuant to RSA 231:158.

Case #22-003 (Final):

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.

Old Business:

Case #22-004 (Conditional Use Permit):

Applicant(s): 23 Main Street, LLC (Scott Komisarek), 14 Main Street, Candia, NH 03034; **Owner(s):** 23 Main Street Candia, LLC, 14 Main Street, Candia, NH 03034; **Property Location:** 23 Main Street, Candia, NH 03034; Map 409 Lot 91.

Intent: Conditional Use Permit in accordance with the MAJOR Site Plan. Commercial Elderly Housing Facility -28 units.

Case #22-004 (Major Site Plan):

Applicant(s): 23 Main Street, LLC (Scott Komisarek), 14 Main Street, Candia, NH 03034; **Owner(s):** 23 Main Street Candia, LLC, 14 Main Street, Candia, NH 03034; **Property Location:** 23 Main Street, Candia, NH 03034; Map 409 Lot 91.

Intent: MAJOR Site Plan. Commercial Elderly Housing Facility -28 units.

Other Business:

Town Planning

Any other matter to come before the Board

Case #22-004 (Major Site Plan), Case #22-004 (Conditional Use Permit):

Requested to be postponed until the next Candia Planning Board meeting, 06 July 2022.

Case #22-003 (Scenic Roads -Tree Trimming/Removal)

Motion: To have request letter presented by Tom Severino entered into the meeting's record. Motion was moved by Mark Chalbek seconded by Brien Brock. Motion Passed. Letter was officially entered into the record. Letter includes the below information paraphrased -

Branch Brook Holding, LLC is requesting to remove trees on Critchett Road, Candia NH. There will be two separate areas of tree removal. The purpose of the tree removal is to improve sight distance and improve the roadside's ditch

line to avoid icing in the winter and to mitigate the risk of a hazardous blow down of trees onto an existing historic home. Area A is proposed to help improve the sight distance for the shared driveways of 214 and 216 Critchett Road. Branch Brook Holding LLC is proposing to remove 8-10 trees and lay back the existing ledge area to improve the line of sight. The abutting landowners are Diana and Erin Patterson, and Branch Brook Holding. Area B is proposed to provide adequate sight distance for traffic exiting, to create a ditch line area to prevent icing in the winter, and the third reason is to reduce the hazard of trees falling on a historical structure. Branch Brook Holding is the only abutting landowner. End of letter.

Thomas Severino begins to present his plan for tree removal by referencing clear images of both Area A and B that include red circles including the proposed area of removal. Thomas Severino reiterates that Area A is located on 14 and 216 Critchett Rd. on the shared driveway. Thomas Severino explains that they are planning on cutting down the first line of trees and hammering the slope back and then they will test the sight distance again to see if they will need to do more. Therefore, this will be done on a tree by tree basis, and only take out what is needed. Area B is designated for a future exiting plan, sight distance issues, and there being an icing problem in the corner of this area. Rudy Cartier asks if there are any questions from the board. Joshua Pouliot asks if they will be starting with 8 trees in Area A and then cutting down two additional trees as needed. Thomas Severino says this is correct.

Rudy Cartier opens the public hearing at 7:12. Asks if there are questions from the public.

Diana Patterson asks if they need permission from the board because this is their land. Cartier responds by explaining that this is a scenic road and will require a public hearing. Anne Lacey asks if this subdivision has already been approved. Cartier explains that prior to the discussion involving the subdivision the public hearing for the tree cutting had to occur. Lacey asks if they will be approving the removal of the trees, Cartier explains that will be determined once the public hearing is over. Ron Severino elaborates on the fact that the trees are a problem due to the ice in the road and this could stand on its own merits whether the subdivision is approved or not. Josh Pouliot concurs with the statement that the tree removal has its own merit. It is explained that 8-10 trees are to be removed in Area A, and 12 in Area B.

Rudy Cartier closes the public hearing at 7:21 P.M

7:21 P.M Motion to accept requests as submitted for Case #22-003 (Scenic Roads -Tree Trimming/Removal) Motion made by Mark Chalbeck, seconded by Brien Brock. Everyone in agreeance. Motion Passed.

Case #22-003 (Final) 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.

This is being proposed by Thomas Severino at Branch Brook Holding LLC. Rudy Cartier recommends application as complete after going through site plan, major site plan, and the final application with Jones & Beach Engineers Inc.

Motion to accept application- Motion Brien Brock, seconded by Judi Lindsey. All in agreeance. Motion Passed.

The public hearing for this case is opened at 7:25.

Thomas Severino presents the subdivision plan and presents a letter review from Stantec Consulting Service to review all items from Jones and Beach Engineers, Branch Brook Holding provided responses to matters that were addressed, and any changes made. These included original letters and a response to letter two. These included boiler plate, waivers and responses, drainage items, and Brian's concerns with a cost comparison concerning a fire pond and/or a dry fire hydrant- all responses were included. All documents were provided to the Planning Board for review.

Thomas Severino explains that lot 140 on Map 406 is 58-59 acres, and this will be subdivided into 15 individual lots which all meet the minimum 03 acre requirement. The overall subdivision plan shows the proposed areas for each plot. The lots will be sold individually. There will be approximately 1800 feet of roadway complete with an enlarged cul de sac to include area for trees within the center of the cul-de-sac.

Judi Lindsey asks if Thomas Severino owns additional land around the proposed subdivision. Thomas Severino explains that they do.

Rudi Cartier asks if there are questions from the abutters. Diana Patterson asks if Severino can point to where her driveway is on the map. Severino shows her relatively where her house is on the general subdivision map.

Rudy Cartier asks if there were issues with culverts in the area that will be aided. Severino explains that an oversized box culvert will be included. The proposed ditch line which will help direct it to the box culvert.

Ruth Marianne says the project showed up as 26 acres of land on the tax map. Severino explains that the reason behind this was due to merging two separate lots into one which brings the total to 58-59 acres of land and stated that they own the lot behind the proposed lot as well.

Ruth Marianne asks where they are going with this. Severino explains they own around 300 acres already and are working to create a conservation easement. He also explains that the intention of this subdivision is for his family members to have a place to live in Candia.

Rudy Cartier addresses the time frame for the completion of the road and that he believes the intention of this was to be done at once and not in phases.

Anne Lacey explains that she is upset due the noise and traffic that will be a result of this project. Severino addresses her concerns by stating that he is sorry she feels that way, and he understands.

Ron Severino elaborates that some people will like this subdivision, and some will not, but he is doing this to create a place for his family and friends to live. He also explains that 14 houses will not create a lot of traffic.

Donna Delrosso asks if the culvert that exists has issues on Critchett Rd. Severino explains that there are issues with the existing culvert. Severino explains that they are trying to acquire funding to replace the current culvert. Judi Lindsey asks if the new culvert will be better for wildlife.

Greg Capanski explains that 15 houses is a lot and will change the character of Critchett Road.

Rudy Cartier asks if Lot 15 will have a new structure on it?

Thomas Severino explains that there were already two homes on Lot 1, and although they are creating 15 lots, 02 homes (1 lot) already existed, and they have no intention of building on Lot 15. They are only creating 12 new homes.

Roger Leavett asks what will happen with the home on Lot 1? Severino explains that they are going to restore it and market it as a home, but they will not be marketing Lot 15.

Severino explains that to create a subdivision like this you need to get approval through NHDES for AoT.

After being faced with a question regarding the overall process, Rudy Cartier explains that the Planning Board does a pre-application review. Severino explains that the letter of recommendation gets sent to Rudy Cartier. Cartier explains that there are three different phases including a meeting to see what they are looking at, a preliminary application, and then the final application which includes suggestions made in the preliminary.

Anne Lacey asks which plot is which on the site map? Severino counts all lots on the site map. Rudy Cartier clarifies that zoning ordinances require one house per lot.

Bert Boucher asks how many lots will go to Tom's family? Thomas Severino states that 5 lots will go to family.

Bryan Ruoff, the consulting town engineer, explains that there are a few additional comments remain that they would like to go over with the board.

Comment 56 is addressed first. This comment is regarding the necessity of the turning movements for a WB-67.

Thomas Severino explains that he believes the WB-67 is a site plan regulation and not a subdivision regulation, therefore a WB-67 waiver would not be required.

The second comment, Comment 68 addresses the proposed drainage stating that the plot includes 15 lots, yet only one 3-acre lot is included in the drainage summary. Thomas Severino explains that they will be addressing this comment as part of AoT's request for more information. There is no procedure to submit for each individual lot, and this will be cleared up with AoT. Appears to be a non-issue

Comment 70E states that the culverts for CB4 DMH1 DMH2 and DMH4 are undersized for the 25 year storm plan and will need to be increased in size. Thomas Severino explains that they pass a ten year storm plan.

Rudy Cartier explains that comments 67-70E will be addressed as a part of AoT's request for more information.

Comment 56 discusses a waiver being required for the turning movements for a WB-67- Thomas Severino and Rudy Cartier discuss whether a waiver would be required for this as waivers have always been granted for this issue in the past. Thomas Severino explains that this is not in the subdivision regulations, and it is at the discretion of the planning board- and does not require a waiver.

Rudy Cartier explains that they will be looking into changing the requirement for a waiver for this issue, as it has not been required in the past.

Rudy Cartier asks if there are any additional comments from the board?

Scott Komisarek states that adding 15 homes adds a positive impact on the tax rate.

Ruth Murry states that she is nervous about what this will lead to- is there a precedent for Critchett Rd. now?

Rudy Cartier responds by explaining that if something is brought to them and it meets all the regulations, they cannot deny it.

Ruth Murry questions why she was not notified of this happening? Rudy Cartier responds by stating that only abutters are notified, but the information is publicly noticed, it is posted on the bulletin board at the Town Hall in Candia, and is posted on the Facebook page, and online at the Town of Candia Planning Board Upcoming Agenda, on the Candia Website. The agenda does not need to be posted until 24 hours before the meeting.

Rudy Cartier begins the waiver requests, all seven will be discussed and decisions made at the end.

The first waiver request is due to the Candia Subdivision requiring a maximum road length of 1,000 feet from the intersection of the starting point to the center point of the proposed cul-de-sac. Requesting a waiver due to the proposed length of their road exceeding this length at 1,851 feet. Severino explains that almost every road in Candia is over

1,000. Planning Board agrees that this regulation should be discussed to be changed, and the reasoning behind this regulation could have been due to long driveways and the length of a firehose or is geared towards denser communities. The second waiver is for the requirement that the board may require trees or shrubs in the right of way- Severino's project will be surrounded by natural woodlands and is therefore requesting a waiver. There were no additional comments from the board.

The third waiver is due to the requirement of a minimum vertical curve radii of 200 feet. Severino's project is requesting a waiver due to four of the six proposed curves are less than 200 feet. They are proposing a 25 MPH speed limit, and 15 MPH posted for the proposed one way cul-de-sac- this would allow all vertical curves to meet or exceed the required AASHTO 'k' values. The k value is explained by Thomas Severino showing that the curves will be "rollercoaster style" not horizontally, and that they are way over the k value, but do not meet the curve. The k value determines overall safety. Rudy Cartier asks if the 15 MPH is just in the cul-de-sac? Severino says yes. A question is asked-are there going to be sidewalks? Answered by Severino is no.

The fourth waiver is due to the requirement of a maximum road profile grade of 7%- requesting 8.5%. Rudy Cartier asks that Thomas Severino shows everyone where the 8.5% would be, and it is a 200ft section. This helps to shrink wetland impacts, as well. Conny Huett asks if this will be a town road? Thomas Severino and the Planning Board says yes. Conny Huett asks if that means Severino has free reign to build all of his roads at 8.5%? Rudy Cartier says no, it depends on the road.

The fifth waiver is for the installation of street lighting if the board deems it necessary- requesting a waiver due to the country setting of the subdivision.

The sixth waiver involves the necessity of the water supply requirements under this regulation can be met by cisterns, individual building sprinkler systems, or an approved fire pond. Requesting a waiver from the above recommendations as the requirements also state that the Fire Chief can determine the actual water supply requirements. The same regulations also state that the fire department may, at the discretion of the Chief, require developer to contribute the Town of Candia Water Supply Capital Reserve Fund if it is determined that this option will improve the overall fire protection of the town. Severino would like to follow the Chief's recommendations of installing a community dry hydrant. The cost comparison is on-site water supply: \$47,4000.00, off-site water supply, dry hydrant at the town pond on High Street: \$33,620.00. The delta is down to a few thousand dollars along with following the Chief's recommendation. Planning Board asks if they believe the state will let them do it, and what will they do if the state says no? Thomas Severino says they are unsure. Rudy Cartier says if the board approves this with conditions and the condition would be the dry hydrant needs to be installed, and the state says no then the waiver is no longer valid. Planning Board says the Chief's recommendation holds very high value. Rudy wants the cost comparison to look equal. Rudy Cartier wants an engineer's cost estimate included.

The seventh waiver is due to the requirement that all power, phone, and cable, are installed underground. Requesting a waiver from the first fifty feet of the roadway so the drop pole can be placed beyond the proposed box culvert and avoid installing the conduits excessively deep to cross beneath the box culvert.

Public hearing closed at 9:15 P.M.

Board needs to act on the waiver.

Motion for waiver one approval Josh Pouliot, seconded by Judi Lindsey. Full approval. Motion Passed.

Motion for waiver two approval Brien Brock, seconded by Mark Chalbeck. Full approval. Motion Passed.

Motion for third waiver approval Mark Chalbeck, seconded by Judi Lindsey. Full approval. Motion Passed.

Motion for waiver four approval Judi Lindsey, seconded by Joshua Pouliot. Full approval. Motion Passed.

Motion for fifth waiver approval Judi Lindsey seconded by Brien Brock. Full approval. Motion Passed.

Motion for sixth waiver Mark Chalbeck approved with the condition of the dry hydrant being approved by the state and if not, then the fire pond will be built on-site, seconded by B. Brock. Full approval. Motion Passed.

Motion for seventh waiver approval Judi Lindsey, seconded by Mark Chalbeck. Full approval. Motion Passed.

Rudy Cartier began adding conditions, the following were the listed conditions:

The fire pond proposed on High St. be constructed with plans provided to the town. If the above fire pond cannot be approved by the NH DOT, then the fire pond as presented as a part of the waiver request be constructed at the subdivision site.

Approval of the AoT permit

Approval of the wetlands AoT permit

Town council approval

Easements and deed restrictions need to be approved

Improvements to Critchett Rd. provided as approval to remove trees

NHDES subdivision approval pending

Comment 74, provide escrow to the town cost necessary for engineering review and inspection compliance as estimated by the town's engineer. Section 4.03E. Provide estimates for inspections.

Motion to approve the residential subdivision plan for Landing Way Tax Map 406 Lot 140 Critchett Rd. Candia NH w/ conditions as noted.

Moved by Mark Chalbeck, seconded by Judi Lindsey.

Motion to adjourn Josh Pouliot, seconded by Judi Lindsey @ 9:35 P.M. All in favor. Motion passed.

Respectfully submitted,
Cassidy Conty