

CANDIA PLANNING BOARD
APPROVED MEETING MINUTES OF August 17, 2022
APPROVED MINUTES

PB Members Present: Rudy Cartier, Chair; Mark Chalbeck, V-Chair, Brien Brock, BOS Rep; Josh Pouliot; Judi Lindsey; Scott Komisarek; Joyce Bedard; Tim D'Arcy, Alternate

PB Members Absent: Mike Santa, Alt.

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

New Business:

- Case #22-006 (Conditional Use Permit): Applicant: James Logan, 273 Currier Road, Candia, NH 03034 Property Owner: James Logan, 273 Currier Road, Candia, NH, 03034. Property Location: New Boston Road, Candia, NH 03034; Map 406 Lot 97. Intent: Conditional Use Permit in accordance with the MAJOR Subdivision. 39 Unit, condominium style elderly housing development.

Review of the application checklist:

B. Brock **motion** to accept the application as complete, **Second** by S. Komisarek. All were in favor. **Motion passed.**

Public Hearing for Conditional Use Permit opened at 7:08PM.

Chad Brannon, Fieldstone Engineering presenting for the owner/applicant.

Back before the board in 2021 presenting this development conceptually. Took that feedback from the board and some feedback received from the public and have applied that to the current submission.

Traffic Report and Stormwater Management Reports provided.

Responsible and reasonable development for this property.

M. Chalbeck: Inquired about the proposed upgrades to the road, due to the fact that it is a non-arterial road.

C. Brannon: Traffic expert did an analysis and felt that the infrastructure can support the development. Ultimately, we are willing to have a discussion on what, if any improvements need to be done along New Boston Road. We are willing to work collaboratively with the town road agent.

B. Brock: Stated that the construction of this project will have a major impact on that road/bridge.

C. Brannon: Mentions that there was some discussion with the traffic expert that the bridge could be plated during construction to minimize the impact.

B. Brock: That's a poor Band-Aid. The preexisting issues with that bridge have been issues for an extended amount of time and will not be on a traffic study.

J. W Candia Town Road Agent: That roadway and the bridge were never officially adopted by the town because of the issues. The bridge is one thing but the road leading up and towards 43 also has issues. The West side of that road has a significant amount of potholes which are not created how a normal pothole would be created. Those potholes are created from the water seeping up from underneath. I think that bridge and that whole road needs an inspection. To bring that road up to arterial road standards would be what would be needed. Not just that section. The entirety of New Boston Road. In order to create a safe road for people to travel on.

J. Bedard: Inquired if the property abuts Deerfield, do we have to consider regional impact.

B. Ruoff: The job of the board is to determine if the applicant were to upgrade New Boston Road to arterial, if their application or a Conditional Use Permit would be approved.

R. Cartier: The issue with having the road upgraded to arterial road standards would be that then it would have to come before the board due to the changes that would need to take place for a zoning ordinance change.

C. Bannon: Mentions that this particular development would cause a significantly less impact than a traditional development that would not require a waiver. A 1-2% impact which he believes would be mostly directed towards the highway and to impose improvement requirements for an existing issue would be unreasonable.

B. Brock: Brings up the point, that either way, they are allowed to develop the land and would not require a waiver for a traditional project, stating that an elderly housing development is financially better for the town.

S. Komisarek: Weighing in about the need to look at what is the highest and best use for the property as well as the town. Environmentally sensitive piece of land with less impact for this type of development.

R. Cartier: Waivers for Conditional Use Permit

Article 5: Section: 5.066 - 200 Foot Frontage on an Arterial Road

J. Pouliot: Inquired as to when the transfer station was moved from New Boston Road. And upon receiving the answer of somewhere between 10 & 15 years ago, stated he would argue that the point was not relevant in regard to the waiver request. It does not pertain to this road supporting any of this traffic now.

R. Cartier: Mentions that it is important to remember in regards to hardship that they can do a 15 or 25 lot subdivision which would not have the problem of not being on an arterial road making it tough to prove a hardship when the particular lot can be used for another use. Mentions his concern about the housing crisis and Candia not having enough for young families, etc.

J. Lindsey: The idea that the spirit of the elderly housing standards states that the development must be on an arterial road and being that this is clearly not, this should be where we stop. And again, affordable housing, as opposed to maybe the third elderly housing, we really need homes for single people, families starting out. That's what we really need now. We have plenty, proportionately, for the elderly.

R. Cartier: Mentions that his additional concern is that if this is approved to be on a nonarterial road, it is almost like spot zoning. We are taking something that is in the regulations that basically the town has voted on and said yes, we want elderly housing, but we want it on arterial roads.

S. Komisarek: The state is now ruling that economic hardship is indeed a hardship. That is why they gave the innovative land use ordinance, to give the planning board the flexibility. I don't think you have to worry that we are setting precedent or creating spot zoning.

J. Pouliot: If we zoom out and if we as a planning board are doing good planning for the town more long term, we are looking at all of these elderly housing developments, we already approved one, there is another on the way, and here is another one. I wonder if we can look at the larger picture and say we can't just keep approving all elderly housing.

C. Bannon: I just think it is important to consider that your regulations say, that there are actually restrictions that say only 10% of the population in town can be elderly housing. There are other regulations that address the overall number of elderly housing that can be done in the community. So it does restrict how much of this type of development. Ultimately when we look at projects it is a land planning evaluation. Regulations are written to cover the whole town. When you start looking at restrictions on 10% and the proximity to four corners. Logically it makes sense to focus on the arterial roads first, but the regulation has been in the town for a long time and you haven't received many applications for these type of developments. Balance all of your regulations and come up with a proposal that fits the existing conditions of a property best. And we are balancing goals and objectives of clients too. We have a client that really wants to promote land conservation and wants to create something that addresses a need. We have not impacted any wetlands. Minimized any buffer impacts other than what our permitted uses are. The traffic that is going to be generated by this type of project is less than a conventional project in this same spot. Waivers are intended to address good planning and you grant them. Hardship when it comes to waivers is different than hardship when it comes to variances. The hardship lies in your regulations. It doesn't allow us to balance all of the existing conditions and prepare what we think is the best development for this site. It doesn't allow us to plan a development that has less impact than what is allowed in that district, that is where the hardship lies. This board has the ability through innovative land use regulations to evaluate waivers based on good planning and that is what this is.

R. Cartier: Talked briefly about the ratio of elderly versus regular housing and how it is lopsided in relation to the total population of the town. Also, mentioned that he believes the density calculations that you have in here are not correct.

J. Lindsey: And you talk about location, if you look at Candia as a whole, this area is so critical for natural resources. Water, wetlands, biodiversity, the headwaters of The North Branch, Lamprey River, connects to larger, unfragmented corridors for animals. Bear Brook and Pawtuckaway. It's critical. It does not seem wise to put 40 units or whatever smack in the aquifers, the wetlands, the most pristine area of town.

B. Brock: This particular project for elderly housing is similar to the project up on highlands where we have a cluster development. The concept, I think, is pretty much the same. If you develop a small area

and leave a large common area, which helps with conservation, with wildlife. I like that concept but we lost that. It was voted down. I think the next best thing is this kind of development. I understand what Judy is saying but we still need houses.

J. Lindsey: We need clean water to drink, clean air, and an environment that supports healthy living.

J. Bedard: I think you are making an argument for the development by saying that. Because if he doesn't get this approval, he is going to go back and interrupt more.

J. Lindsey: I am just making a point that this is critical. No matter what you put there.

C. Bannon: When I look at the density and the regulations, it says the measurement from the four corners to the furthest extent of the property and the only way to take that measurement would be radial.

R. Cartier: That's debatable.

S. Komisarek: I look at the commonsense intent. Here is the center of town. Two-mile radius.

R. Cartier: When I used to work as a fire chief, we wanted to know in terms of mileage, not radius.

J. Pouliot: To address Judy's point, I agree with you. This is very important property, natural resources wise but my fear would be, we deny this, they come back and we now have something that impacts that North Branch.

J. Lindsey: I'm talking about the waivers, the standards, what we set up as the elderly housing regulations. Why would we want to give waivers to things that aren't even meeting our regulations? Start with that. Don't start fantasizing about what could happen "if".

M. Chalbeck: My big thing is, before even discussing the waiver, I need to know what the offsite improvements are going to be.

R. Cartier: That could be made a condition of the permit. And then the Major Subdivision Plan would have to have the offsite road improvements, similar to the way Tanglewood.

C. Bannon: Mr. Chairman, I tend to agree with Mr. Chalbeck and just receiving the letter from the Road Agent today, it would be prudent for us to have a conversation with him and with the town engineer, relative to the offsite improvements. And because of that, we think it would be in the best interest for the project and out of respect for everybody's time to request a continuance to your next meeting to allow us time to try to work on some of those details and to hopefully provide more information to the board for your consideration.

R. Cartier: I agree and disagree. The reason that I agree with you is yes, we really do need some work on offsite improvement. But offsite improvements actually come under working up to the Major Site Plan and a Major Subdivision Application. It doesn't come under whether we are going to grant the permit to do the conditional use thing. And in this case, even if we did approve it with the condition that there will have to be offsite improvements, that entails a lot more engineering, a lot more inspection fees and all that kind of stuff. What we have to look at while looking at in the conditional use permit application is does it meet the requirements in Section 5:05 & 5:06. There is nothing in either one of those says you have to do offsite improvements. Offsite improvements come in a totally different area. What we are looking at is not the road problem at this point in time. We are looking at the problem that this not an arterial road. You have to stay clear on that. As you said before, this is a very unusual ordinance for Candia because it

does not require you go to the ZBA. So obviously, the planning board has great responsibility in here to make sure that the regulations are followed.

J. Pouliot: It goes back to Brien's comment about whether we think that the intent of the arterial street regulation is for accessibility and I do agree, it's close to the center of town and it is relatively easy accessibility wise, close to the highway, not very far from the four corners.

R. Cartier: Right but as I said earlier, what was the intent of the voters when they voted the ordinance in. We have to be mindful of that.

S. Komisarek: I don't think that there is anyone sitting around that when they went to the polls and voted for that who could even anticipate that we would be talking about these specific things. The truth of the matter is, we were granted that ability to grant the waivers. We have that ability. So when you say, well we look at it and it doesn't appear to be one of these things, that's why we were given the flexibility. That's the way I interpret it. We have the right to do it, if as a member, we think it is the right thing to do.

R. Cartier: But it's not whether we think it is a smart thing to do per say. It's guided by the two criteria that we have to look at when we grant the waiver, which is in that section where it says it has to deal with hardship and whether it is in the best intention of the master plan. So we have to take everything on an individual basis. We have eluded to it before about affordable housing. The question that came up is, that you had brought up actually, is not only about the quota for elderly housing but do we need affordable housing for families. We, unfortunately, do not have an innovative housing ordinance in here to do that so we have to kind of balance everything out. Again, what is the best approach to take? Is it that we do another elderly housing project or as it was suggested in here, that the alternative be family housing.

R. Cartier: Reads letter from Chief Mike McGillen (see attached)

C. Bannon: States that he does not have a copy of that letter and it seems that he is responding to comments. He is not a zoning administrator.

S. Komisarek: It's very similar to the letter that, Kevin Gagne, the building inspector submitted a couple of weeks ago. In all due fairness, it's not for him to make an interpretation. He is supposed to look at whether or not it's a safety issue.

J. Wuebbolt : Road Agent reads his letter (see attached). The only other thing that I would say is, and this may come up later. Right now, New Boston Road currently functions adequately, with the existing vehicle trips per day but the added vehicle trips and construction traffic this development will create are a cause for concern and necessitate in my opinion offsite improvements. Kind of like what we had talked about before, I think it would necessitate the road being widened. Whole six-foot shoulders actually taking place, clear of all trees and brush and everything of that nature. If we are going to use this like an arterial road, I think it needs to be built as such. There are points on New Boston Road where the ledge comes right up off the road and I would think, in order for something like this to go in, I really believe we would have to build it to that standard, the entire road.

J. Pouliot: Jeff, is it possible, I know when we were looking at Tanglewood, the road improvements they were suggesting were not possible.

R. Cartier: I need to interrupt; we are getting a little bit off topic here. We've got to pull it back in, in this particular one, it all needs to be based on a waiver for location. I would like to end that discussion right now and just talk to the other waivers being requested. The second one is Article 5 Section 5.06.14 of the Zoning Ordinance.

“Article V, Section 5.06.14 of the Zoning Ordinance - Regarding the maximum building height in an elderly housing project. This section states that "all buildings shall be single story above grade in height".

We are requesting a waiver from Section 5.06.14 as the current market for Elderly Housing Projects frequently offers 2-story housing styles and this is a common request for prospect buyers. The real estate market has gone through a fundamental shift where buyers are increasingly focusing on smaller, more affordable and more energy efficient housing. All of the proposed floor plans for this project will be ADA adaptable with a master bedroom, kitchen, living room and laundry on the first floor. A two-story option would still offer first floor living but would place an office or guest bedroom on the second floor. The two-story option would allow this project to effectively market the project while still meeting the spirit and intent of the ordinance. The two-story option would meet all of the other restrictions of the elderly housing requirements including the 2-bedroom limitation. Two story options would offer a diversity in housing options while providing for some architectural variation within the development.

A denial of this waiver request would result in a financial hardship to our client as it would limit the marketability of the project with no measurable gain to the Town or general public as the project would still meet the spirit and intent of the ordinance. For all of these reasons we respectfully request that the Board grant a waiver from Section 5.06.14 of the Zoning Ordinance allowing for the construction of a two-story option.”

B. Brock: We have already granted that twice. One on High Street and for the one on Main Street. So, I don't think that is a question. To me, it just makes sense, for them for marketability and for the town.

J. Lindsey: I say, in the ordinance, it was supposed to be single and maybe, you say every project is different, you grant the waivers on the project, not precedent set and I say, the original ordinance said single.

S. Komisarek: I always thought that was an important consideration up on High Street. 41 out of 43 ended up being a single family. To me, it brings more accessed value. I don't see what harm it creates.

R. Cartier: You bring up a good point, from an availability standpoint.

S. Komisarek: I thought it was an important thing. I thought people would want it but as it turned out, only 2 out of 43 did. So in other words, it's not the end of the world if you can't do it. If someone comes along that wants a little extra room up there for hobbies or visiting children. You have more square footage, you have more tax revenue. I don't see how it is detrimental.

R. Cartier: Addressing C. Brannon. You don't have a breakdown or anything yet. I am assuming that this would be similar to the High Street projects where there would be, not necessarily custom, but they would be built one of three different styles.

C. Bannon: That's correct Mr. Chairman. We've found and I think there was two or three buildings on the Villages at Candia Crossing. It's good to have options. We are not suggesting that they are all going to be two-story but I think the idea that 55 and older has to be one floor living is not market-proven. There are a lot of people that want a two-story home. They still want to climb stairs. They still want to have a

guest room on the second floor instead of on the first floor and it's more affordable to build a two-story option, so people that are looking for more affordability, which was a topic that was raised earlier, will likely look for a two-story option. It's cheaper to build that than it is to build a bigger footprint, bigger foundation and so on. It's important to offer that.

J. Pouliot: I think the intent of a single-story is so that the elderly don't have to climb stairs. Right? And the way they are building these two-stories now in the elderly developments is that they don't have to climb stairs. It's a choice.

R. Cartier: That brings up another point. Are there handicap accessible options in the design. Obviously, someone who has a handicap is probably not going to, maybe not have a second floor.

C. Bannon: Yes, that is correct. There is all handicap accessible options. We have seen two-story homes be built with ADA accessibility options. Which just means there is ramping, there is larger doorways, the bathrooms are put up a little bit differently on the first floor level but every unit has a first-floor master and all of the elements where somebody doesn't have to leave the first floor.

R. Cartier: At this point, I am going to open up the comments on the waivers to abutters first and then other interested parties.

C. Bannon: States that he would like to request a continuance in order to allow them to better address any questions, comments, concerns, letters, etc.

R. Cartier: I don't think that is an unreasonable request. What I would like to do is have the public input so you also know if there is anything else, other than the letters you've seen tonight which would probably have to be addressed. I want to give you as much fairness as we can. And I don't want to come back the next meeting and then have public comments and then you have to go back again. I would rather make it so it is efficient for the board as well as for you.

The rest of the board was in agreement.

Leon Austin – 225 New Boston Road: Wanted to bring up the request 5.04.10. “that requiring compliance with the particular provision for the granting of a Conditional Use Permit would create an unreasonable hardship...” I am of the mindset, kind of what you mentioned earlier, he can build. There is no unreasonable hardship for him to say “I need this development.” That is one of my points. You mentioned earlier, we build by the master plan. That is what you guys use for the direction for the town. Everything in this plan says rural development. I know everyone says there is a housing shortage. We are not Manchester. I moved out of the city to a rural development. So, to me, when you look at this, the town vision on page 13, “rural town character and charm” is the very first thing that they point out. Page 15, under housing “attract young families and allow the older population to age in place...” This is not rural character, adding this. The number of units per density, which was brought up. Even if you don't drive down the road which is two miles, if you go to the far extent of that back corner, with a google map, it is 2.10 miles, which puts them outside. So I am going to keep saying, arterial road, that is the requirement. This is not an arterial road. There is also a distance, so the further you get from town center, the more land you need. This falls into dividing by three not by the two that they did. They keep saying, the unreasonable hardship, that's why they want this type of development, it's the best. If you are a builder, you realize to cross the North Branch is extremely expensive, to cross that water. So for him to build in that back section which everyone can see is a lot of light green, a lot of wetland out there, this is going to cost him a fortune, so his motivation to this he says hardship, is not “oh woe is me, I can't

build”, it’s I can make a ton more money building in this one section putting everything on top of each other. Thirty feet apart. Even Manchester doesn’t have houses that close together. So the number of units needs to be looked at and the distance needs to be looked at. Because that will be another waiver that you will need. The bridge you guys have already brought up. That road condition which Jeff has mentioned. In the ordinance 5.05.5, The size and scale of the project shall not have adverse impact on adjacent properties. New Boston Road from 43 to where North Road hits has approximately 40 houses. That entire two-mile stretch. Rural environment, everyone is spread out. Your proposing to put 40 more structures in one little piece. That is not a rural environment. That walking path they are talking about dumps out on my property. I have already had, going out there people going out there as they’ve explored. My property is in conservation, for the record. There are tracks where a bobcat went through my property and knocked down trees while they were exploring. Wetlands impact. Light pollution. Master Plan says Rural Town. When you consider this, I have heard money, his lack of making money, the towns lack of pulling in revenue. How about we talk about, all the time, young families need places. The school that everyone mentions doesn’t have a lot of kids because the town population is elderly. This should not be put in as an elderly housing development. The town doesn’t need it. It’s not on an arterial road. It is going to greatly impact. I don’t care what his road study said. 39 houses, that’s 80 cars and 55-year-olds do go to work, contrary to what he is saying.

Mark Giuliucci – 178 New Boston Road: I am the person that would suffer most, as Leon was talking about adverse impact. When you look at that plan, I am in the little green house right across the street from this property. One the left side of our property is the only entrance to this and on the right side of our property is the parking lot. That’s a pretty good adverse impact for me. I did a little traffic study of my own. The transportation engineer estimates that a senior adult housing detached unit generates between 2.9 & 5.7 car trips a day. I did a little math, that turns into 81,139.5 car trips a year on New Boston Road. I pull chunks of New Boston Road out of my front yard every time I need to cut my grass. The road is crumbled. The road in front of that landfill, with years and years of this truck traffic apparently made it okay. They can’t fix it. I watch those poor guys go out there, year after year and patch it and ten minutes later, it bubbles right back up. It’s insane. The traffic on this road has killed the road in front of that landfill, so please don’t tell me that 80,000 cars, I don’t care what time of day they drive down this road. 80,000 cars impact us. And these 80,000 cars folks, they don’t stop on New Boston Road. You know that right? People make a right turn onto Deerfield Road, which is already overcrowded. They go up by the Moore’s School and the Fire Department which is a safety hazard for our children and our school. This is a Candia problem. This isn’t a New Boston Road problem. And I hear talk about making this into an arterial road. I am sure that all of the people that live on New Boston Road and knew that it was a designated scenic byway and knew they had multiacre lots and knew we had a rural character there. I am sure we are all eager to have the town turn it into an arterial road for his benefit. Why? I keep asking this question. What we should be looking at tonight is something that adheres to the letter of the zoning rules and to the intent that the people of this town made for what our town should look like along New Boston Road. We should be looking at a reasonable, well-planned, sing-family housing development, that takes into account everything, including those wetlands. What do we get tonight? 40 buildings! 40! A high density, senior living, condominium complex with 20 foot high street lights and a parking lot on New Boston Road. And 10 community wells. Those 10 community wells, I did some more math because I like math, they have a pumping capacity of 1.9 million gallons of water a year. More math, that fills a lake, 100 feet across and 32 feet deep. And this aquifer sits right underneath that town landfill. I am concerned. If you start at Deerfield Road and drive up New Boston Road, counting houses like Leon said, you go 1.8 miles

until you get to 40, 40 wells. This project is the equivalent of 40 wells on one piece of property, 2/10ths of a mile from that landfill. Why? We should be looking at something that is reasonable that still lets Jim make all of the money that he needs to make. He knew what this property was when he bought it. He knew it was wet. He stood right on my front porch with my wife standing right next to me, with his daughter and said I know that it's wet, I just want to build a couple of houses for my daughter. And now he is coming to you with his hat in his hand, saying help me, I have a hardship, I can't develop all of the property that I want. Yeah, so. You buy a piece of wet property and expect to put 75 houses back there? It is not our job to make up for his bad judgement. It's not. People. This doesn't belong on New Boston Road. It's a nonconforming use. It has no business there, I don't care how much money he makes. I am in favor of development in this town. You give a nice, reasonable single-family plan, I'm all for it. I want this town to grow, the way the town intended it to grow, not the way he intends it to grow. And we need more senior living housing really? This board has said itself, many times, that what Candia needs is single-family housing. Here is a golden opportunity to put single-family housing. By the way, this is not affordable housing. We are not building affordable, senior living here. Don't kid yourself, this is not affordable by any standard. So I am just asking you, just hang on for a second please, just pull back for a second board and please think about this. Take the long view. What we are looking at is what is in the best interest of the town. The people of this town. We live here. We live on New Boston Road. I am an abutter. Omg, if this project gets built. 80,000 cars a year coming by my front door. 20 foot high street lights. A parking lot.

Kathleen Tigrney – 178 New Boston Road, Mark's wife. We lived on New Boston Road since we bought it from the Bells. So, the representative from Fieldstone stressed how much Mr. Logan wants to preserve the open space. Well, he can do that with a nicely developed single-family home. There are a lot of wetlands there. And he said, well I am going to preserve all of that. Well, you can't build on those wetlands anyway, so whatever he puts in there, is going to have to be preserved. I just want to read this one thing for you. This is from your own planning board and land use page. So all of us, and you all too, just need to keep this in mind as you consider this large, non-conforming use. Okay. Read your own webpage. Growth is inevitable and desirable, but destruction of community character is not. The question is not whether your community is going to change, the question is how. That's why we put you on the planning board. To determine how it is going to change and keep its integrity. Thank you.

R. Cartier: Reminds those in attendance to not clap and to try to keep the meeting civil in nature.

C. Bannon: I just want to request Chairman, I know that there is a lot of emotion in the room but it's important that the communication remain professional and respectable, and you know, we've been professional and respectable and out of respect for my client, I feel like everybody has to keep their comments in that fashion as well. And I would just like to say, we can tell there are going to be a lot of comments and so you know, the IT Manual is what the traffic consultant, it is a reference that is utilized. The senior housing is a use that generates about 3.71 trips on weekdays per unit. Residential, single-family housing generate 9.57 trips per unit. And that's a function of a lot of analysis of different use categories. And so, single-family housing is going to have more of an impact and that's what I was talking about as an equivalent. An equivalent impact is around 14-15 lots vs. what this development is proposing. I just wanted to touch on that for clarity because anyone can throw out numbers, but you have to speak to it in context to what we are proposing and how it relates to other uses. We want to hear everyone's comments but if they could just be shared respectfully, that would be appreciated.

R. Cartier: That is a valid point. Everyone in this room needs to realize two things. One of them is, is that Mr. Logan owns that property. He is a taxpayer in town. He has hired an engineering firm to come up with a plan that he feels would be the best use for his land. He has a right to do that. On that same token, the citizens of Candia have a right to express their opinions to either support the project or in this particular case support the issuance of a conditional use permit or not support it. The board is only looking at two things right now. Very specific. Not traffic, not anything else. Does this project deserve to have a waiver from a particular section of the zoning ordinance or does it not. Everything needs to be focused right on that. Conversations and testimony are important, and we welcome that, from a board's standpoint, we want to hear what you have to say but it does have to be respectful both ways. We have had hearings before on controversial subjects and people have been very good about not letting emotions get away from them, so please when you share your comments, please keep that in mind.

J. Bedard: Also, you will have an opportunity to say those comments at a later time. We have to do it in order. There will plenty of opportunities to talk about those other things. We want everyone to be able to have time to share and not be here until midnight.

Russ Dan – 1 Tower Hill Road: We are talking about an arterial, again senior and to me, you've got to get safety equipment there, so it's a direct route. You gotta go down 43 to New Boston Road, so to turn around and say it's a circle radius, we don't have helicopters. The other factor is, if we do more and more senior homes, we just put on an ambulance, it's needed. If we have more, we might have to look into getting two ambulances to give the coverage that we have because we don't have Manchester backing us up anymore. Hooksett will back us up if they have time. So what I am saying is, when you say these are things that doesn't cost us any money, it does cost us money. The other end saying if we build single-family, it is going to cost us the school money. Now we have room in the school to accept a number of children. We could build 40 homes and have 40 kids in that school depending on the age of everyone. So what I am saying is, it's not as though we have to build a new building or anything else. I hate this type of thing where it's thrown out that it's gonna cost. First of all, some of these homes you are going to build are not going to be young families with kids so what I'm trying to say is think about the whole picture.

Patti Davis – 93 Critchett Road – I'm kind of following all of the things that those guys said but I also wanted to say just because you don't build this doesn't mean you can't build something else. So the hardship, going for that waiver, it is not a one or nothing. I also want to talk about, someone brought up percentages. I think it might have been you Scott, that 90% are getting waived from the government. Let's not throw out numbers, we need to see what actually is. This town, speaking of throwing out numbers, 54% are over 55 now, in our town. I don't think we have a hard time of people that are in town being old, we have a hard time with people that are young. I know there are a lot of people in this town that have kids that wanted to move into this town but they can't afford to get into this town because the housing, even the proposed 23 and above are going to be \$400,000 places. I don't know about any houses sold next to you recently but they are outrageous, we need affordable, younger people housing and I would love to see something go in for that. One other thing, these houses were going to be, I think you said 39 units... and then you said if you went with the other way, it would be 25 or so. Well, half the amount of units are going to provide half the amount of traffic. And maybe not exactly because they are going to drive more because us old people don't drive very much. The younger people are going to drive more but maybe they are just

going to drive twice as much as us. It is going to balance out. That number there is going to meet in the middle.

J. Lindsey: Reads Betsy Kruse's letter (see attached).

R. Cartier: Reads letter from Patrick Cassier (see attached)

Patti Davis: In our town of over 3,000, about 1,000 people vote in the elections and it seems to me that seven people shouldn't get to override, so egregiously, the ordinances that we voted on. I get that there are times when you need a little change or a little something and that makes sense to me but when you change big things, to me, that is jumping over the line, without asking the townspeople.

R. Cartier: Ask if there are any further comments. States that he appreciates everyone coming to voice their concerns and suggestions. States that the board, at this point in time, will entertain a motion to continue this particular part of the hearing, on the conditional use application only. If that is granted, it will stay on the agenda until everything is resolved. The other thing that we have to do is we are going to have to open up the public hearing on the Major Subdivision Request because it was dually notified as being tonight and we can't not open the public hearing. But again, we can do the same thing, we can open the public hearing, the board can make a motion to continue, so it will stay one there until everything is resolved. The board, from tonight's meeting has 65 days, to act on the conditional use permit and the Major Subdivision Application. So, obviously I would hope that it wouldn't go longer than that but that is the time frame in the RSAs, that we are required by law to make a determination within 65 days.

J. Bedard Motions to continue, Second by Scott All were in favor.

R. Cartier: Closes the public hearing at 9:16PM

C. Bannon: Does it continue to a specific date?

R. Cartier: No, it will stay on the agenda, so what I would suggest/ask you to do is contact the Land Use Office to state whether you are or are not read for the next meeting.

R. Cartier: Opened the public hearing for:

- Case #22-006 (Major Subdivision): Applicant: James Logan, 273 Currier Road, Candia, NH 03034 Property Owner: James Logan, 273 Currier Road, Candia, NH, 03034. Property Location: New Boston Road, Candia, NH 03034; Map 406 Lot 97. Intent: Major Subdivision - 39 Unit, condominium style elderly housing development.

R. Cartier: Judy and I met with Nate Chamberlain from Fieldstone Engineering for a preliminary application meeting. Major Subdivisions have three steps. 1. Initial/Preliminary Meeting 2. Preliminary Hearing 3. Final Plat Hearing/Application. The hearing for this one is the preliminary hearing. All we will be dealing with when we work on this particular hearing is technical aspects for the project. That would include things such as whether offsite improvements need to be done. Anything that is of question within the project itself and anything along that line. It's not whether the project is a good project or a

bad project. The board doesn't vote to approve or disapprove the project for a preliminary hearing. The board works with the town experts, who provide information for the proposed project and come up with what needs to be done for the final plat. All of the technical details will be worked out at this particular preliminary hearing. Asks J. Lindsey to read the memo.

J. Lindsey: Reads the memo. (see attached)

C. Bannon: We made a submission on Friday. There are currently no deed restrictions on the property.

R. Cartier: I would entertain a motion to accept the application as being complete.

M. Chalbeck **Motioned** to accept the application as complete. S. Komisarek **Seconded**. All were in favor. **Motion** passed.

R. Cartier: The application has been deemed complete and at this point in time, we can open up the public hearing. Opened the public hearing at 9:27PM

J. Pouliot – **Motion** to continue the Major Site Plan Application J. Lindsey **Seconded**. All were in favor. **Motion** passed.

R. Cartier: Closed public hearing at 9:28PM

Just so everyone realizes, this is going to be on the agenda until finalized.

- Case #22-005 (Minor Subdivision) (continued): Applicant: Liberty Woods, LLC, PO Box 299, Candia, NH, 03034; Property Owner: Liberty Woods, LLC, PO Box 299, Candia, NH, 03034; Property Location: Lane Road, Candia, NH 03034; Map 414 Lot 147. Intent: MINOR Subdivision. To subdivide Lot 147 into 3 Lots.

R. Cartier: I think the only thing that we had outstanding on here was related to endangered species.

J. Franklin: Yes, we had to set the bounds. We did that and the plan reflects that. We added the notations of the state subdivision approval number and I added the notes about the endangered species. If somebody is interested, they can go to the state and ask for that file number and find out whatever they should. So, I am requesting approval.

B. Brock made a **motion** to accept/approve. M. Chalbeck **seconded**. All were in favor. **Motion** passed.

MOTION: J. Lindsey **motioned** to adjourn the PB meeting at approximately 9:45pm. J. Pouliot **seconded**. All were in favor. **Motion passed**.

Respectfully submitted,

Amy M. Spencer

Land Use Coordinator

cc: file