

**CANDIA PLANNING BOARD  
MEETING MINUTES OF February 15th, 2023  
APPROVED MINUTES**

PB Members Present: Rudy Cartier, Chair; Brien Brock, BOS Rep; Mark Chalbeck, V-Chair; Judi Lindsey; Tim D’Arcy; Mike Guay, Alt. (sitting in for Joyce Bedard)

Kevin Coughlin, Alt.

PB Members Absent: Joyce Bedard (excused); Josh Pouliot (resigned), Linda Carroll, Alt; Mike Santa, Alt.

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

R. Cartier requested to change the order of the items on the agenda, in order to address the resignation of planning board member, Josh Pouliot. R. Cartier reads letter of resignation.

**Motion:** B. Brock - To accept, with regret, the resignation of Josh Pouliot. **Second:** J. Lindsey - All were in favor. **Motion passed.**

R. Cartier: Reads the RSA:

***“673:12 Filling Vacancies in Membership. –***

*Vacancies in the membership of a local land use board occurring other than through the expiration of a term of office shall be filled as follows:*

*1. For an elected member, by appointment by the remaining board members until the next regular municipal election at which time a successor shall be elected to either fill the unexpired term or start a new term, as appropriate.”*

B. Brock: **Motion** to nominate Tim D’Arcy to fulfill the remainder of Josh Pouliot’s term. M. Chalbeck: **Second.** All were in favor. **Motion passed.**

**New Business:**

- **Informational: - Potential Land Use**  
Applicant/Owner – Julie Bourgeois — Country Lane Manor – 843 High Street, Candia, NH 03034. Property Location: 843 High Street, Candia, NH 03034 Map 404, Lots 088-000 & 079-000

Jim Franklin:

Shelly Weeks: Commercial and Residential Real Estate Advisor:

Is there enough frontage and it is allowed by zoning rights to subdivide her property.

Jim Franklin: Is there enough frontage to subdivide the landowners land here, from the rest of the parcel. If you subdivide the house from the rest of the lot, the rest of the parcel will not have frontage. Boundary survey of the property. This is an existing conditions plan. It shows the relevance of the lots to each other. It would require frontage on that lot and Knowlton Road.

R. Cartier: Is that a Class VI or a Class V? 200 Feet from High Street.

Jim Franklin: That second sheet shows the overall concept. The study of what we did on it. That's where, with proper engineering design, it is potentially possible to have a three acre lot around the existing house.

S. Weeks: It would be very important for Ms. Bourgeois to stay in the home if she should/could sell the mobile home park. We weren't sure how far up Knowlton Road was considered public or town maintained.

B. Brock: As far as I know, the town has never maintained that road.

R. Cartier: Even though it is in a residential zone, it is specifically for a mobile home park. It would be difficult to separate that residence.

S. Weeks: Even if her home is technically a manufactured home?

T. D'Arcy: There is a distinction between manufactured housing versus manufactured park.

Jim Franklin: Can you please show me where it says that?

R. Cartier; Table 5.02 - Types of Land Use – A. Residential. (See Attached)

S. Weeks: So, this is the only park, and the others are subdivisions.

R. Cartier: Yes

S. Weeks: Any thoughts on the process, should she decide to appeal.

R. Cartier: She can always go to the ZBA.

S. Weeks: Besides that, what about the potential to expand? Are you only allowed to add manufactured housing?

S. Weeks: I didn't see anything noted as far as required open space.

R. Cartier: It would still need to go through a Site Plan Review. There could be some open space requirements.

Carol Conrad / Applicant's Daughter: I believe that was a condition in the past. I don't know when that would have occurred.

R. Cartier: It would be something that would have to be researched. When the ordinance was put in place in the determination of what the property could be. If there was anything,

then anything that was added on would have to be There would be some requirements for septic system, water. Other things that have been put in place since that time.

S. Weeks: It would be a sewer system and perhaps an additional well.

R. Cartier: That would have to be addressed with DES.

S. Weeks: Is the town favorable to more affordable housing?

R. Cartier: The general consensus of the board is that we would accept any application to come before the board for a review. In this particular case, this is set up for what you are proposing to do.

S. Weeks: You would need to do a site review to find out if any open space would be required.

R. Cartier: We would have to have an application filed in order to have it on our docket for our review.

S. Weeks: Should she choose to sell down the road. After you have a purchase and sales, you have to offer it to the owners/tenants. Then they would own her home. If the ROC buys it, the original contract would become null and void. The last park that I sold did require open space and I wasn't sure if Candia did things a little differently.

My biggest question, still looking at subdividing that home, it would have to go before the ZBA?

R. Cartier: We cannot create a nonconforming use.

J. Franklin: This lot would start on High Street and run parallel. When this becomes a standard town road. This would be a single family home. It would utilize this portion, yes.

R. Cartier: It would have to be built to town road standards.

J. Franklin: I think it is reasonable to believe that NDOT would get involved. I went through the regulations. I used the development on High Street. My thought was that this should also be a conditional use permit for the entire property.

R. Cartier: It wouldn't fall under conditional use permit. It's an allowed use.

C. Conrad: 100-125 additional sites

M. Chalbeck: When I was a kid, we logged that piece of land.

R. Cartier: I think the biggest thing is cutting off that lot to make it a house lot. It cannot be done, from our standpoint. It would be up to the ZBA to make that determination. The problem is, the road would have to be a town road. It couldn't be a private road.

M. Chalbeck: That portion of Knowlton Road would have to be up to standard but the other roads in the park could be left as is.

R. Cartier: That cannot be a dead-end road.

J. Franklin: In any case, it would have to be brought up to town standard.

R. Cartier: We ran into this on another project. It couldn't be a hammerhead or a dead-end.

J. Franklin: Where there was no minimum road length in the subdivision regulations. There is a maximum but no minimum. If we were to center a cul-de-sac here, it wouldn't be doable. That is where the single-family lot would have its frontage.

R. Cartier: This is a unique situation.

J. Franklin: Can the board make a decision on a preliminary submission?

B. Brock: I am opposed to someone investing that kind of money to get a no.

R. Cartier: The way that the regulations are set up, a housing development would have a preliminary and a final.

M. Chalbeck: As it stands right now, they can expand the park. If they go to the ZBA and then they can come back to us.

R. Cartier: What does the access to the park have to be?

B. Brock: Or you just extend the road.

J. Franklin: I understand, she hires an engineer, does the design for the town engineer to review.

J. Franklin: Without having a design submitted to the board, I don't see any way around it.

R. Cartier: It could be expanded on the other side of the road as well, so that should be taken into consideration. The only other issue, I would have to defer to the fire chief for this one, with only one access into the whole property, is having just one access point be okay.

C. Conrad: When and how can a road be discontinued when someone lives on that road.

J. Franklin: The people in the town.

B. Brock: No boards in town open or close roads. Back when that was closed, there was no one living back there. That was almost 40 years ago that.

J. Franklin: It was in 1958.

R. Cartier: To answer your question, we cannot answer your question.

B. Brock: I don't see them having a whole lot of problem with ZBA.

B. Brock: The boundaries of that lot will not change?

J. Franklin: Construction wise, we are still looking at 400 feet of town road.

M. Chalbeck: Is this going to be phased?

C. Conrad: She has been a business owner in town for 50 years and she would like to subdivide to keep her home.

R. Cartier: This is a unique property.

J. Franklin: It is going to take people putting their heads together and an experienced engineer.

S. Weeks: One other thing, just to bring to your attention. Jim found this when he was surveying. She has been taxed on an additional five acres that technically do not belong to her.

J. Franklin: That property was surveyed by Jack Hills. Now how the town ended up putting a tail on this, I have my suspicions based on the staff at the time. But there is no basis for that whatsoever.

- **Case #23-001:**

**Applicant(s):** Dillon O'Connor, 70 Riverside Drive, Allenstown, NH 03275; Owner(s): Dillon O'Connor, 70 Riverside Drive, Allenstown, NH 03275; Property Location: Deer Run Road, Candia, NH 03034; Map 408 Lot 30-21-1.

**Intent: MAJOR Site Plan.** 6,000 sf automotive repair facility.

Steven Keach: The site in general slopes from low to high, across the length of the property. At the front of the property, easterly direction. The site is comprised of till soils. What the proposal is to construct at 6,000 square foot automotive facility for Rusty Wrecks that has been a business in town for 9 years. Access would be provided off the easement. Access would be at the rear of the building. The front of the building would be, Dillon will share with you shortly. All of the parking for patrons or vehicles, waiting for repair, would also be situated on the backside of the building. The dimensions for that are fairly minimal. Stormwater would be piped here where it would have some treatment prior to discharge. Your consulting engineer upon acceptance of the application will have an opportunity to review the draining report & provide his review.

There is power underground, a transformer. There will be no other utilities.

The perimeter, in the back of the lot will remain wooded.

Tim D'Arcy: Are you going to go back deeper?

S. Keach: On page one, it will show it as it exists today. If you look at the landscape plan on page 7, the boulder is proposed limits of clearing. Last Wednesday, we had the opportunity to come before a few members of the board for a pre-application checklist review meeting. At that time, there were a number of items identified on the plan. I believe we have done each of those. There were also requests for some architectural renderings, to get a visualization.

D. O'Connor: It is a manufactured, steel building but I would like it to look like a barn. I would like to do some sort of ventilation via a cupola or two cupolas.

R. Cartier: On February 9<sup>th</sup>, we met with both the applicant and the engineer and found some deficiencies.

Memo: (Please see attachment)

The board reviewed each of the items contained within the memo.

R. Cartier: This front sheet is not going to be recorded. Technically, it is showing them, as long as it's to scale.

B. Brock: How about if it was just shaded?

R. Cartier: Is the map larger on your drawings?

S. Keach: They would be proportionately larger.

M. Chalbeck: Basically, you are going to come out of the pad-mount and feed the secondaries.

R. Cartier: There is a section in the ordinance on architectural requirements.

S. Keach: I had some reservations about putting on a timeline, but I worked with Dillon and came up with one and it is on page 12.

D. O'Connor: If everything goes well, this is the ideal timeframe.

R. Cartier: The Chief is supposed to get with the town engineer. In a commercial structure, it doesn't meet the requirements of the regulations. There are three options.

“B. Fire Protection: All new multi-family structures of three or more dwelling units, commercial and industrial buildings constructed in the Town of Candia shall have provisions for fire protection system in accordance with the latest version of the NH State Fire Code and NFPA#1142. Options include but are not limited to a cistern, fire pond or approved building sprinkler system. 1. As determined by the Fire Chief, in conjunction with the Town's Engineer and based on current NFPA and IBC Building code Standard section 2. Cost based on Engineer's estimate. The volume of the cistern water supply shall be based on the formula used by the NH State Fire Marshall Office with the minimum supply consisting of a 30,000-gallon, 30-year warranty, fiberglass cistern, which the property Owner shall be responsible for maintaining access to at all times. Actual water supply requirements will be determined by the use, type of construction and the fire load inside the building. The cost basis for this contribution shall be as estimated by the Town's engineering consultant. Sprinkler systems shall be designed and installed in accordance with NFPA Standard 13 for commercial and industrial buildings and NFPA Standard 13R for multi-family structures. The fire department may, at the discretion of the Chief, require the developer to contribute the cost for the installation of the Fire Chief's recommended fire protection system to 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.”

M. Chalbeck: **Motion** to accept the application as presented. **Second:** J. Lindsey. All were in favor. S. Komisarek, voted from Mexico via phone. **Motion passed.**

K. Coughlin steps in for Scott Komisarek due to connection issues.

R. Cartier: Now that we have accepted the application, I would like to open the public hearing at 8:23PM

B. Brock and J. Lindsey feel comfortable having reviewed the plan twice now.

R. Cartier: Usually, we like the applicant to review the letter from the town engineer. We have to continue to a date certain. If you think everything can be taken care of in two or three weeks.

S. Keach: I think the 15<sup>th</sup> would be preferable. I think two weeks might be a little bit aggressive Mr. Chairmen.

**R. Cartier: Continues Hearing to March 15<sup>th</sup>. All were in favor. Unanimous.**

- Wayne Garland – Maplewood Drive – Request for extension.

Bryan Ruoff: Stantec: We met mid-December with the developer and went over the remaining items that needed to be complete. None of those things had been addressed. He is going to do that in early summer and at that point, everything should be okay for the town to accept. The town is not officially taking over the road and we recommend an extension be provided. I don't believe a full year will be necessary. Six months.

R. Cartier: August 31<sup>st</sup>?

B. Ruoff: Everything should be done by then. There is not reason it shouldn't be. That at least puts it in the Road Agent's hands before we get into the winter. So it is something he has on his tabs to maintain before we get into the winter months. should get it into the

**Motion** to extend the end date for the town acceptance of the road to August 31<sup>st</sup>. **So moved:** M. Chalbeck **Second:** T. D'Arcy. All were in favor. **Motion passed.**

### **Old Business:**

- CIP Update Nate Miller from Southern NH Regional Planning Commission  
Not a lot of changes here but I will highlight what I did change. The memo is now dated to go out February 21<sup>st</sup>. See attachment. We do have a fully functional PDF version of this document. I sent it to all of our staff and asked them to try to break it. It should be pretty easy for people to fill out. My only concern, if we had a separate form, it could make it confusing and a little more difficult.

Who is actually going to send it out?

R. Cartier: Andria.

- Approval of Minutes, 2.1.23

**Motion** to approve minutes as edited. Tim D'Arcy. **Second:** K. Coughlin. All were in favor.  
**Motion passed.**

### Appeal Updates:

- **Foster Farms**, New Boston Road  
Judi and I attended. It was very interesting.

Kathleen Tierney – New Boston Road: I did also listen in to that. Tim had said if they remand it back to us and they don't actually make a decision, how do we know when you are going to discuss it. What can we expect so we know if we should show up.

R. Cartier: In general, we cannot answer that because we don't know. It will all depend on what they come back and tell us.

For our case, they only give you a half an hour. They have to read over 400 pages of certified documents.

- **23 Main Street**

The appeal has been filed. The town received the appeal.

### Other Business:

- Budget Update

I did go to the deliberative session and was successful. They did give the \$8500 back. We will have to stay on top of it and go from there. Voting, March 14<sup>th</sup>, second Tuesday.

- Legislative Updates – Nothing new.
- Proposed Zoning Amendment Outreach Efforts. It is on the website, and I posted on two Candia pages.

R. Cartier: Do you remember where we decided to take the funding for outreach from?

M. Chalbeck: I thought we decided to take it out of the training.

- Town Planning – Holding pattern right now. See how the zoning amendments work.
- Any other matter to come before the Board.

K. Coughlin: When do we expect the grant money to be available. So do we then just contract with Nate's group? Also, we will be applying for the next round of grants. June 30<sup>th</sup>?



M. Chalbeck: That's all Nate and his partner.

R. Cartier: I think if the board is agreeable, we will continue to have SNHPC work with us.

**Public Comments:**

D. Snow: First things are the CIP, it needs to go more than five years. You need to have a process to go beyond that. I will talk to Nate and see what we can do to get data that is in there. The municipal budget committee has not been using the CIP. The budget committee did not receive it. The informational that you had Dick Duhaime accesses his property from Knowlton Road. We also have a piece of town property, that is something that needs to be considered. I gave Rudy a note that asked him. I would like to know what the status is of the grant that you are looking for. I would also like to know the status of the four corners. Shutting that gate that goes into Holbrook or potentially shut down the end of Main Street. There were three or four things that the Selectmen could do just by going to the DOT. There is nothing that can be done as far as walkways for the children to walk to CYAA. Thank you.

**Motion** to adjourn: J. Lindsey **Second:** M. Guay All were in favor. **Motion passed.**

**Adjourn: 9:04PM**

Respectfully submitted,

Amy M. Spencer

Land Use Coordinator

cc: file