

**CANDIA PLANNING BOARD  
MEETING MINUTES OF August 2nd, 2023  
APPROVED MINUTES**

PB Members Present: Rudy Cartier, Chair; Mark Chalbeck, V-Chair; Brien Brock, BOS Rep.; Scott Komisarek; Kevin Coughlin; Tim D'Arcy

Linda Carroll, Alt.

PB Members Absent: Judi Lindsey (excused); Mike Santa, Alt. Mike Guay, Alt.

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

**Call to Order:        Pledge of Allegiance:        Roll Call:**

**New Business:**

- Informational Hearing: (Potential Major Site Plan / Candia Police Station)  
Applicant/Owner – Town of Candia, 74 High Street, Candia, NH 03034 -- Property  
Location: 100 Raymond Road, Candia, NH 03034 Map 409 Lot 96 & Lot 97 Intent: To  
begin preliminary presentation / discussion about next steps for a new police station.

Tom Severino – representing the building committee for the new police department. We wanted to take a few minutes and review where we are to date, with the building, with the site. Now that we have the land purchased for the site and wanted to get some feedback on the steps to take to prepare. This is the latest rendering of the police station, based on, after a year or two of reconfiguring and shrinking and squeezing, this is the new concept of the building that will now be going through budgeting and pricing. We had an original, conceptual site plan prior to that building layout. We took that new building layout and that is the new smaller building on the site. If you are familiar with the site right now, 100 Raymond Road, that white house, it's nearly in the position of that. Orientation-wise this is the Candia Courthouse, just to the right of this site. Our goal is to use the right-hand portion of this property to come in with a new parking lot for the public, where the public will park. The roadway will loop around to a parking lot for the police. We will size that parking lot accordingly for what Mike needs on the back of that parking lot. There is a sally port in this new building for the cars to pull inside, so there are a few spaces right near that. This configuration is also lined up, that eventually there will be a loop road through here, that ultimately this site will have other purposes. It is designed so that it can accommodate a fire house in the future, so that's why the parking lot is truncated there because eventually, that will be a throughway for the fire department and there will be a connector road, some sort of a DPW Complex at the back of the site. This layout is just a portion of what I did on an entire site layout to make sure everything would work as a whole. And then I shrunk it down. This outlined area that you see, this basin here is a temporary sediment basin. There will be a minor amount of drainage. There will be sheet drainage off the pavement to grass swales and just little area drains to pick up the areas around the building that may be

trapped by a sidewalk & low points. So really, it's a minor amount of drainage I just put it as a placeholder for a little retention area there but really that's going to shift ultimately to the back corner of the site someday when the site is fully developed. I just picked this point for the septic system because I wanted to keep this system all gravity. So basically, where I think I will hypothetically put the slab elevation, that just works. Obviously, the goal here is that I design a majority of this site to help save money from engineering. Again, I think it's my background and regardless of if they hire an engineer, I am still going to draft it and give it to them and all they are going to do is draw it and send you a bill. And probably stamp it. It is a 2.5-acre site, so we are well under 100,000 square feet so there is no AOT. No wetland impacts. And again, regardless of if someone is hired or not hired, I am going to design the whole site and make sure the grades work properly. We just kind of want to get some feedback from the board on...we will probably have Jason Franklin or Jones & Beach do the septic design of course and maybe some type of review with that engineer. I just want to get the input of what we can and can't do. Just as we get prepared and now go to the next step of getting a price, I want to be able to tell them about the scope of work and keep that limited and then we can move towards getting a site plan in front of the board.

R. Cartier: Tom, what's the lines with the circles?

T. Severino: Silt Fence Line down at the low end of the site.

R. Cartier: Is it a current one?

T. Severino: No, that's just where I went along the border of the site and a little beyond. It's because it's the entire low side, wanted to protect the entire low side. That will be a silt fence and berm all along there.

R. Cartier: So the site does go all the way down?

T. Severino: It slopes, yes. 470. It all gradually slopes to 460.

K. Coughlin: AOT. What does that acronym stand for?

T. Severino: Alteration of Terrain. That's a NH DES Permit required for over 100,000 square feet.

K. Coughlin: So, we won't need that.

T. Severino: We will not need that for this small of a site.

R. Cartier: Is part of this...have you looked at a preliminary, long-range plan of how these other buildings will fit into this site?

T. Severino: Yes, all of it. This is just a clipped-out piece of another version that I've done where the fire house was here, a roadway to make a loop, a connector road, that went through ultimately Jeff's road out here. I did a complete layout of an eventual...a fire department, a DPW. I laid that out on the site as a whole, then shut everything off because really, we are just dealing with what we are doing at this point. Just so I knew that when we were to go do all that, I'll know personally that the building is in exactly the right spot. I put probably more thought than most human beings would care to put in. This is version 9, if that tells you anything about how much I thought about it.

R. Cartier: The reason I asked the question is I know that you have it in your mind where all these different things will fit but I think probably from an overall standpoint, to make sure that it's up front because who knows how long it is going to take to do the other two parts of this project. If it was in there, shown, at least to show how much disturbance there is going to be on the land at the goal.

B. Brock: I disagree. That has been figured out. We want to limit this to that instead of expanding it.

M. Chalbeck: We don't want to show anything else. This is just the police station.

B. Brock: It's too confusing to people.

M. Chalbeck: We are not trying to put fire department, DPW, and all that.

B. Brock: I can't tell you how much time I have spent on just making sure that it's going to fit all that future expansion.

T. Severino: We are, literally, only going to build what this building needs or we are going to be over budget. There is no easier way to say it.

R. Cartier: I agree with that and with what Mark and Brien are saying. I look at it from a standpoint of if this was not a town submittal, then we would be looking at having all of those things put in there.

B. Brock: No, we wouldn't. We would be asking the applicant to build the PD and that would be it.

T. Severino: I don't know. It's actually, it's only because it is a town submittal that we thought of everything, but the reality is, like for instance the post office, if I'm building a PD for a lease for the town, I would be coming in with this plan and I don't care what you may or may not do in the future, I would be coming to get my police department done. That's all we're really doing. We really just did it because I have been in town for 50 years and I would like to think that I have thought about how this thing plays out. Whether it happens in 10 years to 30 years, I don't know but I know if someone ever says anything that I've thought about it. So, it's really, no one would ever really come in with that. It is just because you are privileged to what we are thinking about for the future. That's the only reason you really know about it.

R. Cartier: Right. I can accept that. Because they have to come in for a new site plan.

T. Severino: Yes, absolutely.

R. Cartier: You answered my question. Because part of this was sold to buy the land. This is the first time that we have actually had someone who has knowledge of the site and what has to go on. Yes, this land is going to be able to handle those three. I am good with that. I am fine. Thank you.

B. Brock: We have had numerous public hearings, to show the whole concept and narrowing it down to just the PD. I want to publicly thank you Tommy.

T. Severino: Happy to do it.

- Informational Hearing: (ADU) Applicant/Owner – John Elias Kassaras – 62 Healey Road, Candia, NH 03034. Property Location: Currier Road, Candia, NH 03034 Map 402 Lot 57  
Intent: (Potential ADU / Garage)

Elias Kassaras: - This is a septic and a semi-plot plan at that same time. Essentially just trying to get the permits for the whole process. Get everything going. We have a house with a garage and an attached ADU with its own garage. Trying to do it all ranch style, first floor. Just trying to avoid the stairs. Better resale.

T. D'Arcy: So this is off Podunk?

K. Coughlin: Currier. There is no building there now?

E. Kassara: No. Only woods. Essentially what I am trying to do is for cost-related reasons, start with the foundation for potentially the whole thing. Start with the apartment side of it. One end is garage. One is apartment and garage. I would be looking to start with the 30x50 and potentially have the whole foundation ready to go. Get that built, get into it, and continue construction on the rest of it. Once it's done, then move into the house. Fairly simple plan. The question is, going back and forth with the

building inspector. I think there was some confusion as to what I was trying to do. Yes, it's got to be attached to the house, it's gotta be 750 square feet. All that would happen. It's just I've got to do it in a couple of phases. It's easier to start with the apartment. It's a much smaller building. I can't really afford to build the whole giant thing. It's not a huge house. It comes out to 2,000, 2,300 square feet. So, it's not a mansion by any means. Just trying to build things at today's prices. The way everything is going it's a little expensive trying to crack the whole nut.

K. Coughlin: 750 is the correct square footage for ADU?

R. Cartier: Yes. That's the max. I did talk to the building inspector at length about this. You would have to go to the ZBA to do an ADU because it is a special exception. The problem that comes in, is an ADU has to be attached to an existing dwelling. The state RSA defines it as: *"accessory dwelling unit" (or "ADU") as "a residential living unit that is within or attached to a single-family dwelling, and that provides independent living facilities for one or more persons, including provisions for sleeping, eating, cooking, and sanitation on the same parcel of land as the principal dwelling unit it accompanies."* Not a proposed dwelling but an actual dwelling. We talked about it and we think that we can probably find a little bit better way to do it. One of the problems you have in here is you are determining it to be an ADU to begin with. So, by saying it's an ADU, then it has to meet the state's definition. If you don't call it an ADU at this point in time and you build the garage and the living space over it...and you have the foundation for the house that's capped off but not built, ADU doesn't come into play, so you don't have to go to the ZBA to get a special exception.

E. Kassaras: So, what is it at that point? Just a single-family house?

R. Cartier: Yes. This is where it gets...a little bit to try to figure out how to properly word it. We are going to call it the structure at this point in time. There is always a caveat to this...if you finish the house and then you want to have that section turned into an ADU...then you go to the ZBA. If everything is proper in the ADU, that meets the requirements, we are still not talking about an ADU. There is nothing to say you can't build one portion of your house and then, as you get money, build some more. The cost of building a house right now is very, very high. That would be my suggestion.

T. D'Arcy: So, what you are building right now is a 750 square foot house with a garage. So then when you go to build the bigger house next to it, you now need to get a building permit to build the bigger house.

B. Brock: 750 Square Feet is pretty small minimum square footage.

R. Cartier: There is no minimum. The only thing in there for 800 is in Elderly and Workforce. I looked at it. Andria, Amy, Bob.

E. Kassaras: That's a fantastic suggestion.

Mr. Kassara: We purchased 29 acres. Our goal is. We are in a three-story house on Healy Road. We employ 21 people. They all have kids and families. We want to help get them out of the city and into the country as well.

K. Coughlin: If I recall, isn't there a hardship clause?

R. Cartier: Yes, you can basically ask for anything. The ZBA has five criteria. We have a definition of a hardship in there as well.

Mr. Kassaras: Where would we go from here?

R. Cartier: I talked to Bob. He was a little concerned. The big thing is because we don't have a minimum for the square footage. The whole thing hinged on the fact that we were calling it an ADU.

E, Kassaras: We appreciate you getting creative for us.

R. Cartier: We try.

- Informational Hearing: (Potential Subdivision) Applicant/Owner – Jessica Yates / Dana Yates — 635 High Street, Candia, NH 03034. Property Location: 635 High Street, Candia, NH 03034 Map 405 Lot 052 Intent: (Potential Subdivision)

Jessica Yates and my dad Dana Yates: We have 259.55 feet of frontage. Slightly less than 260. Which gave my parents enough to go through and build the house. They were thinking, they would go through and would have to put in a road. I know we both need to keep the 250 feet. The driveway is 400-450 feet which runs down the middle. If I turn the driveway into a road.

B. Brock: There is no minimum length for a road.

R. Cartier: The problem you are going to have is it is going to be considered a major subdivision. Even though it is only two houses, it is considered a major subdivision. That's where it gets expensive. The lots are going to have to be 3 acres.

M. Chalbeck: You are only talking two homes.

S. Komisarek: You might want to consider putting a couple more lots in there to help defray the cost.

B. Brock: The only way they can get past it is to put in a town road. I would go the ZBA Route and stress that you are going to have a common driveway.

R. Cartier: You don't have to go to the ZBA. You can request a waiver from the planning board. We do have to go by the same criteria as the ZBA.

**1. The variance will not be contrary to the public interest.**

*For a variance to be contrary to the public interest, it must unduly and to a marked degree violate the basic objectives of the zoning ordinance. To determine this, does the variance alter the essential character of the neighborhood or threaten the health, safety, or general welfare of the public?*

**2. The spirit of the ordinance is observed.**

*To be contrary to the public interest, the variance must unduly, and in a marked degree conflict with the ordinance such that it violates the ordinance's basic zoning objectives.*

**3. Substantial justice is done.**

*...perhaps the only guiding rule is that any loss to an individual that is not outweighed by a gain to the general public is an injustice. A board of adjustment cannot alleviate an injustice by granting an illegal variance.*

**4. The values of surrounding properties are not diminished.**

*The ZBA members may draw upon their own knowledge of the area involved in reaching a decision on this and other issues. Because of this, the ZBA does not have to accept the conclusions of*

*experts on the question of value, or on any other point, since the function of the board is to decide how much weight, or credibility, to give testimony or opinions of witnesses, including expert witnesses.*

**5. *Literal enforcement of the provisions of the ordinance would result in unnecessary hardship.***

*When the hardship so imposed is shared equally by all property owners, no grounds for a variance exist. Only when some characteristic of the particular land in question makes it different from others can unnecessary hardship be claimed. The property owner needs to establish that, because of special conditions of the property, the application of the ordinance provision to his property would not advance the purposes of the ordinance provision in any "fair and substantial" way.*

*Source: The Board of Adjustment in NH November 2015 NH OEP*

The caveat that the board has to look at is we have to be very careful about a precedent being set.

Jessica Yates: I know that my brother had no intention of subdividing.

R. Cartier: Looking at the waiver, making sure that If you're intent is to have it in conservation land.

Jessica Yates: It's something my mom had looked into. It was something that was already in the works.

R. Cartier: We would still get back to the problem of the road. Even with a minor subdivision. The town frowns upon private roads. There are still those things that have to. We can grant waivers to our regulations. We cannot grant waivers to our ordinances.

Jessica Yates: It would be phenomenally more convenient. I work in Goffstown. He is working in Raymond. Anything that I have been able to find in the realm. I haven't found anything.

K. Coughlin: Are there wetlands in there?

Dana Yates: In the front, there is pond here and there.

R. Cartier: I have a question. Is there one house on the lot now? When was it built?

M. Chalbeck: They would go for a minor subdivision with a waiver.

R. Cartier: Article 5, Section 5.01. Requesting it be a minor subdivision.

M. Chalbeck: The other thing too. You could come off the garage at an angle. You still have access to the back of the property. Attach two garages together. That's an option.

B. Brock: The option that doesn't require a road is your best option.

**Nate Miller – SNHPC – CIP**

I will try to be quick because I know you have other stuff on the agenda. This document here is everything we have talked about. It is broken out by department, by funding source, and by year. I have a couple of questions and clarification items. Does the ambulance replacement need to go back in?

B. Brock: We have to talk to Mike.

N. Miller: Is there enough in the future improvement reserve? Before, we had the ambulance replacement and ventilator in 2024.

The way it's broken out here. I did an amortization schedule, that's the bond schedule you see for both of those.

There is a capital reserve, it seems that might be a fit. Do you have any opinion on that? My estimate, based on...is \$180,000. I don't know what's been drawn down. Do you think we would identify the capital reserve for that purpose?

T. D'Arcy: Some of that might have been drawn down this year but...

N. Miller: Everything that you see in here is in today's dollars. Do you wish to apply inflation to this? It has been going down significantly over the last 12 months or so.

R. Cartier: I think 3.

N. Miller: I will apply 3 here.

B. Brock: Make a note of that Amy. We need to get back with Mike.

N. Miller: In the green here at the end, I break out the total capital improvements, town wide. Any questions on projects. I think we are just fine-tuning.

K. Coughlin: The items that are bonded. When you fold in the interest. \$430,000 in interest. It's incumbent on us to put that down somewhere. When I saw the interest for the bond on the school, it was staggering.

N. Miller: This will be rolled into an entire report. This is the core end result of the CIP Plan in this financial document. There will be a whole report that goes along with it. Getting this right, kind of gives birth to the rest. This the Capital Reserve Fund Summary. There are a lot of TBDs here. Basically, the town has 10 capital reserve. There is actually 11, as best I can tell.

R. Cartier: I think there is actually 12. There is one that came up out of the blue. There was one that was reserved for the master plan.

N. Miller: I looked back 6 years and then I looked forward 6 years. When we last talked, you proposed adding two more.

M. Chalbeck: Do you need the Chair to contact you?

N. Miller: Reviewing the capital reserve funds.

Verification from Dean Young needed to confirm amount.

- Bryan Ruoff – Stantec - Updates

Bryan Ruoff: We have completed the scope. The list of cemetery lots. We have some additional budget in that. We can tackle another cemetery. We can probably do one more with what we have remaining.

We uploaded it July 3rd to be ready for 4<sup>th</sup> of July. That was planned. It would be out of scope, but we would be happy to add another cemetery. We would just need to know the priority.

R. Cartier: The planning board is not authorized to do that. What I would suggest, submit a revised scope of work for that, that we can present to the BOS.

B. Ruoff: We can do that in short order.

Four Parts: The roads, infrastructure, culverts, bridges, cistern locations as well. We are working with Jeff on that. We pulled from all of the town reports. We have a decent idea of conditions. What we need from Jeff is his schedule. There isn't a list of culverts. We are working with Jeff and he did not think he would be able to pull that together until the fall. The tutorial for the GIS is ready to be uploaded. It looks pretty sharp. The only other item that we are working on is the abutters list function. We did a test run yesterday and it triggered some issues that I saw. We did an output for a couple of lots. We have that software set up to do that. What the output would be at this point, we need to do some clean up. Is that something that we would coordinate with Andria?

R. Cartier: When do you think another update would be appropriate?

B. Ruoff: I think it would depend on Jeff. I think October makes sense for another update if that works for the board.

Maplewood, that extension was August. The end of August? I will reach out to Wayne.

R. Cartier: We decided for the HOP Grant that we wanted to get things moving for the committee. We requested letters. I will go through.

Judith Szot, Carla Penfield, Dick Snow, Pattie Davis, Wendy Ducharme, Brian and Sarah Sargent, Mark Chalbeck, Melissa Madden, Anne Lacey, Steve Higgins. We have 11, we were looking to be at about 9. How would you like to proceed? Under the rules, it is up to the chairmen to appoint committees. I have a couple of thoughts. One of them is, I want to make sure we have a good cross section. Looking at the people in here, we do have a good cross-section. I don't know how much further we want to try to extend. We need to get moving.

B. Brock: Good cross-section. Do you have the scope?

D. Snow: Will you please take my name away?

R. Cartier: Everyone on the board has seen this. This gives you the outline of what this grant actually includes and what the responsibilities are. Please take it home and read it, so that you will have a full understanding of what we are doing. I can't emphasize enough, what is required by law and pressure coming down from Concord. It is going to take work and research. From a logistics standpoint, this committee is required to have noticed public meetings. Minutes must be taken and be ready to be posted five days after the meeting. There will be periodic updates for the board about what is going on. You will need to appoint a chair and a vice-chair.

M. Chalbeck: Cam will handle the reporting.

S. Komisarek: Would the meetings be available via Zoom?

R. Cartier: It is my intention to be least involved. I am entrusting all the people on the committee to do what is in here. I am giving you free reign.

M. Chalbeck: I think it would be a good idea to have it on Zoom.

T. D'Arcy: I think we are looking for feedback from the town, not just the committee.



R. Cartier: Outreach is going to be a big thing. There are going to be documents prepared by Cam. Anything that has to do with housing.

Wendy DuCharme: Data Collection: March to August. We are already late.

R. Cartier: Yes and no. Cam has been doing a lot of work. The questionnaire has been kind of developed. As long as we meet our obligations here.

Wendy DuCharme: What's the end of the contract?

R. Cartier: July 2024.

K. Coughlin: There is a survey being developed and being fine-tuned by Cam.

K. Coughlin: Thank you.

R. Cartier: Yes, we appreciate the public input.

Judith Szot

Carla Penfield

Pattie Davis

Wendy DuCharme

Brian and Sarah Sargent

Mark Chalbeck

Melissa Madden

Anne Lacey

Steve Higgins

R. Cartier: I will officially appoint the committee. I will help you and Amy will help you too. Once we get the organizational meeting, you will be on your own. What you have to do is set a date and a time that you are going to meet on a regular basis. They do need to be regular unless there is something, that for some reason needs to be changed. I would like to see at least one meeting a month, so that people that might be interested. It can be Zoom.

M. Chalbeck: The first meeting you will have to vote a chair and a vice-chair and pick a night that you want to do.

K. Coughlin: There are only one or two nights a month that this room is open.

R. Cartier: We will see if we can find a time or a date.

Pattie Davis: Can we get a copy of the survey as it is right now?

R. Cartier: Amy will send Cam your emails so that he can send.

C. Penfield: We don't have to just meet here. The library is available to us. The Smith Memorial building is available every day. Who is Cam?

R. Cartier: Cam Prolman is the liaison that we have at SNHPC. The committee's job is to be reviewing what Cam does.

M. Chalbeck: We hired SNHPC to be our advocate.

C. Penfield: It would seem to me that it would make sense to find out Cam's availability.

K. Coughlin: Our experience with him has been very positive. He is very proactive.

R. Cartier: Just bear in mind, you are all covered under the RSA Chapter 91-A and the Right to Know Law. You can't have email conversations amongst yourselves.

R. Cartier: If you have more than a quorum, it is considered a public meeting.

- Approval of Minutes, 7.19.23

**Motion** to approve the minutes of 7.19.23 as amended: T. D'Arcy. **Second:** M. Chalbeck. All were in favor. Motion passed.

Appeal Updates: Foster Farms – Still waiting.

23 Main Street – Still going on.

**Motion** to Adjourn: K. Coughlin **Second:** T. D'Arcy. All were in favor. **Motion passed.** Meeting adjourned at 8:43PM

Respectfully submitted,

Amy M. Spencer

Land Use Coordinator

cc: file