

**CANDIA PLANNING BOARD
MEETING MINUTES OF October 16th, 2024
APPROVED MINUTES**

PB Members Present: Tim D’Arcy, Chair; Mark Chalbeck, Vice-Chair; Brien Brock, BOS Representative; Judi Lindsey; Kevin Coughlin Scott Komisarek (via Zoom); L. Carroll, Alt., (sitting in for Rudy Cartier).

M. Santa, Alt.

PB Members Absent:

* Tim D’Arcy, Chair; called the PB meeting to order at approximately 6:30PM, followed immediately by the Pledge of Allegiance.

The Board decides to address some old business first, specifically the Mylar plans for Tom Severino. It is noted that the Mylar plans were mislabeled regarding lot numbers, with the original lot labeled as 141-1 and the newly created lot as 141, which were reversed. The Board needs to sign the new Mylar plans to correct the discrepancies with the tax map. The signing of the Mylar plans is a procedural matter that does not require a vote.

New Business:

Informational Hearing: (Potential Minor Subdivision) Applicant/Owner – Nathan Durand – 444 Brown Road, Candia, NH 03034. Property Location: 444 Brown Road, Candia, NH 03034 Map 414, Lot 26.

Nathan Durand – 444 Brown Road explains that they are in the early stages of considering a minor subdivision on the 11-acre property, which may include some land in current use. Nathan mentions the possibility of a shared driveway due to the property having only 229 feet of road frontage.

The Board discusses the limitations on accessory dwelling units (ADUs), noting that only one ADU is allowed currently, although there are potential zoning changes that may allow for a second in the future.

The Board clarifies that creating a nonconforming lot is not permissible, as it would not meet the required road frontage. The discussion continues about the possibility of a shared driveway, referencing a previous case from 2021 that involved similar issues with road frontage and wetlands. The Board advises Nathan to consult with the building department to understand the application process and what is feasible regarding the subdivision and driveway.

Nathan mentions that there is a pond on the property, which may affect the layout of the driveway and subdivision.

The Board discusses the implications of creating a shared driveway and the need for further surveying and geological studies to determine the best approach. The conversation shifts to the

potential for creating a private road to provide the necessary frontage for the new lot, which would involve additional costs and planning.

The Board discusses the possibility of a second ADU if zoning changes are approved, which could alleviate some of the current issues with the subdivision. Nathan is encouraged to explore other options while waiting for the potential zoning changes, which could provide a more economical solution.

Informational Hearing: (Major Site Plan) Applicant/Owner – Bob & Claudia Carr – 17 Vassar Street, Manchester, NH 03104. Property Location: 669 High Street, Candia, NH 03034

Bob Carr introduces himself and discusses the plans for the property, indicating that he has some ideas in mind for the site.

The meeting continues with discussions about the specifics of the site plan and any necessary approvals or considerations that need to be addressed. The focus shifts to a property matter involving Mr. Carr, who received approval earlier in the year for three duplexes to be used as rental units.

Mr. Carr is now requesting to change the status of these units from rental to condominiums, citing changes in economics. He also wants to add a barn as one of the units, which would be included as part of the condominium ownership, despite it not being a dwelling unit.

The ownership structure is clarified, stating that the barn would be owned collectively by the condominium owners, similar to the dwelling units. The discussion highlights that the barn's status remains unchanged, and it will fall under the condominium association's umbrella.

The condominium association is set to own the entire 90 acres of the property, which raises questions about the implications of this ownership structure. The need for a new application is emphasized, as the change in ownership type requires a survey of the entire lot, which will take time.

Bob Carr discusses the necessity of surveying the entire property, including wetlands, which was not required for the previous duplex application. He has consulted with an engineer and attorney regarding the new application process, indicating a thorough approach to compliance.

T. D'Arcy expresses a desire to ensure that all legal documents, such as by-laws and declarations, are properly drafted to protect both the developer and future owners. There is a recognition that this is a significant change from the original duplex plan, which was already approved.

The conversation shifts to the regulatory landscape, with a focus on the need for state approval for the new condominium structure.

B. Carr notes that the property cannot be subdivided due to a lack of frontage, which complicates the development process.

The discussion touches on the limited number of condominiums in the town, suggesting that the regulations may not be conducive to such developments. Bob Carr is informed that any changes to the project, including the title change, require a new application process. The conversation emphasizes the importance of understanding the implications of the condominium structure on property access and ownership. He is then advised to consult with the Zoning Board of Adjustment (ZBA) regarding the special exception needed for multifamily housing.

He is also encouraged to review state laws regarding condominiums, specifically RSA 356-B, which outlines the legal framework for such developments. He is advised to start with the municipal ordinances related to condominiums to understand the legal requirements better. The Board mentions that the approval process for condominiums does not require board approval, but they will need to return for site plan approval. The conversation highlights the importance of ensuring that all aspects of the property, including driveways and retention ponds, are compliant with regulations.

The conversation concludes with a suggestion to consult with the ZBA before investing further in the project to avoid unnecessary expenses.

The discussion reflects a collaborative effort to navigate the complexities of property development and zoning regulations.

Informational Hearing: Applicant – James Soucy – 70 Thresher Road, Candia, NH 03034. Property Location: 99 Adams Road, Candia, NH 03034 Map 410, Lot 121.

Tom Severino clarifies that James is allowed to build on the non-conforming lot, provided he meets the necessary setbacks and regulations. The conversation emphasizes the importance of understanding the implications of demolishing existing structures on the property.

The Board reassures James that he can obtain a building permit without needing to come before the Board, as long as he adheres to the regulations. The discussion highlights the need for clarity regarding the status of existing structures and the potential for future development.

Old Business:

Other Business:

- Regulations
- Town Planning
- Approval of Minutes: 10.2.24

There is a discussion about removing a specific, redundant line from the minutes. Judi Lindsey indicates that there was a desire to include a mention of their announcement about running for New Hampshire State Representative. Indicating a personal interest in local governance and community involvement.

There is a light-hearted acknowledgment that only a few people will read the minutes, but the importance of the minutes is recognized by all present.

J. Lindsey: **Motion** to approve the minutes of 10.2.24 as amended. **Second.** L. Carroll. M. Chalbeck and K. Coughlin abstain. The rest of the Board were in favor. Motion passed.

A new agenda item is introduced regarding a “notarized” application / letter from Linda Carroll to become a permanent member of the Board, replacing Rudy Cartier. A motion is made to accept her request, and it is seconded. The group discusses the timing of the next election and the need for Linda to get her name on the ballot.

K. Coughlin: **Motion** to accept Linda Carrol as a permanent member of the Board. **Second:** J. Lindsey. All were in favor. **Motion passed.**

- Any other matter to come before the Board.

The discussion shifts to the potential discontinuation of Zoom for meetings. A member expresses concern about the difficulties Amy faces managing the meeting while also taking notes. There is a consensus that hiring someone to manage Zoom is not feasible due to budget constraints.

The group discusses the effectiveness of Zoom, noting that it has not been the same as in-person meetings. Some members express that they prefer in-person attendance, while others acknowledge the benefits of remote participation.

The conversation touches on the legal requirements for accessibility, specifically regarding ADA compliance. It is noted that closed captioning is necessary for those who are hearing impaired, and the costs associated with implementing such features are discussed.

The group debates the necessity of Zoom, with some members arguing for its continuation to facilitate public involvement and professional participation. Others express that if people are interested, they should attend in person.

The discussion continues with differing opinions on the value of Zoom as a tool for communication. Some members believe it is essential for keeping the public informed, while others feel it detracts from in-person engagement.

A member emphasizes the importance of being able to participate remotely, especially for those who travel frequently. The challenges of managing large Zoom meetings are acknowledged, and the need for a balance between public access and effective meeting management is highlighted.

The conversation returns to the legal implications of not being ADA compliant, with concerns raised about potential challenges if the town does not provide adequate access for all citizens. The financial implications of maintaining Zoom and its features are also discussed.

The group reflects on the budget constraints and the necessity of making informed decisions about the use of Zoom. The potential costs of implementing closed captioning and other accessibility features are weighed against the benefits of maintaining public access to meetings.

A member shares their experience with Zoom and its benefits for remote participation, particularly for professionals who may not be able to attend in person. The importance of communication and transparency in town business is reiterated.

The discussion concludes with a recognition of the challenges and benefits of using Zoom, emphasizing the need for a solution that accommodates both public access and effective meeting management. The conversation highlights the evolving nature of communication tools in the context of town governance.

Discussion begins with a light-hearted exchange about the phrase "too shay," with one participant questioning its spelling. The conversation shifts to the budget, where a participant mentions that if people attended meetings, they would understand the budget better. They reference a previous proposal for a video system in the school that was voted down by the town due to its high cost of \$36,000 and an annual fee of \$3,600 for closed captioning.

A participant suggests that if public input is deemed unnecessary, the public should be encouraged to attend meetings in person instead of commenting online. They express a belief that if a question is important enough, residents can make the effort to attend. The conversation continues with a focus on the logistics of managing public comments during meetings, with some participants agreeing to limit public interaction while still broadcasting the meetings.

The conversation shifts to the topic of Accessory Dwelling Units (ADUs), with one participant mentioning pushback from the community regarding the proposal for a second ADU on properties.

Concerns are raised about the potential for multiple ADUs on a single lot and the implications for local resources, such as water. Participants discuss the possibility of splitting the proposal into two separate articles for clarity, allowing the community to vote on each aspect individually. This approach could help gauge community support for each proposal without overwhelming voters.

A participant mentions that they have not drafted any specific proposals yet but suggests that separating the articles could lead to clearer decision-making. The conversation reflects a desire to ensure that the community understands the implications of the proposed changes to ADU regulations. Participants express concern that the entire proposal could fail if the second ADU is perceived negatively.

The discussion continues with participants sharing their thoughts on the housing situation in the town, noting the lack of rental properties and the need for more affordable housing options. They highlight the importance of addressing these needs proactively, especially as the community ages and younger generations struggle to find affordable housing.

Participants discuss the potential for detached ADUs and the financial implications of building such units. They acknowledge that while the costs may be high, the demand for housing solutions that accommodate families and aging parents is increasing. The conversation emphasizes the changing dynamics of family living arrangements and the need for flexible housing options.

The group reflects on the importance of allowing detached ADUs to meet the evolving needs of the community. They discuss the potential benefits of these units for families, including the ability to care for aging parents while providing housing for younger generations. The

conversation highlights the necessity of adapting local regulations to accommodate these changing family structures.

Participants express concern about the potential for state legislation to impact local zoning laws, emphasizing the need to stay ahead of any changes that may arise. They discuss the importance of being proactive in addressing housing needs while navigating the complexities of state regulations. The conversation underscores the urgency of finding solutions to the housing crisis in the community.

The discussion concludes with participants acknowledging the need for careful consideration of the proposed changes to ADU regulations. They express a desire to ensure that any new policies align with the community's needs and values while remaining compliant with state laws. The group agrees to continue exploring these issues in future meetings, emphasizing the importance of community input and engagement in the decision-making process.

The discussion revolves around the need to revise the current ordinance. There is a focus on being proactive about potential legislative changes coming from Concord, with the intention of avoiding repeated revisions in the future.

One speaker expresses a belief that the proposed changes will likely pass, citing significant pressure within the legislature to diminish local town zoning regulations. This sentiment indicates a challenging political climate for local governance.

The speaker notes a lack of support from Concord, suggesting that the local government may not have allies in the state legislature. This lack of support raises concerns about the potential for unfavorable legislation to be enacted.

There is an anticipation that some form of the proposed changes will be approved, which could significantly impact local zoning laws. The speaker reflects on previous legislative sessions where proposals that could have severely undermined local authority did not pass, indicating ongoing threats to local governance.

Motion to adjourn J. Lindsey. K. Coughlin: Second. **Second:** J. Lindsey. All were in favor. **Motion passed.**

Meeting adjourned at 7:49PM.

Respectfully submitted,

Amy M. Spencer

Land Use Coordinator

cc: file