

CANDIA PLANNING BOARD
MEETING MINUTES OF December 18th, 2024
APPROVED MINUTES

PB Members Present: Tim D’Arcy, Chairman; Mark Chalbeck; Vice-Chair; Brien Brock, BOS Representative; Kevin Coughlin Scott Komisarek (arrived at 6:40PM); Judi Lindsey; Linda Carroll

PB Members Absent:

Mike Santa, Alt

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

Old Business:

- **Case #24-008 (Major Subdivision):**

Applicant: DAR Builders, LLC, 722 East Industrial Park Drive, Unit 17, Manchester, NH 03109; **Owner(s):** DAR Builders, LLC, 722 East Industrial Park Drive, Unit 17, Manchester, NH 03109; **Property Location:** Crowley Road, Candia, NH 03034; Map 414 Lot 152. **Intent:** *To create a right of way to a proposed 25 lot subdivision in Chester (24 buildable lots) and leave a 3.0- acre lot in Candia.*

Note: *Upon a finding by the Board that the application meets the submission requirements of the **Town of Candia Major Subdivision Regulations**, the Board will vote to determine if the application is complete. If the application is deemed complete, the Public Hearing will be held. If the application is deemed incomplete, the Public Hearing will be cancelled.*

Should a decision to approve or disapprove the application not occur at the public hearing, the application will stay on the Planning Board agenda until such time as it is either approved or disapproved.

This case has been continued by the applicant. Right now, it is scheduled for January 15th.

New Business:

- **Lot Merger -Knowlton Road, Candia, NH**

Richard and Lynne Duhaime – 56 Knowlton Road

Notice of Lot Merger – Three Parcels on Knowlton Road – Map 404 – Lots 80,81, and 92.

A notice of lot merger was added to the agenda under new business. Richard A. Duhaime and Lynne M. Duhaime, trustees of the Richard A. Duhaime and Linda M. Duhaime Revocable Trust, requested to merge parcels located at 56 Nolton Road in Candy. The parcels are identified as tax map and lot 404-80 (56 Nolton Road), 404-81, and 404-82. The merged lot would be designated as 404-80. The board began reviewing the provided map, confirming the three lots are connected.

The board discussed a nonconforming lot without road frontage and two other lots with road frontage. The board reviewed map numbers 404-81, 404-82, and 404-80. There was a question about whether the board had seen this before, with mention of a previous case. The road at the bottom of the map was discussed, along with its classification as a discontinued road rather than a class six. The board concluded that they couldn't reject the combination unless it created an issue and that it was a standard lot combination for tax purposes.

B. Brock: **Motion** to approve the lot consolidation request. **Second:** M. Chalbeck. All were in favor. **Motion passed.**

- **Case #24-009 (Major Subdivision):**

Applicant(s): AV Development – Al Talarico, 157 Marble Street, Stoneham, MA 02180;
Owner(s): AV Development – Al Talarico, 157 Marble Street, Stoneham, MA 02180;
Property Location: Diamond Hill Road, Candia, NH 03034; Map 409 Lot 228.

Intent: *MAJOR Subdivision.* 73.7 Acres – 9 Lot Subdivision.

The Chairperson, Tim D'Arcy outlined the meeting's procedural steps. The applicant would present their proposal, followed by a completeness check of the application by the Board. A vote to accept the application as complete would occur if all requirements were met. The Chairperson emphasized that this meeting was not for approving or rejecting the application but solely for determining its completeness. No public comment would be made at this stage. A pre-application checklist meeting suggested the application would likely be incomplete, necessitating a future public hearing once deemed complete.

A representative from Jones Beach Engineers introduced a nine-lot single-family residential development project on Diamond Hill Road, zoned residential. The property has a unique shape with a narrow neck providing the only road frontage. This necessitates a driveway running down the neck and opening into a larger upland area. The property drains north to south and includes wetlands and steep slopes. Lots will be serviced by onsite septic and wells. A brief overview of drainage was provided, mentioning roadside ditches planned for both sides of the road, referencing sheet C 11.

Stormwater Management and Wetland Impact Discussion

Discussion centered on stormwater management and wetland impact. A gravel system is planned for roadway stormwater treatment, discharging to an infiltration pond. This requires an alteration of terrain permit due to upsizing. A special use permit is also needed from the planning board due to a 4846 square foot wetland impact at the base of the roadway access, requiring a state permit filing. Finally, the remaining 32-acre unbuildable portion of the property, accessible

through lots six and seven, is intended for a potential conservation overlay, with logistics still under development.

Discussion of Site Access and Stormwater Management

The representative from Jones and Beach indicates the approximate location of the site access, noting it is near the "big A4" and between two lots. He explains the stormwater pond's location in the middle of the cul-de-sac, as shown on sheet C-level, and describes its drainage path southward, eventually discharging back into the wetland system.

Review of Property Development Plans and Conservation Area

The Board and Chairperson discuss the property plans, referencing sheet C-11 and then returning to page one to identify the undeveloped portion of the property, described as a "white lamb chop." Al Talarico joins the conversation, introducing himself and his brother Vinny, and providing a recap of the property's history. He explains their initial plan for 13-14 households with a cul-de-sac, acknowledging it was overly ambitious. He highlights their current plan as the best fit for the site and discusses ongoing deliberations regarding the future of a specific area, suggesting it will likely become a conservation area.

Easement Discussion and Permitting Requirements

Discussion centered around a 60-foot easement from the cul-de-sac for resident access, with assurances that no action would be taken in the only potentially impacted area. The conversation then shifted to permitting requirements. The project's size necessitates an alteration of terrain permit from the state. State subdivision permits will also be required for lots under five acres. Additionally, a wetland permit is necessary, and comments from Stantec regarding the permit have been reviewed. Most comments are addressable, but some require town input, which is the primary goal of the meeting.

Diamond Hill Road Access Challenges

The discussion focused on access issues related to Diamond Hill Road. Regulations mandate 250 feet of site distance, but only 150 feet is achievable to the east. The road's low speed limit was noted.

Discussion on Property Access and Road Alignment

The representative from Jones and Beach explained the limited property access, emphasizing the constraint of the street location. He mentioned engaging the Board on the appropriateness of an addition and noted Stantec's observation about the road not aligning with Diamond Hill Road at a 90-degree angle, but rather at approximately 60 degrees. Due to limited real estate, they tried to square up to the road as best as possible. A board member inquired about the setback, estimated at 60 feet, which offered some wiggle room but not enough to achieve a 90-degree angle or make significant adjustments to the location, suggesting the need for potential waivers for these issues. A board member proposed pursuing an easement over the lot if a relationship with the owner existed, expressing a strong preference for a 90-degree alignment. It was agreed that a

discussion with his client and engagement with neighbors, acknowledging the property owner's autonomy.

Discussion on Property Value and Stormwater Treatment Regulations

The discussion begins with a brief agreement on investigating a property sliver with no current value. The conversation shifts to a regulation limiting stormwater treatment within cul-de-sac vaults. Referencing sheet C11, which depicts a hilly property, Eric explains that the cul-de-sac installation will create a large, flat, grassy area ideal for a stormwater system. He highlights this area as prime real estate due to the terrain and the guaranteed availability of the space, regardless of utilization. The Chairperson acknowledges mentioning this in the pre-hearing checklist review, specifically regarding the contour lines on the map.

Stormwater Retention Discussion

Discussion centered on the placement of water collection, which is limited due to uphill terrain. The board acknowledged the constraint and suggested working with Stantec to address the issue. The two-foot standard for stormwater was mentioned. The Chairperson noted the need for a waiver from the town regarding water retention design, emphasizing the importance of Stantec's approval. Pumping uphill was dismissed as impractical. The representative from Jones and Beach expressed confidence in reaching an agreement with Stantec, leaving the waiver as the remaining step.

Fire Cistern Requirements

The representative from Jones and Beach initiated a discussion about the fire cistern, questioning its necessity. He proposed the possibility of waiving the requirement based on input or support from the fire chief. He also proposes modifying the cistern material from fiberglass to concrete, citing easier sourcing and the abundance of concrete-skilled laborers in the state for potential repairs or modifications. The Chairperson suggests that the board would likely defer to the fire chief and Stantec regarding the cistern's capacity and material. The board emphasizes their reliance on the fire chief's expertise in fire safety matters. The discussion then shifts to road access, with the Chairperson stating the board won't contradict the road agent and Stantec's recommendations. The proposed road is intended to eventually become a town road.

Cul-de-sac Waivers and Fire Truck Access

Discussion centered on cul-de-sac waivers, specifically regarding the diameter requirements for fire truck access. Board members questioned whether the cul-de-sac in question was a W 40 or W 60, noting the 60's larger diameter designed for bigger trucks. The board considered whether reducing it to 40 would help, with Al Talarico confirming this as a potential waiver. The board acknowledged previous discussions about making this change to avoid repeated waiver requests, highlighting the loss of drainage area as a concern. The representative agreed, suggesting a give-and-take approach where reducing the radius while maintaining necessary drainage would be ideal, especially considering the hillside terrain.

Discussion of Standard Waiver and Outstanding Items

Discussion centered around a standard waiver, which the Chairperson confirmed had been granted previously. The representative from Jones and Beach then brought up outstanding items, including a waiver request for the back half of a property designated for conservation. He explained that this area was based on a plan of reference and not fully surveyed, unlike the front half where lots were planned. A waiver was requested for a partial boundary survey instead of a full one, and to use iron pins for the back of the lots instead of stone bounds used for the front. He mentioned another waiver could be executed with the application. The Chairperson added another potential waiver for sidewalks and lighting on the newly developed road. Concerns were raised about the potential impact of streetlights on residents, particularly those whose properties back onto the proposed development.

The Chairperson noted that the plans included the upland area in square footage and requested it also be provided in acreage to align with the regulation. The upland area, parcel boundaries, acreage, square footage, and references to public streets and USGS benchmarks were discussed. A board member inquired about the checklist item number related to acreage, which the Chairperson identified as 10.06. The Chairperson clarified that the requirements were met but consistency with previous requests for acreage was desired.

The board reviewed outstanding application requirements. Regarding item 10.06.G, concerning roads, streets, and driveways within 200 feet of the parcel, the applicant included driveway cuts but not the driveways themselves and will be adding to that information. Item 10.06.M, requiring letters from the fire chief and police chief regarding safety issues, is typically not expected at this stage but will be needed before the public hearing. The vertical vehicle turning movement plan will likely require a waiver as existing plans don't meet requirements. Item 12.04, mandating granite markers for all lots, will also require a waiver request for the back lots. Finally, the requirement for local and state driveway permits for new lots is not applicable as the driveways will be completed before the town takes over the road.

The board discussed driveway permits, noting that if the town takes over the road, permits will be required for new houses. The conversation shifted to the construction of the metal skirt in the back, with a focus on using a concrete base. There was uncertainty about receiving a waiver for this, but it was suggested to apply for one. The installation process was explained. Three iron rods are hammered into the ground, flushed, and capped with their tamper-evident plastic seal, highlighting the difficulty of restoring the cap's appearance after tampering. These are then checked for correct placement, providing sturdy ground markers approximately three feet long.

The discussion shifted to proposed streets, driveways, and sidewalks, referencing the requirement which specifies indicating the direction of travel. The board discussed the need for waivers, particularly concerning sidewalks and lighting. It was noted that sidewalks might not be present, prompting a question about waiver requests. The conversation then moved to vehicle turning movements, specifically truck movements into and out of an unspecified location.

Discussion centered on the fire truck turning radius and the need for a waiver concerning the proposed road. Al Talarico clarified that the ordinance pertains to the turning radius of any vehicle in the area, not just fire trucks, and suggested reviewing plans to demonstrate

compliance. The Chairperson confirmed the inclusion of turning radius information on page three and considered it complete. The discussion then shifted to the acceptability of the turning radius, as it impinges on the second lane of traffic in the opposite direction. A board member raised the issue due to prior discussions, and the Chairperson acknowledged the impingement.

Discussion on Acceptability and Emergency Access

The board discussed the completeness and acceptability of provided information. A key point was whether the information provided met acceptability standards. The discussion centered around emergency access to the property, specifically concerning fire trucks and ambulances. Al Talarico explained the challenge of articulating access needs during emergencies, noting that regular traffic flow wouldn't be a factor in such situations. The conversation then shifted to the property entrance, which will require further discussion with the road agent and Stantec, particularly regarding the 60-foot area. The Board acknowledged the submitted sketches but emphasized the need for subject matter experts to evaluate and provide input on the entrance design.

The board discussed the incomplete application, noting the missing waivers. The Chairperson stated the application is incomplete because it lacks required waivers. They acknowledged the pre-hearing checklist informed the applicant of this incompleteness. The purpose of the meeting was to allow the neighbors to hear the applicant's plans and for the full board to understand the proposal.

Discussion centered on the visibility of a handful of houses due to the road curvature and gradual uphill incline. The board considered the ordinance regarding straight sides. Conversation shifted to stormwater management, with concerns about runoff onto the road and the need to prevent it from pooling. The drainage pattern away from the main road was noted, and a question was raised about stormwater entering the area and potential road flooding.

Review of Outstanding Items for Approval

The board discussed outstanding items needing correction before approving the plans. These included listing outstanding deficiencies. Further discussion covered issues with boundaries and USG markers on 10.066C, needing upland acreage instead of square footage, and the Board also addressed the 200-foot driveway sketch on 106G, specifically for lot 409, 161 (abutter's driveway), and correcting the block listed as Tom Severino to map 409, 141.

Discussion of Plan Revisions

The board discussed necessary revisions to the plan, referencing specific pages and items. Pages C2, C6, C7, and P3 were mentioned. Concerning driveway details, requiring further clarification beyond just driveway cuts. Acreage, not square footage, needed to be added. The inclusion of all state, federal, and local permits and their associated numbers, though these would be issued later as conditions of approval.

Following this, the Chairperson initiated a motion, stating the application was incomplete based on the discussed items.

Motion that the application has been deemed incomplete: J. Lindsey. **Second:** K. Coughlin. L. Carroll recused herself. The rest of the Board was in favor. **Motion Passed.**

Casual Conversation and Invitation to Stay

The Chairperson and other participants engaged in brief, casual conversation. The Chairperson then invited everyone to stay for the public, noting that they wouldn't be able to answer questions about the specific case.

Diamond Hill Hearing Continuation and Public Comment Procedures

The board Chairperson addressed public questions regarding the Diamond Hill project, explaining that due to state regulations, they couldn't engage in discussion until the application was complete and the public hearing process officially opened. The Chairperson acknowledged the public's concerns and assured them of an opportunity to speak during the designated public comment/input portion. The hearing for Diamond Hill was continued to February 19th. A neighbor expressed concerns about water runoff from the project's location on the hill above their property.

Review and Approval of Meeting Minutes

The board reviewed the minutes from the previous meeting.

J. Lindsey: **Motion** to approve the minutes of 12.4.24 as presented. **Second.** S. Komisarek. All were in favor. **Motion passed.**

Public Comment Period: Diamond Hill Road Concerns

The floor was opened for public comment. A neighbor from Diamond Hill raised concerns about visibility issues on the hill, describing it as a "totally blind spot" and a narrow road. Another neighbor expressed concern about water, explaining their reliance on well water and the potential impact of the road construction on water flow. They mentioned a "dam" across their property and the location of their well. Another board member shared their experience with well depth and water current rates, mentioning neighbors with wells at varying depths (400ft and 1000ft) and different water yields. A neighbor with a two-level surface well expressed concern about potential water shortages. The Chairperson clarified that the board could not respond to the comments at this time. Another neighbor inquired about regulations regarding the proximity of a road to a property line.

Discussion on Road Paving and Screening Concerns

Discussion begins with road paving plans, mentioning the requirement for the road to meet town specifications, including a 33-foot right of way and potentially a 60-foot width. Concerns arise regarding increased traffic noise near residences, especially along bedrooms, with the road's proximity being a major issue. The conversation shifts to screening solutions, with board members acknowledging the importance of screening and suggesting it as a topic for further discussion. A neighbor's positive impression of a developer's sincerity is shared. The challenge of balancing development with resident concerns is highlighted, along with the Board's

limitations in decision-making power. The importance of adhering to regulations and processes is emphasized, with assurances given to residents that they will have opportunities to voice their concerns before any final decisions are made. The meeting concludes with a reminder about the necessity of following established procedures.

Discussion on Public Hearing and Project Approval

The board discusses the process of accepting the development plan, clarifying that acceptance doesn't equate to approval. They emphasize the importance of public hearings and neighbor input, particularly regarding potential issues like tree preservation. The board highlights the developer's willingness to address neighbor concerns and integrate them into the plan.

Neighbor Concerns about Wetlands, Road Safety, and Property Lines

A neighbor raises concerns about water runoff affecting their property, the lack of wetland delineation on the development plans, and the existing road hazard posed by limited passing space for larger vehicles like horse trailers. They point out discrepancies between the plan and their property lines, particularly regarding wetland areas. The neighbor expresses worry about increased traffic from the new houses exacerbating the existing road safety issues.

Discussion on Pre-Development Road Hazards

The discussion shifts to the pre-existing road hazard, with the neighbor reiterating the difficulty of navigating the road with a large vehicle. They describe having to stop to allow passage for oncoming traffic, even with the current traffic volume. The board member and Chairperson acknowledge the issue, and the board member suggests exploring solutions like signage.

Road Safety and Off-Site Improvements

Discussion centered on road safety concerns and the possibility of off-site improvements. A board member suggested putting up a sign to indicate safety concerns. The Board is entitled to require off-site improvements if mandated, and this will be discussed with the road agent. The road agent can cite their concerns, and if off-site improvements are necessary, they will be considered part of the development.

Difficulty Maneuvering on Narrow Road

A neighbor described the difficulty of maneuvering large vehicles, like horse trailers, on the narrow road. They mentioned an instance where they couldn't pull their horse trailer out of their driveway due to ongoing work across the street. The neighbor emphasized the road's inadequate width, especially with construction activity. The chairperson suggested pausing the discussion at this point.

Past Road Development Issues

The conversation shifted to past road development issues. A neighbor mentioned a previous developer who didn't want to build a road due to the expense. Another neighbor clarified that they had purchased the property with the understanding that the road's pitch wouldn't allow for certain developments. The board member clarified that this was a separate, earlier issue. The

neighbor explained that the previous developer didn't want to change the existing infrastructure because of the road's grade.

Recent Road Development and Developer History

The discussion moved to more recent road development and the history of developers involved with the property. A board member specified that they were referring to a more recent development, not the one from many years ago. They explained that the previous developer, before the current owners, also didn't want to build a road. The neighbors recalled another instance where a developer wanted to build at the end of the road. The issue of the road's pitch was raised again, and a board member suggested discussing it with the road agent.

Discussion on Underground Service Requirements and Development Impacts

Discussion begins with uncertainty about public service plans and underground service requirements. A board member states they require underground service and can't comment further. Another board member adds they have nothing to contribute and can only listen. A neighbor brings up the topic of bonds for monitoring wells and foundations, particularly concerning blasting impacts.

Discussion on Blasting Impacts and Developer Responsibilities

The conversation continues with a neighbor explaining the need for bonds to cover potential damage from blasting, specifically to foundations and septic systems. Board members agree, emphasizing the importance of pre-blast surveys for insurance purposes. The discussion shifts to the impact of development on neighbors, using a specific example of a disruptive development project that eventually improved. A board member reflects on the constraints of regulations and the inherent tension between development and neighbor concerns.

Discussion on Entrance and Water Runoff Concerns

Concerns are raised about the proposed entrance and potential water runoff issues. A board member expresses worry about the steepness of the road and the possibility of water washing out into neighboring properties or the road itself, leading to increased maintenance costs. The Board emphasizes the need for proper engineering to address these concerns and prevent future washout problems.

Diamond Hill Drainage and Water Runoff Concerns

The Board discussed concerns about water runoff on Diamond Hill, particularly how the proposed development's drainage would impact the hill and surrounding areas. The Chairperson noted the topo map indicated a 2% grade allowing water to flow away from the road, alleviating some concerns. A board member pointed out the significant wetlands at the bottom of the hill and the necessity of a detention basin to manage pre- and post-development water flow, similar to Severino's development. The discussion emphasized the legal requirement for developers to prevent their water runoff from creating issues for others.

Water Availability and Aquifer Location

The conversation shifted to water availability in the area. The discussion explored the location of the aquifer, with a board member suggesting it runs along the spine coming up along 101. Conflicting accounts of water availability emerged, with some testifying about dwindling water supplies while others, like a board member, had experienced abundant water in the past. The discussion highlighted the unpredictable nature of water resources, with a board member citing their own experience of low water yield despite drilling deep (585 feet) near Severino's property. The Chairperson indicated having personal experience related to this topic.

Well Drilling and Jurisdiction Discussion

Discussion about well drilling on hills and the board's jurisdiction over wells. The Chairperson mentions the need to drill deep to reach the ledge. A board member clarifies they don't have jurisdiction over wells. The Chairperson states they would need scientific or geological evidence of no water to consider it.

End of Year Remarks and Christmas Wishes

The Chairperson calls for a motion to adjourn and offers end-of-year remarks. They thank everyone for a good year and their help and support. Christmas wishes are extended to everyone and their families and friends.

Positive Feedback and Board Member Performance

Other Business:

- Town Planning
- Any other matter to come before the Board.

Public Comments:

Motion to adjourn: J. Lindsey. **Second:** L. Carroll. All were in favor. **Motion passed.**

The meeting adjourned at 7:43PM.

Respectfully submitted,

Amy M. Spencer

Land Use Coordinator

cc: file