

CANDIA PLANNING BOARD
MINUTES of November 7, 2012
APPROVED

Present: Sean James, Chair; Ginny Clifford, Vice Chair; Albert Hall III; Steve Bradley

Absent: Judi Lindsey; Kim Byrd; Fred Kelley, BOS Rep; Amanda Soares BOS Alt Rep; Mark Siemonsma, Alt

Chair James called the meeting to order at 7:00pm immediately followed by the Pledge of Allegiance.

Minutes October 17, 2012

The minutes will be voted on at the next meeting.

Major Site Plan, AT & T 606 North Road Extension under Major Site Plans 5.02 B.

Susan Roberts Anderson & Krieger Attorney for AT & T was present. She said the Major Site Plan expired on October 13, 2012 and they would like to extend it one year. She said they had run into issues with the lease which was not resolved up until 2 weeks ago. She also said they have made a large investment in the cell tower and would like the extension to October 13, 2013.

Chair James said the ZBA special exception was extended until April 19, 2013. He said he felt the Major Site Plan should only be extended until April 19, 2013 because the Major Site Plan is only valid if the special exception is in place. A. Hall was in agreement. G. Clifford said the special exception has to be in place for the Major Site Plan to be valid.

Chair James discussed the conditions of the Planning Board NOD which included the conditions of the ZBA NOD's of 9/28/2010 and 12/28/2010. The bond was discussed and S. Roberts said the bond would be put in place when construction begins. She said she is nervous about the April 19, 2013 deadline and if funding would be in place or not to commence construction. She said if the Major Site Plan was extended until October 13, 2013, then if they have to come back to the ZBA for another extension the ZBA may be more inclined to give them the extension if the Planning Board's extension was until October 13, 2013.

G. Clifford **motioned** to extend the Major Site Plan until April 19, 2013. A. Hall **seconded**. **All were in favor.** S. Roberts asked the Board if they could sign the Major Site Plan plans and the Mylars. She said last year the Planning Board signed the first page only so they could get a building permit. She has the updated plans with a signature block on each page and the 4 Mylar pages to record at the registry. The Board signed the plans and the Mylars showing the easement so the utility easement would be recorded. Chair James said Notice of Decisions have to be recorded including the extension as well. S. Roberts said all the NOD's have been recorded. She said when she records the NOD for the extension she will send copies of all the NOD's with the book and page numbers that she has recorded. S. Roberts thanked the Board for all their help.

Other Business

Sarah Giles Minor Subdivision

Chair James said he is not sure if the new owners will be moving ahead with the subdivision and the approval may just lapse but they do have until December 5, 2012.

Michael Thompson Court Case

Chair James said previously the Superior Court had ruled in favor of the Town. He said they have just received notification from the town attorney that Michael Thompson has appealed the Superior Court's decision to the Supreme Court. S. Bradley said he walks by the property all the time and said the wetlands are holding more water now than it ever has. He said the land out behind it appears dry.

A.Hall **motioned** to cancel the November 21, 2012 meeting due to lack of applications. S. Bradley **seconded. All were in favor.**

The next scheduled Planning Board meeting is December 5, 2012 at 7pm at the Town Hall. Chair James said they have received a request for a waiver from Candia Crossing on the height of the buildings.

A.Hall **motioned** to adjourn at 7:55pm. G. Clifford **seconded. All were in favor.**

Respectfully submitted,
Sharon Robichaud
Land Use Secretary