

CANDIA PLANNING BOARD
MINUTES of March 5, 2014
APPROVED

Present: Sean James Chairman, Ginny Clifford, Vice Chair; Judi Lindsey; Al Hall III; Ken Kustra; Fred Kelley, BOS Rep; Dennis Lewis, Road Agent; Carleton Robie, BOS; Dick Snow, BOS; Dean Young, Fire Chief

Absent: Kim Byrd; Mark Siemonsma

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

Minutes January 15, 2014

A.Hall **motioned** to accept the Minutes of January 15, 2014 as amended. F. Kelley **seconded**. **All were in favor**. G. Clifford abstained.

Chairman James opened the public hearing at 7:02pm. He said they would start by reviewing the plans with the Board then he said he would open the public hearing to any questions from abutters and the audience.

Minor Site Plan/Expansion/Change of Use Applicant: Kevin Dumont 446 Raymond Road, Candia NH 03034; Property owner: 446 Raymond Road LLC, 446 Raymond Road, Candia NH 03034; Property location: 446 Raymond Road, Candia NH 03034; Map 408 Lot 031; Intent: to add an outdoor digital movie theatre using the existing parking lot, to construct a 12 x 12 projection booth in the parking lot and 2 movie screens on poles within the Light 1 Industrial Zone.

Kevin Dumont, 446 Raymond Road, Candia NH 03034 and Adam Gerhard, Capture the Dream LLC 204 S. Main Street, Newmarket, NH 03857 were present. Abutters Kathryn Tierney 30 Island Road and Justin Hussey & Kelly McMullen of 334 Raymond Road were present. K. Dumont said they had brought better plans tonight and passed them out to the Board. Chairman James said the Board first has to determine if the plans are complete and then vote to accept the application as complete to continue the hearing. K. Dumont said they have 3 sheets; one sheet is a giant blow up of the property showing all the abutters and Route 27, access road into the water park, location of the screens, projection booth and where the cars would be located. Another sheet showed a close up of just the parking area and the access road out to Raymond Road. He said he felt he had answered all of the Chairman's questions. A.Hall asked if they were going to have two screens or three screens as three were shown on one of the sheets handed out. K. Dumont said it was an idea they had thrown around to have three but they are only going to have two.

Chairman James said originally the applicant had submitted plans that didn't have quite as much detail as the plans they brought in tonight. He said he had talked to K. Dumont and told him what the Planning Board was looking for such as title block, more information on abutters, parking detail layout etc. He said they do have a proposal from Stantec to review the plan based on the first set of plans submitted. He asked the Board if they felt the plans were administratively complete to accept to continue the hearing. A.Hall asked if there was anything missing from the plans and K. Dumont said not that he is aware of and said he had put everything that was requested on the plans and unless they made a mistake he is under the assumption the plans are complete.

A.Hall motioned to **accept** the plans presented as complete to continue the public hearing. F. Kelley **seconded**. **All were in favor**. K. Dumont said one of the most underutilized parts of the water park is the parking lot and after a year testing the idea of a drive in by asking around he said he got together with Adam Gerhard who has run a number of drive ins around the country. He said he did not

want to simplify it too much but when you get down to it a drive-in built on an existing location does not require a whole lot of things. He said they need movie screens, a small ticket booth, a projector booth and a sign by the road. He said if you were building a drive-in from scratch it would be prohibitively too much to do. He said they have 98 % of the infrastructure already in place. He said the parking lot is used during the day and now they can get more usage of the parking area at night with minimal impact. A Hall asked about sound and K. Dumont said the movie would be broadcasted through car radios.

K. Dumont said he had gone to the Zoning Board of Adjustment (ZBA) two weeks ago but did not have plans like they have presented tonight and he said the ZBA had some concerns as they wanted to see the project in this format before they voted on it. He said he did address all their questions and did discuss all issues before them and how they could satisfy all the requirements for a variance and they are going back in two weeks to the ZBA and finish up with them. K. Dumont said the variances are on the height of the movie screens and the additional sign by the road and because of safety the sign has to be larger than what the ordinances allow. He said the sign will have the removable letters and either be lighted from the bottom or the top and will be on a timer to be shut off before 10:00pm. He said the sign is the same distance back as the other sign at 38 feet which is the setback approval they received from the state. He said there will be no sight obstruction either left or right when cars exit. Dumont said the biggest concern the ZBA seemed to have, was to make sure he showed them visually distances and the grade and they included that on one of the plans presented tonight.

K. Kustra said he understands the movie screens are 65 feet high by 80 feet wide and K. Dumont said yes they are and showed the Board what they would look like in pictures showing the screen below the tree line He said he will be working with the building inspector to build them to code. K. Kustra asked what the distance from Route 27 to the first screen was and K. Dumont answered if you look at the map as the crow flies the closed corner of the sign to the road is 525 feet through the woods with a forty foot elevation drop and the distance coming in on the road just under 1000 feet. K. Dumont said the road is 2 lanes wide.

K. Kustra asked what the benefits a drive-in would be to the Town of Candia and K. Dumont said for one their taxes would go up and would give ancillary businesses more business, there will be more jobs created. He said approximately 6 to 10 people will be hired for cleaning in the morning as it will be too dark at night, people at the ticket booth, parking and food etc. He said there is a trash dumpster onsite. K. Dumont said he would like to be open by Memorial Day. He said it won't take long to build and if they start the first of April they should get it done by then and the hours of operation will be dusk to 1am.

Chairman James said he would like to see a little more detail added to the plan such as noting the screen size, a signature block for 5 approval signatures as there is only one line to sign and add a few notes such as a title for the plans such as "drive-in". He also said typically roadway dimensions are noted on plans and he would like to see the parking spaces noted on a plan. K. Dumont said the little dots on the plans will be poles that will be painted a color on top and used for example, the red rows in back which may be for trucks because they cannot park in the front. Chairman James said that would be good to mark on the plans and to include in the notes or a legend block. K. Dumont said they will be using PVC pipes in place of the old time metal poles but without speakers. He said they will be parking people and also have some signs. He said there will still be an area for bus parking left for the water park and there they will have a capacity of 403 cars. It was clarified that between two dots 2 cars can park. K. Dumont showed the flow of traffic.

K. Dumont showed where the setback to the river was on the plan. He said the bottom floor of the projection booth will be refreshments and the top floor will be the projection booth. He said they are using existing restrooms. The original septic was built for 3,000 guests a day and they only average about 700 guests a day. He said they built the septic that way so they would have 20 years of expansion.

Chairman James said they have received review letters from the different departments. He said one of the concerns the Building inspector had was the 90 mph wind speed rating on the movie screens which they have since satisfied. Chairman James read from Chief McGillen's review letter, *"I have reviewed the site plans and find that there could possibly be a traffic issue on the night of a featured movie. This has occurred at other drive-in theaters in New Hampshire. I have spoken to Kevin Dumont and he has agreed to work with the Police Department to minimize any traffic concerns and to possibly use a detail Officer, if necessary. There is also the possibility of increased calls for service, i.e.: vehicles full of juveniles causing a disturbance, etc. I believe these will be handled on a case by case basis and if the need arises, we would require a detail Officer."* K. Kustra asked if a detail officer is necessary would there be proper lighting to illuminate the officer. K. Dumont said right near the road they already have a light on the pole that lights the whole entry way at night and he assumes the police officer will have a flashlight and reflective vest and his vehicle with lights flashing but he is not sure as they have never had to use a detail. He said there is room there to park the cruiser and said he would accommodate any other needs the officer would have. A. Hall asked if the state had any comments on the additional sign. Chairman James said the Fire Chief did not have any concerns.

Chairman James said his only comment is the traffic potentially queuing up if they show a feature block buster movie. K. Dumont said the access road is 1000 feet long and approximately 75 cars could queue up and they could move the ticket booth another 500 feet on a night showing a blockbuster to give more room. K. Dumont said payment is pretty fast and they are working on having tickets available on line. The question arose if a car doesn't want to pay \$20 dollars or whatever what about turning around and K. Dumont showed an area of dirt where deliveries are made where people could go past the ticket booth and turn around and leave. Chairman James suggested adding that to the plan as well.

A. Hall asked if the state had any comments and K. Dumont said they haven't heard any comments from the State. J. Lindsey asked if any lighting will be added to the area. K. Dumont said there will be lighting on top of the projection booth pointing down on all 4 corners and will be shut off during the movies. He showed where the water park had lights near the ticket booth timed to turn back on. He said the season is May to the end of September loosely depending on movies and weather and ideally they would need to be up and running by Memorial Day. Haunted Acres starts the beginning of October so the drive-in will stop. They are hoping for 7 days but may drop back to fewer nights a week but will have to figure that out. A. Gerhard said they usually would not operate 7 days a week until kids are out of school which would be the end of June through Labor Day. He said movies start at dusk which is around 8:30pm with some people leaving after the first show and the movies played on the will be slightly staggered so last cars leaving will be between 12am and 1am. K. Kustra asked about security telephones similar to the ones at a St Anslem's College and K. Dumont said cell phones have essentially replaced them and if there is an issue they would have security. A. Hall asked about security cameras on the existing facility and K. Dumont said they do not have any but are looking into putting them in. G. Clifford asked how they manage pedestrian traffic to the restrooms. K. Dumont showed on the plans were there is lighting near the entrance to the water park and bathroom area. He said there is an existing painted cross walk and there should be no traffic once the shows start and it is a 10 mph zone with signs to watch out for pedestrians. He does not anticipate that being a problem. A. Hall asked about car headlights. K. Dumont said there isn't a gate on the entrance road as it is used by emergency vehicles. He said unfortunately when people come to the drive-in they know that sometimes cars leave so there will be headlights briefly. A. Gerhard said they will show G rated and PG13 rated movies with occasionally an R rated movie but most of the movies will be G and PG13 rated with no X rated movies said because they want to keep it family orientated.

Chairman James asked the abutters present if they had any questions. J. Hussy said their only concern was the sound but if the movies are going to broadcast through car speakers that isn't really going to be an issue and asked if there would be any other sounds broadcast as they can hear Haunted

Acres and he was told there isn't. K. Tierney asked if she could see her property line within the plan shown and asked why she was not listed as an abutter. She asked with all this extra activity will kids build campsites across on her property. K. Dumont showed where his house is and said that he would be able to see if any activity was taking place along his property and hers and that he has dogs that would bark if anyone was there. He said they have never had a single water park visitor or Haunted Acre visitor go near her property not even close. He said there will also be employees walking around monitoring. J. Hussy asked about trash and how do you stop people from throwing trash out their car windows when they leave as he gets trash on his frontage. K. Dumont said they have dumpsters, barrels and employees who walk the frontage of the property everyday along route 27 to pick up trash and in the park before the water park opens.

Dean Young said speaking as a resident who has nothing but the fondness memories of going to the drive-in hoped for Kevin's sake he has the worst traffic jams which would mean his venture is successful. He said as the Fire Chief he saw the proposal about a month ago and since then he has talked to about 40 to 50 people from Candia and every person he spoke to was thrilled to have this come to Candia. He said most likely there isn't anyone in this room that hasn't gone to a drive-in and had the best times of their life. He said one of his firemen goes to the Milford drive-in at least 4 times a year with his family and loves it. He said everybody young or old thinks it is the best idea and hopes it works out and said he knows it would. He suggested having a nostalgia night and show movies like American Graffiti and everyone can bring all their cruisers down. K. Dumont said they have talked about having an older movie night which will work with two screens such as show Star Wars, American Graffiti and he said he appreciates the support. K. Dumont said the cost will be \$6-\$7 dollars a person for two movies and the food will be way cheaper than indoor theatres and it is a night out not like going to the indoor theaters. He said there will be two movies per screen so four movies a night. Clifford asked if perhaps in the future they could do online ticketing. A. Gerhard said he has already looked into that.

Chairman James said Stantec had given a relatively modest review proposal cost based on the initial plans submitted. The plan submitted tonight has addressed and or answered their questions but there are some more details that need to be added to the plan. He said he would like the Board's thought on whether they need Stantec to look at the plans but personally he does not feel a review is necessary. F. Kelley and J. Lindsey felt that a review was not necessary either as the applicant has addressed the questions.

F. Kelley **motioned** to not require a review by Stantec. J. Lindsey **seconded**. **All were in favor**. Chairman James asked the applicant to update and add the items discussed to the plans and to send a pdf of the updated plans to the Board.

Chairman James closed the public hearing tonight and continued it to March 19, 2014. He said the Board can formally vote on the Minor Site Plan that night. He informed the abutters this is their notice that the public hearing has been continued. G. Clifford said she realizes the public hearing is closed and asked if there were any permanent structures for Haunted Acres as they did not see a site plan for Haunted Acres and K. Dumont said they are all temporary buildings all on wheels and are located way out back. K. Dumont said they will submit the updated plans within a few days and thanked the Board for their time.

Other Business

Local Government Center - Procedures for rescheduling a meeting when a meeting is cancelled

Chairman James said last month the Planning Board had one meeting on the 19th and it was cancelled due to weather. Per the RSA's the Planning Board is to have one meeting per month. The secretary talked to the LGC and they told the town it was not intentional to cancel the meeting and that the town should talk about putting a procedure in place in case it happens again. He said the Planning Board has rules and procedures and they will be sent around digitally. The rules and procedures do not have a procedure in place if a meeting is cancelled and he continued they could add something simple

in such as if a meeting is cancelled the rescheduled meeting would automatically be the next night at 7pm and this could be added to agendas. G. Clifford asked how the abutters would be notified. She said her biggest concern that night it was cancelled was who is on the agenda and would cancelling the meeting impact any continuances, public hearings and if that had been the case she may have tried to have the meeting. If it is on the notice, agenda and abutters notice then you are covered. J. Lindsey said how would the abutters know if the regular meeting had been cancelled. The notice if the meeting is cancelled is posted on the door at the town hall. Chairman James asked F. Kelley what the BOS policy on cancelling a meeting and he said as far as he can remember they have not cancelled a meeting. He said there have been times when only one person showed up. C. Robie said today's world most everybody can get out and said if an abutter is noticed and there is note on the door the meeting is cancelled and gives information on the rescheduled meeting that is the best you can do. Chairman James said maybe we could post the information on the website. F. Kelley said putting a notice on the door is sufficient. Chairman James said he would come up with some language for the next meeting and keep it simple and for it to be legal notice on abutters notice Chairman James said notice October to March.

Numbering System for applications

Chairman James said they are going to start using a numbering system on application in the subject box in emails so there is no confusion on what application it is about, 2014 -01, 2014-02 and so on.

Capital Improvement Plan Update

Chairman James asked everyone to look at the update of the CIP projects that they had in their folder. He said Stantec has done the update except the last part with the projects and ranking them. He said when they looked at the CIP in January it was noted by K. Kustra that maybe the projects should be updated with all the departments and that has been done. Now the question is how to rank the projects. There was a discussion on ranking the projects. Information on how to rank the projects will be sent around. The ranking is a suggestion. Chairman James said he will contact Stantec for more clarification. He said in a larger town they have a CIP committee with people from the town and department heads that get together and rank the projects and they usually have a CIP budget and Candia has neither of these so now the CIP falls on the Planning Board. He said there are a lot of projects to go through and asked the Board to take them home and rank them for the next meeting. Then they could be summarized.

Chairman James said the CIP has to be in place to collect impact fees. Currently there are two impact fees, solid waste where the fees would go toward paying down the bond on the recycling center and a traffic impact fee where the fees go towards a road project within the zone the fee is collected in. Chairman James asked Road Agent D. Lewis about the 15 year road replacement and the 15 year gravel road to paved upgrades. D. Lewis said the gravel road upgrades hinge on if a development were to come in there would be more traffic so they would have to upgrade the road it is on which would make that road a priority. The way the projects are listed is how they stand now but could change. C. Robie said he believes some impact fees have been collected and not used yet and will check into them and wanted to bring this to the attention of the Board.

D. Lewis said besides the impact fees, the CIP helps support the department head budget decisions and warrant articles so if a department head puts in a budget request to upgrade a road for instance or buying a fire truck you can refer to CIP for back up to support their request. He said when he was trying to get funding for Currier Road last year you can see where it is ranked in the CIP gravel road upgrades so the CIP does help support other decisions other than impact fees. He said there would have to be a tremendous amount of development to raise enough money to fix a road.

Review meeting for Major Site Plan Map 409 Lot 204, Main Street Farm Stand

Chairman James said there is a Major Site Plan to be heard March 19, 2014 on Map 409 Lot 204 for a farm stand and he would like to set up a review meeting. The review meeting was set up for

Thursday March 13, 2013 at 5:30 at the Town Hall with Chairman James and the applicant. He said another board member would be helpful. The meeting is to be confirmed with the applicant.

K. Kustra said he wanted to bring up an article he read regarding telecommunications in the Union Leader. The City of Manchester through their ordinances denied a cell tower and the Federal Courts did approved the tower. He asked where does Candia stand relative to town ordinances and the Federal law. G. Clifford said that same thing happened in Candia. The Federal judge said the town had to approve a tower on North Road but it was not built. Chairman James said a new section on telecommunications was added to the regulations. He said if someone wants to put in a tower in a certain area there isn't much the Planning Board can do about it.

The next scheduled Planning Board meeting is March 19, 2014 at 7pm at the Town Hall. There is a public hearing for a Major Site Plan on Main Street to construct a year round farm stand.

A.Hall **motioned** to adjourn at 8.25pm. F. Kelley **seconded**. **All were in favor**.

Respectfully submitted,
Sharon Robichaud
Land Use Secretary