

CANDIA PLANNING BOARD
MINUTES of May 21, 2014
APPROVED

Present: Sean James, Chairman; Albert Hall III, Vice Chair; Judi Lindsey; Ken Kustra; Michael Santa; Mark Siemonsma Alt; Boyd Chivers, Alt BOS Rep; Dave Murray, Building Inspector; Dick Snow, BOS

Absent: Ginny Clifford; Amanda Soares, BOS Rep. Chairman James asked M. Siemonsma to sit for G. Clifford and he abstained. Chairman James said that Alt BOS rep Boyd Chivers would be sitting for Amanda Soares BOS Rep through August while she is absent.

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

Minutes May 7, 2014

A.Hall **motioned** to accept the Minutes of May 7, 2014 as amended. J. Lindsey **seconded**. S. James, A.Hall, J. Lindsey, K. Kustra, M. Santa **were in favor**. B. Chivers **abstained**. **Motion passed (5-0-1)**

Chairman James re-opened the public hearing for the continuance of Major Site Plan Merrimack Valley Paint Ball 274 Main Street at 7:02 pm.

Continuance Major Site Plan: Applicant: Tony Fiore 103 Chadwick Street, Bradford MA 01835 & Michael Pelletier 31 Garfield Street Lawrence MA 01841 owners of Merrimack Valley Paint Ball, 103 Chadwick Street, Bradford MA 01835; Property owner: Rita Hobbs, P.O. Box 11, Candia NH 03034; Property location: 274 Old Candia Road, Candia NH 03034 Map 410 Lot 160; Intent: To re-establish and operate an outdoor paint ball facility in the woods & fields within the Light Industrial I District. For additional information, please call the Land Use Office at 483-8588.

Tony Fiore, Michael Pelletier and Karl Dubay, P.E. Dubay Group, Inc., Bruce Gilday of Bag Land Consultants were present for the applicant and no abutters were present.

Chairman James said the applicants came before the Board on April 16th with plans and yesterday at 4:30pm Stantec received revised plans. He said they were unable to have their comments available for tonight but should have comments by Friday. He said the Board does not have any comments to discuss tonight and said the applicant could give an update to where they are at.

T. Fiore introduced Karl Dubay his engineer saying he can speak with regard to Stantec. K. Dubay said he is helping Tony Fiore to get off the ground with the project and said Bruce Gilday of BAG Land Consultants who is present will be doing the SWPP filing and inspections. He passed the same plans they just submitted to Stantec. K. Dubay said what they have done since the last meeting is an on ground survey and had B. Gilday the wetland re-established the flagging of the wetland buffers around the area of fields. He said they showed a small view of phase II which would be a major site plan to show that they have placed the fields appropriately for future a building, utilities, water supply, septic and paved parking. He said what they want to do now is just to get started in the business with woods ball and the work proposed for the two fields. He said where SWPP comes into play is where the two fields will be. He said the two fields will be properly graded, loamed and seeded as shown on the plans with the front practice field being smaller then the back field which they have slid over in the revised plans so a retaining wall will not needed on the left back corner. K. Dubay said phase one involves some fabric tents & canopies, building the two fields and getting the netting around the fields. He said there is no increase in flow between the differential on the drainage of gravel versus loam. He said they have an expensive drainage study report with calculations to prove this and said they would like Stantec to look at the plans and weigh in on that and advise the Board if they could request a waiver on not providing a drainage report. K. Dubay said he has worked and are working with Stantec in other towns and sometimes they have large 100 sheet plans with a lot of detail and said in comparison this is very small and they are trying to get a small business man started. He said he knows the Board has a responsibility to review plans and to deal with erosion issues but they are doing a SWPP filing with inspections which Bruce Gilday will be doing.

B. Gilday introduced himself and said he was a certified wetland scientist and has been a licensed soils wetland scientist for 25 years. He said he has assisted Merrimack Valley Paint Ball with obtaining the 3 wetland crossings which were approved by the State. He commented he liked the revised plan showing the field away from the wetlands so a retaining wall is not needed. He said the wetlands out near the woods fields are poorly drained and there is actually no flow just a lot of snow melt with no intermittent streams. He said they provided a 20 foot clearance requirement for emergency vehicles to get back to the wooded lot area and showed the flow of traffic from the road with the 20 foot access all the way to the woods saying there is another 20 foot wide accesses between and around the two fields and commented it is good planning for traffic flow. He said he will be working with T. Fiore to help him stabilize the area as they go along and to advise by preparing a storm water pollution prevention plan which will be kept on site which describes erosion control measures and how to monitor the site. He said there will be weekly inspections according to the EPA and after a ¼" of rain he will do another inspection and because he goes through Candia quite often he will stop and make sure his records are up to date. He said the SWPP manual stays onsite in case anyone wants to see it.

B. Gilday said back in 2008 he started another business called NE Erosion Control which specializes as an additional environmental consulting monitoring contractor on the building of I93 down in the Salem area where they are widening from the state line all the way to Manchester. He said they are opening up and blasting an awful lot of dirt and having Cobbets Pond, Canobie Lake and so on he is down there all the time monitoring and checking their records so they stay clean. He said he does the design for EPA and SWPP and helps them stay up with monitoring and they call him with any questions. Chairman James asked if the plan they are working on is completed. B. Gilday said concerning the SWPP, on sheet #5, it shows substantial erosion control measures and said he will take this to a higher degree and incorporate State Storm Water Management methods into the plan. Chairman James said as if he could submit this as soon as possible to Stantec. B. Gilday said he walked the site again today after there have been some rainfalls and the site is stable with plenty of protection and buffer of the natural woods so there is nothing getting into the wetlands.

K. Dubay said if you look on sheet #4 he has listed the Zoning & Site ordinances notes that are applicable to this project and per the regulations, the district the requirements of what is allowed and what is not allowed and how this project fits into those allowances by Zone and WCD District. He said per the regulations it is a minor site plan but was bumped up to a Major Site Regulations because there is more than 2,000 sq ft of land disturbance, so from a technical standpoint Stantec will be writing a long memo going through the Major Site Plan requirements catching anything that might have to address. He said because of this they will have to ask for waivers for example curbing and paving and other items 8.03I, 8.03a, 8.06 8.08a. Chairman James said if they know something doesn't meet the regulations to request all the waivers together in writing now before Stantec catches it K. Dubay said he will put the request together. K. Kustra asked if these would be incorporated in phase II and K. Dubay said no they would come back with new site plan application. K. Dubay asked that instead of drawing every canopy just show allocated area for fabric canopies.

Chairman James said on sheet #6 there is a detail for the guardrail and asked if he would be looking at that and asked if it was temporary. K. Dubay said for phase I it would be temporary but for phase II will be more formalized striped paved parking and may require a more standard guardrail. He said the current guardrail while unconventional is beefy but he is not a structural engineer so he cannot speak on that but could get someone to sign off from a liability standpoint for the Town. He said they have a liability issue to so they will work with Stantec on what they would recommend and come to the Board on that, which may be as simple as getting a structural engineer out to take a look. Chairman James said that would be warranted. K. Dubay said he was not sure if T. Fiore and M. Pelletier understand some of the things this Board has a legal responsibility or implied responsibility and that the Board is trying to work with them on it and even though they put in a big beefy guard rail they still have to have something on file for it.

Chairman James asked about the steel canopy and T. Fiore said they voluntarily took down the steel canopy structure and the poles will be removed. Chairman James asked if they had a got an estimate on how many cars can be parked here. K. Dubay said yes and it is about 36 cars. K. Dubay said people tend to car

pool to this and not go alone and after talking with T. Fiore 36 car parking is sufficient. T. Fiore said if they have an event that needed more parking they could repurpose the practice field to park on temporarily just for that event and said the only time he could see this happening is if they had a tournament and a lot of teams were expected. K. Dubay said A. Hall asked if they anticipated any exhibition games T. Fiore said not at the moment but would like to attract teams to play. K. Kustra said obviously you are going to have inspections during construction phase and asked will these continue on when construction is finished. T. Fiore said they could and doesn't have any problem with inspections. B. Gilday said it would be part of his work to document weekly changes in construction and after a ¼" rainfall by taking photographs and notes on where repairs have to be made in the erosion control and continued there does come a time that you notify the US EPA that the project is terminated because in their reporting it is stabilized. He said at 75% grass germination then you would remove erosion control measures and the site would be natural. The area in the wooded area is already natural. He said he will be there until the site is stabilized then they write the final report and notify EPA.

M. Siemonsma said he refrained from sitting on the Board tonight because he wanted to give his comments raised about the parking and continued saying have you been by cruise night with the parking on Route 27? He said there are selectmen involved in the cruise night and it is a mess on the road from parking. He said he doesn't think it is fair for this Board to try and justify taking away their parking on the road when on cruise night the Board of Selectmen take over the whole road. He said he doesn't think it's fair to be addressing this issue but if they are going to address it they should also address the parking issue with the cruise night and keep the cars off the road. He said cars are parked up and down and across the road and you can't get a fire truck through and for the Board to be worried about the paintball facility parking on the road is not fair. Chairman James said he appreciates the comment and said the issue you are talking about is a state issue. He said it is a reasonable question to ask how many parking spots they are going to have to get an idea of flow. He said they have 36 designated parking spaces and if they need more space they will park on the practice field. M. Santa said the parking is an issue regardless of cruise night and he wants to make sure the access road down to the parking area is clear and asked if they are going to have a plan that actually shows conceptually where the 36 cars are going to go and K. Dubay said yes they will show it on the plan and continued staff would make sure they park appropriately as they come in.

M. Santa said his concern would be keeping the access road clear to the woods and have a way to control traffic flow in and out of the site so there won't be a cruise night situation and could they post the it. K. Dubay said the 20' access is shown on the plan and said they could use cones, tape and staff can control car parking as they come in.

K. Dubay said part of the SWPP is to have details of the operations and maintenance of the gravel areas in case some maintenance is needed and they can put this information on the plan. A. Hall said perhaps make to it clearer to the Board, to point out on the map where the 36 cars would be parked and the flow of traffic for the cars and emergency vehicles as there seems to be a question about safety amongst the Board. K. Dubay showed the flow of the traffic and showed a secondary flow between the fields which will be kept open at all times and he said they will show in the plans the areas of parking and flow of traffic with the 9' x 18' parking spots, 20 foot isle and path of travel all the way through. K. Kustra said they had the parking marked on an earlier version. K. Dubay said that was the phase II plan which actually had 55 parking spots shown.

Chairman James said the Board has not accepted to the plans as administratively complete and they are not going to vote on that until they have heard from Stantec when they have done their review. He said they have not accepted the plans for discussion but they have been having a lot of discussion. He asked if the Building Inspector had anything to add. D. Murray said he would like to wait to see the new plans but did have two questions to ask. He asked about the tents and canopies if they are still using the poles and T. Fiore said they will be taking the poles out and said they would be manufactured tents. D. Murray asked about the additional two trailers and T. Fiore said they are asking the Board to allow them to do that.

K. Kustra asked where the Cease and Desist stood and D. Murray said that was before the last meeting because they put up a steel canopy on their own and now it has been removed. Chairman James said

he would like to close the hearing and continue the public hearing until June 4th and said that Stantec should have their comments by this Friday. He said Stantec will be looking for the drainage report which is one of their comments. K. Dubay questioned a drainage study. Chairman James said he knows the applicant is on a tight budget but they have cleared two acres. K. Dubay said he respects that and said they have worked in a lot of towns doing heavy work with Stantec but this application is not large and said he would talk to Stantec and to ask for a waiver on the study because if they had to do one they would have to start now. Chairman James told the applicant to talk to Stantec and submit a waiver so the Board can have something to act on.

K Dubay thanked the Board and Staff for working with T. Fiore on his endeavor. Chairman James closed the Public hearing and continued the hearing until June 4th and said he realizes there are no abutters but there will not be any further notice.

Other Business

Discussion on how minutes are taken

Chairman James said he has seen other Boards number the lines which would make it easier for corrections and asked the Board for their thoughts. A. Hall said with all due respect the minutes seem to be too lengthy and suggested having the general highlights opposed to every word, for example the date of the meeting, who was there, what actions were taken and the votes and general discussion instead of three or four pages going on and on. K. Kustra said he thought that was a good idea because if they have to go back to something there are the recordings. The secretary said the tapes are only kept until more space is needed then they are recorded over and continued per counsel the Town does not have to keep the tapes or even use a recorder for minutes taking and that the written minutes are the legal document. Chairman James said the secretary does a great job on the minutes and sometimes they do get lengthy because of long meetings and said they had a case last year go to court and the Town Attorney used the minutes explaining what happened and their decision was upheld and a lot was based on the detail that was put into the minutes. A. Hall asked if the tapes were on file to access and would that be sufficient if there are any legal questions. It was discussed that the minutes are the legal document. J. Lindsey said she understands what he is saying and said detailed minutes give a full account of sometimes serious issues. She said organizations such as the PTO using bullets and abbreviated minutes would be okay but sometimes the Planning Board discusses important issues. J. Lindsey and Chairman James felt that more in-depth minutes were important. Chairman James said his corrections are usually just clerical nothing of substance and if no one has any issue doing it this way he doesn't either.

SNHPC Summary

A. Hall reported that SNHPC had a couple of meetings. He said yesterday they had a meeting on scenic highways and discussed low income housing but it seemed to him that it applied more to Manchester and Hooksett then to Candia.

The next scheduled Planning Board meeting is June 4, 2014 at 7pm at the Town Hall. There is a Major 1 lot Subdivision is scheduled for June 4, 2014

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

Chairman James said there is a brief Zoning Review and Revision Meeting immediately following and if anyone who wanted to stay and attend were welcome too.

Respectfully submitted,
Sharon Robichaud
Land Use Secretary