

CANDIA PLANNING BOARD
MINUTES of April 4, 2018
APPROVED
Public Hearing

Present: Rudy Cartier; *Chair (voted by Board this evening)* Al Hall III, Vice Chair; Judi Lindsey; Joyce Bedard; Mark Chalbeck; Ken Kustra; Carleton Robie, BOS Representative.
Dennis Lewis, Road Agent; Dave Murray, Building Inspector

Absent: Mike Santa, Alt.

Minutes March 14, 2018:

J. Bedard made a **motion** to accept the minutes of March 14, 2018 as presented. R. Cartier **seconded**. J. Lindsey, C. Robie and K. Kustra; **were in favor**. M. Chalbeck and A. Hall **abstained**. **Motion passed (5-0-2)**.

Minutes March 21, 2018: There was no quorum so the Planning Board Meeting was re-scheduled to April 4, 2018. (*There was a presentation by Liberty Utilities*) C. Robie made a **motion** to accept the minutes of the cancelled meeting of March 21, 2018 as presented. R. Cartier **seconded**. K. Kustra was in favor. The remaining Board members abstained. **Motion passed (3-0-4)**.

Other Business

The Planning Board recognized Judi Lindsey's re-election to the Planning Board and welcomed newly elected Mark Chalbeck to the Planning Board. K. Kustra asked Judi Lindsey if she would like to be nominated as Chair but she declined. C. Robie asked if Al would like to be Chair. A. Hall declined.

MOTION:

Rudy Cartier was nominated as Chair. J. Lindsey **seconded**. J. Bedard, K. Kustra, A. Hall and R. Cartier **were in favor**. C. Robie was **opposed** and Mark Chalbeck **abstained**. **Motion passed (5-1-1)**. Rudy Cartier accepted the nomination of Planning Board Chair.

MOTION:

J. Lindsey **motioned** to re-appoint A. Hall as Vice Chair. R. Cartier **seconded**. **All were in favor**. **Motion passed (7-0-0)**. *M. Chalbeck tried to nominate C. Robie as Vice Chair but they had a motion and a second so that motion has to fail.*

R. Cartier continued as Chair with Other Business:

Continuation of 18-001: We received an email request from Mark Murphy of 304 Raymond LLC to continue his storage unit/cistern case to April 18th as he is not ready to come back before the Board.

MOTION:

A Hall **motioned** to accept the request to continue to April 18th, J. Lindsey **seconded**. **All were in favor**. **Motion passed (7-0-0)**.

R. Cartier continued: A **17-012 Final Major Subdivision Application** has been received from Eric Mitchell/DAR Builders for the Crowley Woods Chester Subdivision received March 19, 2018. That is scheduled for May 16th, 2018. I'm sure we'll do it back at the school again.

OSI (Office of Strategic Initiatives) Spring Planning & Zoning Conference is Saturday, April 28, 2018: information did get emailed out to the Board members. I was going to attend but I have a conflict that day. I

believe it's a \$55 dollar fee that the Town would cover if you decided to go. It's at the Grappone Center in Concord at 8 am to about 4 pm. Registration deadline is Friday, April 20th. www.nh.gov/osi.

Planning Board Work Session *to continue work on the draft of zoning ordinance amendments. The purpose of these amendments is to create a new and separate zoning district around the Four Corners area, in furtherance of specific 2017 Master Plan recommendations.* The main part of the meeting tonight is to do a work session for the proposed Village District area. If you remember we did some work... January 17th is what I have for the minutes. Refresher; when we did the Master Plan for Candia one of the tasks was to work on developing a Village District in the Four Corners area. We had work done by a contractor, who did a great job and got us a lot of good information. She did a presentation for us back in January and there were a number of comments that are in the meeting minutes but basically it encompassed about an 800 acre area in the proposal that went...you can see on the map in your packet. It encompassed a large area; Raymond Road past where the Birchwood Plaza is and down 43 towards Deerfield to just about North Road. It went up High Street not quite up to Healey Road but probably $\frac{3}{4}$ of the way up and stretched down Old Candia Road right down to Adams Road. There was a lot of discussion on the size of it and there were a number of people who felt that 800 acres was a pretty large area. Comments were made that it wasn't what was envisioned in the Master Plan and that it was a more compact area. It was too big. There were some comments also on zoning. There are proposed zoning changes in here done by the contractor; zoning district amendments that have a lot of good information and what would be included in the allowable land usage for the area. There were a number of comments on that too; some centered around the size of the lots being proposed, $\frac{1}{2}$ acre lots in here. There was also going to be the opportunity for multi-family housing, mixed use housing, a lot of different things in the draft proposal. There was support for the concept but as it stands right now it was a little too much. I'd like to resurrect it but not start at square one. I'd like to take the big issues that we looked at one by one and I think the first one to look at is the boundaries of where it's proposed right now and what you all feel is the better boundary or if you feel the 800 acres is the way to go, that's fine.

A. Hall asked I thought there was another drawing where it shrunk the area down to roughly half. I find it hard to believe they included Adams Road, a mile away.

K. Kustra said we can assume that from the Four Corners it goes about a $\frac{1}{2}$ mile in all directions the way it's existing now. R. Cartier replied I believe that's correct but I think in the Master Plan it wasn't a large area but what could we do for a central focus area. I think the draft, although good, took too much to have the public accept it at this time. J. Bedard asked what percentage of this; how does it relate to the entire acreage of the Town. It seems large on the map but in the percentage of the Town, in relation to the size of the Town it doesn't seem that much to me. R. Cartier handed out three larger copies of the tax maps. C. Robie said I think they said it was 8%. R. Cartier said the shaded areas are our current zoning. If you follow Adams Road on 43 down to before North Road and up the hill and down to Birchwood Plaza; that's roughly where it is. J. Bedard said are we talking about making it smaller to get it approved. R. Cartier said that's the question. Would you like to see 800 acres or 400 acres, what's the feeling? J. Bedard asked is there any suggestion from the people who said they wouldn't vote for it. R. Cartier said one of the comments was by Boyd Chivers who recommended we go to 400 instead of 800. It's too large of an area for a Village District. J. Bedard said that 800 acres isn't going to be the Village District; that is just for zoning changes right. The Village District still should be in a smaller area but you would want to change the surrounding requirements for smaller lots. R. Cartier said in the Village District yes. One of the original Master Plan ideas was to have mixed use; commercial on the ground floor with apartments on the second floor; that village feel. Candia used to have several Village Districts. Andrea did give me the information from the Public Hearing that we had on January 3rd. Here's a quick summary.

SUMMARY APPROVED MINUTES JANUARY 3, 2018**Summary:**

Carol had: Public input sessions, Steering Committee established, public outreach, questionnaires distributed around Town (online and at Town offices), survey via survey monkey, public meetings, Town website for what she had done to get the information.

Zoning district about 821 acres = 4½ percent of the total Town area. Constraints: wetland or floor plain or lands that are publicly owned that can't be used for development. Out of the entire 821+ acres here, around which this arbitrary line was drawn, 486 of those acres have some kind of constraint attached to them so they would be unavailable for development. That's 59.2% of this land. R. Cartier continued so less than 400 usable acres in that area but still the 800 acres were the original boundaries for the district.

Concerns:

1. *Size of 800+ acres, size and scope and/or location is too extensive.*
2. *Half acre lot sizes – considered moderate density? Two family dwellings or multi-families on it.*
3. *Needs to focus more on four corners with mixed use and commercial, stores below, apartments above.*
4. *Density or lot size change needed for affordable housing.*
5. *Need to create revenue.*
6. **Transportation Project:** *Ten year plan with the State of NH to move some of the traffic through the Four Corners. Work with size in conjunction with this. Intersections on Old Candia Road.*
7. **Soils and Water:** *Look at soils and/or what the land will handle. Evaluate the soils and potential for water? Handle more dense housing.*
8. **Outreach:** *reach out more to the property owners that are in that area to see what they would like. Which is something I think is very important.*
9. *There were suggestions about mailings to everyone and that could be very expensive. There was a comment made to me the other day about having a list server with people with email that want to get updated on it. That's a relatively cheap thing to do if people wanted to do that.*
10. *There were some concerns that the Town was going to take land. That's not true. We're not taking any land at all. We're just giving the opportunity for people to do something different with their land if they want to.*
11. **Rural identity.** *They were concerned about losing the rural identity by taking 871 acres out of the core of Candia and chopping it up into ¼ acre lots.*
12. **Zoning:** *is to put something in place that enables the type of use that the Town wants and then it's up to whomever owns the property if it makes economic sense for them.*
13. **School Enrollment declining:** *40% decline in enrollment over the past 10 years.*
14. **Housing constraints;** *price of Candia's real estate. No starter homes. No work force housing.*

That's the summary of what we talked about.

M. Chalbeck commented I don't believe I would reduce this at all. You have large tracts of land that look like they're already subdivided up for developments. Candia's starting to smother itself. We're not bringing in any business. We're not bringing in families. You do need some starter homes. You need some of this to come in and if we reduce it to 400 acres, it looks like you're going to be reducing developable land where you can put in neighborhoods. Unlike where I grew up my buddy was 1½ to 2 miles down the road that I had to ride a bike to go see every day. Let's make Candia a little more accessible.

J. Bedard said that's great but if people don't vote for it; nothing's going happen so that's what we have to consider. It was my understanding that during a lot of these planning sessions not a lot of people showed up. Carol just couldn't...she offered pizza and people didn't show up but they came out for this and

shot everything down. What do you do? If we keep it the way it is and put it on the ballot and take our chances and if it doesn't get voted in goes back to the drawing board.

K. Kustra said I think it was a handful of people, maybe 100 if that many, who are opposed. We are a population of almost 4,000.

C. Robie commented the Village District idea is a wonderful idea for the center of our Town and some density in that area but without expanding out a little ways in the radius, we're not going to attract any residential, whether it's on density housing or multi-units to support whatever we allow in the center of the community. So it's going to be hard for a private investor to make that commitment to develop something when there's nothing else coming in to support his development. Where on Exit 3 or something where the traffic is flowing at a higher rate, that might be feasible but here you gotta have some people. How many people, I don't know. You look at this area and talk about 4% of our land and 2% is already developed or won't be developed and the other 2% is undevelopable. I think we need to reduce the size of the center of our Village District; put a circle somewhere within a radius of that and put some type of mechanism in place for a developer or private investor to come in with a set of drawings; engineered drawings and say to the Planning Board this is what I propose do you think it's a good idea for our community. And if so, the Planning Board could approve that set of plans without going through ordinances and zoning changes to approve that. But a lot of communities, they have planning people in place so that when a developer comes, this looks good. As a community we're not going to spend the money to do the development or propose this is what we want on these parcels of land, that's not what we're in business for. But we need that private sector to come in with their money and their engineers and show us something... "oh gee, that makes a lot of sense for our community". And then it's up to the Board to say gee if we're going to allow a Village District and we want a guy to build a business on the bottom and a couple of apartments above, he needs some people around that circle to be able to come in and support that. So we don't need to change all the zoning and the ordinances, some of it we do but we need to have a mechanism in place so this Board can make a decision, through a public hearing of course, take the public input on the Board's decision but what we just went through where everybody is involved... I don't think that was fair. A lot of people worked very hard on that and we spent some pretty good money. So that's what I think. We approve sub-divisions, we approve things through public hearings, if people are really concerned about something that might go into their neighborhood, in a specific area that we've agreed to, I don't know how to put all that together but that's kind of the road we ought to be taking.

R. Cartier clarified I think you said you want to keep the size the way it is or start smaller? C. Robie replied we need to start smaller and allow density multi-non-multi, whatever a developer wants to do to build in that area. We don't want pieces of land in the center of Town to be single family homes on a 3 acre lot it makes no sense. R. Cartier replied on the zoning change, do you feel we should still do the zoning change so a developer coming in knows this is an allowable use in that Village District. C. Robie replied in that area, yes. We need to put that possibility out there that it might be feasible but it might not. You need a mechanism in place so the Planning Board can make a decision. R. Cartier said and the developer would know what the Planning Board would approve or disapprove when they first come to us and they say this is what I'd like to do.

D. Lewis commented it seems like there's two things going on. People have a vision of a Village, right here around the Four Corners. And then it turned into a combination with the housing change, lot sizes and everything else. I think that's why it failed. We really need two separate things here. You need a Village District around the Four Corners but then we need to change the zoning for housing around a certain radius like Carleton was saying because otherwise you're going to end up with maybe a store a half a mile from the one that's at the Four Corners and another one a half a mile in the other direction. You're not going to have a Village District; you're going to have a multi-use zone over 800 acres, 400 of its usable. Look at it in two parts rather than one. Focus on the housing side or the Village District side. Maybe focus on the Village District first and then expand on that with the housing change within a half a mile of it or whatever. People looked at it as wait a minute, we aren't going to have an 800 acre Village District in

the center of Candia, and so it failed. R. Cartier asked what would you envision the boundaries to look like. D. Lewis replied pretty tight around the Four Corners as far as the Village District. The housing part could be larger. They were sold on the idea of being able to walk from one place to another but you aren't going to walk 800 acres.

Audience Comment:

Bob Petrin of 194 Crowley Road said let's consider doing a radius around the Four Corners. We're still a ½ mile from Four Corners but if you look, we've cut those 800 acres in half to approximately 400 acres. Do you want to have somebody put in cluster housing out here, that's a long way from Four Corners; I think we're missing the mark on that. Two points here; let's see if we can contain the Village District to a radius; this is a ½ mile from Four Corners, a mile across. That's a lot of land. Can we consider a ¼ of a mile, a smaller radius? It makes sense. Who wants to develop in one corner over here and one over here, nowhere near Four Corners? You're changing zoning ordinances and for what? They'll be another Master Plan when in 20 or 25 years. Let's look at it then. Right now, we're talking about the Village District; let's keep it in the village, not a mile. I'm not shooting down the Master Plan but let's scale it back a little bit and look at it as a village; it has to be walking distance. A mile across is a long walk.

The Board continued their discussion of what the boundaries of the Village District should be, comparing it to sizes of the older Village Districts that were built up over time.

C. Robie reiterated you need some sort of mechanism to allow people to come and maybe in those quadrants Bob that you cut off, maybe allow a developer to come with a plan and if the soils are sustainable. I think Carol put them in more of a square because out there in the corners was some undeveloped land. You have to offer that, you need a mechanism to allow it. It's a tough one.

Comment about Purington getting a DOT permit for his land (it was obtained). In past, a parcel of land on state roads you could only have 3 driveway access on your land no matter the size of the land.

M. Chalbeck commented you can do the Village District but you also have these large blocks of land so if these folks sell their land, if they want to and a developer comes in, he'd be within that 800 acre. Nobody is saying it has to be cluster housing or section 8, a nice development where there are houses and space.

K. Kustra asked if Carol should come back and work on it some more.

R. Cartier said we're not ready for Carol to come back. Need more work until we feel comfortable. C. Robie said Carol came to us working through a NH Housing Grant. I'll take some responsibility when we went into this. Her grant was more focused on cluster, village type housing. I understand that more-so today. It wasn't really designed to create us a Village District. That was probably an error on my part or our part together. We learned something. We learned a valuable lesson from that and hopefully some things she provided will be useful. I think we can do this and get something that will go to the ballot and be reasonable.

The Board reviewed some copies of large scale Tax Maps of the Area to discuss options.

Summary of what the Board discussed:

1. Village District a small compact area, more dense, condensed to do multi-use commercial with some residential above it. A second ring outside of that to do higher density housing. Similar to 55+ proposed project.
2. Need a mechanism in place to allow development.
3. Parking: Maybe the Town could provide parking if there is public land available. The state won't allow street parking on the state road.

4. Moore Park, Town Office, Cemetery, Pond, School...limits Four Corners area. Need to move the center more to the SE for a radius.
5. More possibilities east and south vs. north and west.
6. Need to follow boundary lines so one property not in multiple zones.
7. High Street could be designated as a Historic District; Fitts Museum area
8. Some areas already zoned commercial so don't want to change it to mixed use.
9. Near the center, M. Chalbeck pointed out that this area already has electrical reliability, phone, and communication in this area. Further out there's no current design to get this as a loop feed as far as electric.

Planning Board Discussion on the proposed area: To the triangle with Farmer's Wife. Mixed use area, to the triangle where Main Street comes into Raymond Rd. to Diamond Hill. And then Deerfield Road down, one or two lots past the school, up High Street just past the Town Hall. Include lots and piece of property between Rte 43 and Main Street should be included. CYAA, St. Paul's Church (*not anymore*). Parcels are now commercial. Some are commercial and residential. This is by the trucking company. JNS is to the right and Antique Auto is to the left.

C. Robie commented we're talking about an area that is already zoned commercial and now we're talking about making it a village. You're going to have to allow the mixed use if someone wants it. Difficult to explain how your land is commercial but we want to change it back to mixed use. Behind the road is where the commercial might take place so you still have to allow that. All things have to be allowed. If you make it into a Village District you'd want to cut down on commercial because you don't want a commercial/industrial facility next door to a restaurant where you take your wife out to dinner. That's what happens in zoning. You don't want a commercial trucking company banging on hammers and you're trying to have dinner next door. In the commercial area you have CoPart and ATS two commercial businesses and we'd hate to lose them or discourage them from expanding.

D. Lewis commented there needs to be a distinction between the industrial zone, commercial zone and this Village District just to avoid what Carleton's saying. Nobody will come and build if it isn't feasible. C. Robie replied that's why it's difficult to nail this down. If you concentrate around our Four Corners, there's not much developable property. Take out the CYAA, trucking company, big parcels, and school, there's not much there.

R. Cartier said there are constraints on three sides. How far do we go down Raymond Rd. without reducing the commercial aspect? C. Robie suggested only as far as the Post Office and Courthouse.

Proposed boundaries of the Village District on the enlarged Tax Maps:

1. North to one lot past the Moore School – Includes Map 406 Lot 23 and part of Map 406 Lot 24.
2. South to St. Paul's Church Map 409 Lot 208 – Now Manchester Bible Church.
3. East to Post Office Map 409 Lot 193-2 and Courthouse across the Street Map 409 Lot 096-1 (*Courthouse was incorrectly identified on the map in the meeting as small lot Map 409-098*)
4. West to just past Town Office to Holbrook Cemetery Map 409 Lot 89.

K. Kustra asked if Rudy was going to draw that out. C. Robie suggested that Nate Miller from SNHPC may owe us some time. Check with him. We didn't use him at the end of what Carol was doing because we couldn't define the area so there was no sense in doing soil mapping and geography mapping and we said to hold off. R. Cartier asked Andrea to reach out to see what he could do for us. A. Hall said he would see him tomorrow morning at breakfast. C. Robie added ask how to change mixed use to Village District and that little bit of commercial because you need to define that.

R. Cartier said we need to see what constitutes mixed use. Part is commercial, not industrial. Which we could limit to what we want to see in there anyway. What would be allowable uses in the Village District?

C. Robie said a mixed use sheet metal shop on first floor and live on 2nd floor; it doesn't say a barber shop and live above it. Carol's work and presentation, there are some things we can use.

A. Hall mentioned the state possible roundabout in front of the CYAA. R. Cartier replied it's in a conceptual phase and they're looking for input from the Town on what the Town would like to see in those areas. If we have this proposal in place and if it gets approved it's in place, the state would look at that and work with us. They're not going to railroad something through, they can't. I don't think a roundabout would happen; you have to take too much land. A. Hall said they have millions of dollars marked for this local in the next 5 or 10 years. R. Cartier mentioned a bypass behind the old schoolhouse over here. Put the road around there, one of the charettes. It's gone now.

R. Cartier continued do we want to go through these? (*Draft of Four Corners from Carol Ogilvie*) R. Cartier said the zoning would be that if you have a current use, it's not going to change. C. Robie oh no you don't want to change it but you want to make it so the ones that are there can be changed. Some of those properties if they were sold could never be developed and you'll get more of the same unless you change the zoning. It's not feasible to do anything else with them. I'd rather look at that after we get a designated area.

B. Petrin said it's a good starting off point. We want to maintain our rural identity and if it's too big we may lose that. I think it's easier to have a next generation increase the radius, radius might be a misnomer. I think it's easier to increase it later than to try to decrease it when it gets out of hand. I think you made some progress tonight so good job.

R. Cartier asked about working on the second tier and the Board decided to start with this.

C. Robie reiterated no one is going to build too much business activity until they know they are going to be supported by something. R. Cartier said so we'll concentrate on this and then we'll do it, if we just want to go with this and present it to the Town, that's what we'll do.

Additional Other Business:

Letter to Tom Giffen: J. Lindsey asked did we do any recognition or appreciation for our outgoing chair Tom Giffen. He just kind of left and it would be nice if we said thank you Tom. C. Robie said we could send him a letter of our appreciation. J. Lindsey asked Andrea to do that for them.

Resident Letters on Crowley Woods: J. Lindsey continued I have two other things. This was shared with me to share with the Board. I'm not sure if you already have a copy of this letter but this has to do with Crowley Road, the traffic and was a letter by Joe and Carley Colotti. It states all the concerns, the safety issues, people almost getting hit when they're crossing and cars going fast. J. Bedard asked was that to you or the Planning Board. J. Lindsey said a copy was given to me by Joe or somebody saying oh I have this extra copy. J. Bedard said so we already have it. J. Lindsey said they wanted the comments shared. The other one was; this did come in our annual report but then somebody shared with me are we looking at these two articles when we look at Crowley Road which is:

Article 11.03 of Candia Subdivision regulations prohibit a subdivision of land that would involve danger or injury to health; safety or prosperity by reason of inadequate water supply, drainage, transportation, school, fire-protection or other public services, or would necessitate an unplanned and or excessive expenditure of the public funds for the supply of such services, shall not be approved by the Board.

Article 14.15- Classification of Streets- Number of units 50+ or average daily traffic 500+ need to be on an arterial road. An arterial road is defined as having a minimum paved travel surface width of 24 feet and a minimum shoulder width on each side of 6 feet such as Route 27 and Route 43.

They just wanted to make sure we were thinking about those when we look at Crowley Road. C. Robie said we talked about both of those with the applicant. There will be no public funds to upgrade the road I think the applicant already realizes if there are any upgrades to the roadway they incur that. J. Lindsey said someone asked me to bring this forward to the Board and we did.

A. Bickum asked the Board if they wanted Mike Courtney, legal counsel, to come to the school on the 16th. C. Robie asked did they submit a new set of plans and a new application. A. Bickum and R. Cartier confirmed yes. C. Robie said I'm not sure we need legal to look at the application and review the application and see if it's complete. A. Bickum said ok so next time if it gets continued. C. Robie said we're going to look at the application and see if it's complete and if some of the concerns got mixed in to each into the new set of plans. Have you looked at the new plans yet? R. Cartier said I have the plans but I haven't compared them to my notes yet either. A. Hall said they're planning to meet with Stantec and the engineer to iron out some things. R. Cartier said they have, they submitted a letter to Andrea but there are still a lot of missing items on it. A. Hall said they were looking to have another meeting. R. Cartier said I haven't compared the list of deficiencies to their current submittal to see if all of those have been addressed either. C. Robie asked do you know when they're going to meet again Andrea that was on their agenda to do that prior to May 16th. A. Bickum replied Stantec already sent in a letter. I forwarded that to Eric Mitchell so he has that so they need to work together. R. Cartier said I'd say it's still in process and we won't know until the beginning of May how it all shakes out. They'll be some back and forth between Stantec and the developer and our Board from our review. C. Robie asked if they've had their meeting in Chester yet with their new set of revised plans. R. Cartier said if I remember when I looked quickly at it; it looked like road profiles were added for road improvements to Crowley Road more than anything else because I asked about if that lot is a buildable lot and it hasn't been addressed as it's still on the plans as a buildable lot. There are open questions and I think it was just the profiles that they added to us. C. Robie said they submitted one plan to Chester and one plan to us. They combined them so there's only one set of plans now. Both Towns have the same thing I think that's how it went. A. Bickum agreed. C. Robie asked so they submitted a new set of plans do we have to re-notice for that? A. Bickum said yes. I haven't sent abutter letters yet but we do have to. C. Robie said because it's a new application. A. Bickum confirmed. J. Bedard said so this may be premature because it's not until May 16th so correct me if I'm wrong but if they come with an application and it's incomplete and we have to say it's incomplete, does that mean everyone who came out to say something doesn't get to speak again? C. Robie and R. Cartier said yes. J. Bedard said that's a problem. That will be the third time. I know there's nothing we can do about it but I think they'll be a revolt if they come out for a third time and don't get to speak. C. Robie said that's the reason why I've always said you have to have our meeting, conduct our business and then post a public hearing when you're ready to have a public hearing, post it and have it. I've said that right along. J. Bedard said so we shouldn't make that meeting a public hearing then. C. Robie said if you don't want a revolt you shouldn't. A. Bickum said it's a Planning Board meeting until an application's accepted. Once the application is accepted by the Planning Board then it turns into a public hearing. J. Bedard said we have an option to not do that. That's not law, that's just the way we do it. A. Bickum replied the way we notice it, is so that we don't have to re-notice it. So if it's noticed as a public hearing you don't have to re-notice and it can be continued so that's why we do that. J. Bedard said I think we should do it different this time. R. Cartier suggested what we would have to do is accept the application and then say that we're not going to have the public hearing until the following meeting. J. Bedard said no we need to say it beforehand. R. Cartier replied you aren't going to be able to. If they submit an application, we can't pre-determine whether we accept it or not. Like if I do a review and I still find some deficiencies, I send it to Andrea and she sends it to the Board and the Board has to sit down and determine if it's complete or in-complete. So we're kind of stuck because we as a Board have to make that determination at the Planning Board meeting.

C. Robie said Mike Courtney explained this to us 3 months ago. I understand the concept of what we're trying to do, move the application along and have a public hearing and be able to approve it. In this case, this isn't going to be a one meeting thing. If this applicant brings in the application and we deem it

complete, we can do that. We can deem it complete and then we can start doing our work on reviewing the plans. We can take all our own input, which I feel we should do to begin with, the Planning Board, should have their work session, figure out what's in their mind, and at some point, open that up to the public because you have to. But it doesn't have to be that night. We can do that when we're ready to do that. I don't feel we're ready for a public hearing the minute we accept an application. There's a lot of work to be done on some of these plans that we can do ourselves between us and the applicant and get a lot of the questions and the misinterpretation about what's going on answered, before you get a room full of people. J. Lindsey commented the water is muddy at that point, you don't even know what the Board understands and now you've got...yeah. C. Robie continued we talked about that 3 months ago with Mike Courtney and that's the proper procedure, especially for a case like this. J. Lindsey suggested maybe it's just word of mouth, you know how that spreads better than anything. You just say there will be no public discussion at this meeting the application hasn't been approved as complete. If we can get that out there so it doesn't show up, all the crowds. C. Robie said you just don't post it as a public hearing. J. Bedard said that's what I'm saying; you just don't post it as a public hearing.

R. Cartier replied we can post it, how to do this legally with Mike, and then we can do our work session and then I believe the Chair can call the meeting and have a continuance to the next meeting for further review. C. Robie said but her comment is if we don't accept the application all those people are going to be there wanting to talk and there's nothing to talk about. R. Cartier said I think we're all in agreement on that. J. Bedard replied uh uh, I don't think you're understanding what I'm saying. R. Cartier said we have to post that they're going to submit their application. J. Bedard replied but we don't have to make it a public hearing. R. Cartier said no we don't have to make it a public hearing. J. Bedard said ok but you're saying we're still gonna. R. Cartier said no, after that first meeting, if we don't accept it, we go back to square one. If we accept it, as Carleton was saying, we can do our work session as a Board and make it known that it's not a public hearing yet and then we continue the meeting to the next meeting after we have done our due diligence. J. Bedard replied but what you're saying is you are going to say it's not a public hearing at the meeting. R. Cartier said no, we'll post it. J. Bedard reiterated we are not going to notice this as a public hearing. C. Robie replied that's what I say we should not do. J. Bedard agreed, yes that's what I say. R. Cartier said I think we can do that. C. Robie replied we can do that. We don't have to post a public hearing until we're ready to have one. J. Bedard said no, we do that out of convenience. That's convenience. R. Cartier said so how would you word that. D. Murray said I think because a lot of times you do a one and done and that's why it keeps going on like it has been. R. Cartier commented what we have to do is be very careful at how we post that meeting. C. Robie replied we post a Planning Board meeting end of story. Anybody is welcome to come to our meeting. R. Cartier said but we have to have an agenda item that has that case number. C. Robie said a public hearing for that case number and the case. J. Bedard and R. Cartier said meeting not hearing. C. Robie said that's what I said. J. Bedard, R. Cartier and A. Bickum said you said hearing. J. Bedard said we knew what you meant but you said hearing. R. Cartier reiterated we just have to be very careful on how to post it. J. Bedard said do not post it as a public hearing. D. Lewis said if it's just noticed as a work session to accept the application there won't be any public discussion and that's it. J. Bedard said that's exactly how you say it. R. Cartier said how to put it on the agenda to make it legal. I agree with you. The nuances of what we need to do so we don't get in trouble. C. Robie said the only thing that has to be legal is at some point you have to post a public hearing. At some point, you have to allow the public to come in and talk. R. Cartier replied but this way we have two separate things. The meeting to discuss the application and then if we as a Board say okay let's go to the next step, then at that meeting we say we're going to have a public hearing at the next meeting. J. Bedard said so we're not discussing the application, we're deciding is it complete. R. Cartier replied correct. C. Robie said once it's complete, we can discuss it amongst ourselves. The Board said yes. J. Bedard reiterated the first step is whether it's complete or not and then a discussion. R. Cartier said our discussion is going to be whether we're going to accept it. I think we're all on the same page it's just a matter of covering all of our bases. A. Hall commented whatever type of meeting or discussion, you mention the words Crowley Woods and it's

almost incumbent that this room is inadequate and we must have our meeting at the school. J. Lindsey said if it's on the agenda and the notice and everything that this is a work session, a meeting and not a hearing, no public comments would be accepted, then people should understand that they don't have to come to that one. You'll have your chance later, you can add. A. Hall said you still have to have the meeting over at the school as a practical matter. We have the room reserved right? A. Bickum said yes. J. Bedard asked do you want to say something Andrea. A. Bickum replied nope. J. Bedard said no you do. A. Bickum replied nope. A. Hall said she's got the room reserved. R. Cartier said that won't come up until May 16th so we have a couple of other meetings to make sure the word gets out, it's going to be another month and a half. A. Hall said maybe Chester will have something to say about it too. R. Cartier said it could be a moot point, who knows.

MOTION:

J. Bedard **motioned** to adjourn at approximately 8:30 pm. J. Lindsey **seconded**. **All were in favor. Motion carried (7-0-0).**

Respectfully submitted,
Andrea Bickum
Land Use Secretary
cc file