

**CANDIA PLANNING BOARD**  
**MINUTES of May 16, 2018**  
**APPROVED**  
**Public Planning Board Meeting**

Present: Rudy Cartier, Chair; Al Hall III, Vice Chair; Judi Lindsey; Ken Kustra; Joyce Bedard; Mark Laliberte, BOS Representative.

Absent: Mark Chalbeck; Mike Santa, Alt.

Present: Dennis Lewis, Road Agent; Dave Murray, Building Inspector; Dean Young, Fire Chief

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

Minutes May 2, 2018:

A. Hall made a **motion** to accept the minutes of May 2, 2018 as presented. J. Bedard **seconded**. **All were in favor. Motion passed (6-0-0).**

**Continuation of 18-003 Major Site Plan Review Application:** Applicant: In-Laws Construction, LLC, 298 Chester Turnpike, Candia, NH 03034; Owner: In-Laws Construction, LLC / Roger Demanche Jr.; Property location: 510 Old Candia Road, Candia NH 03034; Map 413 Lot 105; Intent: To build an office building in the L2 District. (*Application was not complete on 3-14-18 so this case was continued to April 18<sup>th</sup>, 2018. Application was not complete on April 18<sup>th</sup>, 2018 and was continued to May 2, 2018.*)

Present: Applicant Roger Demanche of In-laws Construction, LLC; Robert (Bob) Breault; Attorney Maria Dolder of Concord, NH; Bryan Ruoff from Stantec Consulting Services.

R. Demanche handed out new plans (11x17). R. Cartier asked anything that's majorly new on these. R. Demanche responded everything that was added on; the notes that was the waivers. R. Cartier replied you've got all of those in there; on sheet 1 of 10 I believe. Bob Breault and Maria Dolder introduced themselves.

R. Cartier said just a couple of things we had in the last meeting; one was if the state had any concerns about whether the outlet pipe was going to have any problems. We did get that, thank you for sending that. They basically said if your pipe clogs up next to the road you've got to go clean it. R. Demanche said pretty common sense I thought. M. Dolder asked so that condition will come off...you guys had made that a condition last week. R. Cartier replied it wasn't really a condition it was whether we wanted to have it so we've addressed it, that's no problem. K. Kustra said that was a waiver. R. Cartier, R. Demanche and M. Dolder all disagreed that it wasn't a waiver. R. Carter continued we did the waivers; the waivers were....K. Kustra said number 4. R. Demanche said so if you look on 1 of 10 the top notes, the waivers are there, already approved. R. Cartier commented we approved that waiver the concern we had was about maintaining the drainage in that area so it wouldn't affect our roads and as Dennis said we're not going to take care of anything to maintain their drain but if there was a problem with the road because of the drainage issues they would have to take care of that and pay for that. R. Demanche said DOT sent a letter stating all the reasons why it wasn't a problem. R. Cartier said it was interesting that it was the 3<sup>rd</sup> time they reviewed the plans, we didn't realized that they had even looked at them before.

R. Cartier continued the other issue was on the fire protection and we did check with Town Counsel and they gave us some advice on what we should be requiring for the estimate and his feeling was that it should be from an expert to do the estimate. However, we had a discussion with our engineer, Bryan on this issue. We think we have what will be, if the Board agrees to it, a reasonable solution to the dilemma so the regulations are covered and there's reasonability on your part for what has to be done. Basically we took a

look at NFPA 1142 which is the water supply regulations for rural areas and based on what we did for a very quick calculation, your building of about 6,800 square feet; was it 3,400. R. Demanche clarified 3,200. R. Cartier continued so about 6,400 square feet. Looking at that the water supply requirement is about 10,000 gallons of water which is not a heck of a lot of water. We did get the letter from the Fire Chief about using the existing pond that's on the property as a fire pond and doing the contribution based on the cost for what the dry hydrant would cost, which came out to \$5,480.00. R. Demanche agreed, correct. R. Cartier continued which is the proposal that you did get from excavation contractor so that's good. R. Demanche said Steve Rice. R. Cartier continued we felt when we were reviewing this today that this is a reasonable compromise to what we are looking to have done so we're both covered. The regulations are covered and that you're also looking at from a reasonability standpoint for the size building that you have. What I would like to propose to the rest of the Board is that we go along with the Chief's recommendation for the contribution to the water supply fund in lieu of the dry hydrant. Apparently the Chief feels that it wouldn't be the best location for a dry hydrant so it would be fine. The only criteria that I would like to see, that we would like to see from the standpoint of review is that you have an engineer take a look at the pond to see what the actual available water is in that pond either in the dry season or basically in the winter when you've got 3 feet of ice on the pond, that way it covers everything that we're looking for. That you do a review of the fire pond and it has whatever capacity of water in it, I have no idea what it is. R. Demanche replied it's 60 x 72 and its 7 ½ feet deep. R. Cartier reiterated 7 ½ feet deep. R. Demanche replied yes, it comes out to about 177,000 gallons. R. Cartier said so if we take off 3 feet of that...B. Breault and R. Demanche both replied you're taking off half. B. Breault said less than half. R. Cartier said did you go down to where the silt is. B. Breault agreed. M. Laliberte replied so there's still about 100,000 gallons. M. Dolder commented well over the 10,000. R. Cartier said if you can give us all the information on that so that we can have it in the file, then that will work out I think properly. M. Dolder commented so his stating that on the record. Our stating that on the record that that's how it is, is not sufficient? Because that's not what your regulations require. R. Cartier replied what we can do, it says the thing that makes it so we can do this is the fact that it refers to NFPA 1142. M. Dolder replied but it doesn't. It says the Fire Department may at the discretion of the Chief require the developer to contribute the cost for the installation of an on-site cistern or fire pond to the Town of Candia. That's what it states. R. Cartier agreed, correct. M. Dolder continued and last time this Board was adamant that we weren't allowed to add anything to that so that is the clear black letter of what you're...and we've done that. We gave you a proposal, which is not just an estimate; it's a proposal for the work. It doesn't say that we're required to show gallonage and we're willing to tell you what it is.

M. Laliberte responded I think we're at the want here. The only question I have, that number that you got, that dimension; did you measure it yourself? R. Demanche said I did. M. Laliberte continued he measured it himself and you're saying you want some engineer to do what he's already done. My feeling is the Chief's looked at and he's made a determination, it sounds to me that this is fine. I get what you're saying; he's stating it on the record. If something God forbid were to happen we have it in the notes and that would be something we could use down the line. I don't think we need to go that extra step and have them incur that extra cost, that's my opinion.

R. Cartier replied let me check with Bryan. B. Ruoff said we're happy to confirm that at no additional cost to the applicant if it pleases the Board. R. Cartier said so you would take care of that? B. Ruoff replied yes, we'd be happy to. R. Demanche replied I'm all set with not having Stantec do it to be honest with you. R. Cartier replied they'll just have it, it will be....R. Demanche reiterated I'm all set with not having them do it. We're going by what it's saying I mean if we keep going forward like this it's just...we're doing circles here. I've done my due diligence more than enough, really. A. Hall asked you would have no objection to...R. Demanche said I do have objection to him going on my property. I've done all my due diligence and I've gone above and beyond.

M. Laliberte commented I think he's making it clear that he doesn't want Stantec. M. Dolder commented I guess the problem is we're not required to build this, we've got a proposal as to what the cost

would be which is exactly what it requires under your subdivision or your site plan regulations. Roger's testified on the record and you're right, it is binding that he went out, he measured it. Clearly the Fire Chief in approving this must also have knowledge of this pond and is satisfied that it would meet this and that it could be done. With all that evidence, I would agree with you, but it seems we're kind of batting around the same issue to no end. I would get it if we were building it. I would be 100% on board if we were building this then clearly we would need to do that, but we're not. R. Cartier reiterated the way that Town Counsel has explained it to us is that it would have to be an expert opinion. M. Dolder responded it is an expert opinion. R. Cartier said no no no, the fire pond itself. M. Dolder replied it doesn't say that. You are now going beyond what is in your site plan regulations. Last meeting with all due respect you all told me I had to abide by what was written and if these site plan regulations had to be changed then you needed to change them. So now you are required to go by the same writings that...and it does not say anywhere that we have to do that. R. Cartier replied correct but what the regulations say is that the contribution has to be either the cost of the cistern or a fire pond. M. Dolder replied the installation of it and that's what this is. R. Demanche commented and you just stated that that was okay. You were agreeing with the Fire Chief, which was okay. You just agreed upon that whole thing. R. Cartier responded but the key point in my follow up was that Town Counsel had said it has to be an expert's opinion of the cost for doing a fire pond. R. Demanche and M. Dolder said it is. This person gave us an expert opinion on what it would cost to use the fire pond on the property. R. Cartier asked but how do you know the fire pond has the proper capacity of water? R. Demanche said you just said its 10,000 gallons. I physically measured it and did the calculations and its 177,000 gallons so 10,000's not even close. A couple of big tanks is 10,000 gallons, that's not a lot of water. R. Cartier said I'm not disagreeing with you.

A. Hall commented we have to go by our legal counsel and you have to go by your legal counsel. M. Dolder replied the problem that I have is there is nothing in your site plan regulations that say that. R. Cartier said that's a difference of opinion between your interpretation and our Town Counsel. M. Dolder replied but it doesn't say that. That's not a difference it doesn't say that. I read you the sentence last time when you told me when I had a difference of opinion you said no, this is what the sentence says black and white. R. Cartier agreed, exactly. M. Dolder continued that's exactly what the sentence says. It says nothing about measuring gallons or having it engineered or having plans. R. Cartier replied it has to be designed. M. Dolder reiterated it doesn't say that. It says sprinkler systems shall be designed in accordance with NFPA Standard 13 it does not say that when it talks about contributing the cost. R. Cartier reiterated what we have to have and this is from our legal counsel is an...R. Demanche said do you have a paper stating that? R. Cartier responded not right in front of me, no. R. Demanche asked can Andrea go get it. R. Cartier replied I don't think...A. Hall said excuse me I'm just curious are you a registered engineer. M. Dolder said we don't have to be, we have a third party who we went to and said we're going to use the fire pond. The Chief looked at the fire pond and said yes you can use it as a fire pond. It is at his discretion. It's his area of expertise, their area of expertise. We don't need to pay for an engineer or have another engineer look at it. A. Hall said if I may intercede here. It's quarter past seven and we could argue all night over this issue and from a layman, several years older, point of view, it seems like we're going no place. Can we proceed to some of the other and if this is the only issue we can come back to this. R. Cartier said I think the sticking point in here is the fact that our legal counsel has said that we need to have an expert opinion. All we're asking for. R. Demanche said that is an expert opinion. R. Cartier replied no. R. Demanche said yes it is, he installs them all the time. R. Cartier asked does he have an engineering degree for doing fire protection engineering. R. Demanche said fire protection for the pond. You want the ratio of the pond water, that's what you want as a ratio. M. Dolder said that's not an engineer. R. Demanche continued that's not the installation of it. R. Cartier reiterated is the fire pond of sufficient water capacity according to an expert opinion? M. Dolder replied the Fire Chief has said it is. R. Cartier said I know the Fire Chief and know him well but he's not an engineer. M. Dolder reiterated it doesn't say we're required to have an engineer to determine the cost for the installation. I think some of your other members agree with it. Instead of arguing back and forth.

D. Young (*Fire Chief*) said I think you have to understand that both Roger and I are carpenters. Geometry is our forte. We're not engineers but geometry, figuring out sizes and square footage and that is pretty easy for us to do. Figuring out how much water is in that pond is pretty simple, we probably learned that in eighth grade before I even went to High School with Mr. Vicher because he was a hell of a good teacher over there. There's plenty of water there, we don't need to ask anybody else. There's plenty of water. There's plenty of water, end of story. Plenty of water.

R. Cartier said you have to realize that what we're trying to do is be as accommodating as possible. But we also have to make sure that when we do this that it can't be challenged by anybody else. All we're asking for is let Bryan on the property and do the depth and tell us that yep, there's plenty of water in there. We have it documented from a registered professional engineer for fire protection and we're good to go. That's all we're asking for. R. Demanche replied we should be good to go with the Fire Chief's signature right here, an estimate right here, stating exactly what's on there, absolutely. M. Dolder replied because the reality is what you're doing at this point is what would be challenged in court because it's not in your regulations. It's not a requirement. This Board is actually going above and beyond what is being requested of an applicant.

R. Cartier asked who did your engineering. R. Demanche responded Horizon Engineering. R. Cartier said have Horizon just go down there. R. Demanche said we've talked through this completely. M. Dolder said so if we got a letter from Horizon Engineering saying that there's more than 10,000 gallons in that pond that would be sufficient. R. Cartier agreed, it would be. M. Dolder asked R. Demanche if he could get that. R. Demanche replied yes. R. Cartier said that's all we need. That's all I'm saying we need. M. Dolder reiterated so just a letter. R. Cartier replied I trust the Chief's judgment. I've known him for a long time. I know he knows how much water is in there. He's been in the fire service for many many years. My opinion doesn't matter. If someone comes in later on and says hey well I just got an estimate and granted that looks like a good estimate to me. I'm not an excavation contractor but from what I've seen from dry hydrants we've put in I think that's reasonable. But still, that's just my opinion. If we have something that's indisputable that an engineer, same as in here, just add it into the notes in here that something to the effect that it was done by whatever your engineer, was in here and it's on there or we have a letter, either one would work. It would be best to have it in both (*meaning on the plan and a letter*). We're all covered. R. Demanche said I'll get that. M. Dolder said we'll get that. R. Cartier reiterated that's all we need. I'm trying to make this as flexible as possible so we're all covered. R. Demanche said I've been jumping through hoops for this one thing and sitting here every time bringing my lawyer in does not make my pocket book any better either so obviously I want to move forward with this project. R. Cartier said we want to get it done tonight, that's the bottom line. We've spent a lot of time, you've spent a lot of time and money, I think we've gotten to the point where I think we can do that. Please, anybody else on the Board?

J. Lindsey said I'm in complete agreement with what you are saying. If their engineer; registered engineer, can come up with that, that's good but I think that's where we need to have it; an engineer.

R. Cartier said as long as we have that letter from an engineer saying that yes there's...confirming what you've just told me. R. Demanche said yes. B. Breault said that there's sufficient water supply to support the hydrant? R. Cartier agreed, yes. R. Demanche said the 10,000 gallons. R. Cartier said have them put in whatever he calculates for the available water and that's fine, we're good with that. R. Demanche said obviously. So how is that going to be written up so we don't have to come back here? R. Cartier responded we'll put that as a condition of approval. M. Dolder said we just have to submit it. R. Cartier said just submit the letter you don't have to come back again. The only thing is obviously if it's a condition of approval we need to have that before you start work. I'm sure it won't take very long to contact your engineer and get that information. We don't want to hold you up for that but get it in as soon as you can so it's on the record. R. Demanche agreed, yes. That was pretty much it.

R. Cartier said there were a couple of things that the Board needs to discuss with you. Bryan had made a comment about the discussion in need of a project site plan compliance monitoring during construction of the project. Bryan what would that involve for this size of a project? B. Ruoff replied it

would be fairly minor. It's a pretty straightforward project. It would be at the discretion of what the Board would be concerned about but potentially there could be one inspection at the end of the project saying everything was built per the approved plans. A very small cost. M. Dolder commented doesn't your building inspector do that as part of the review before you get the CO? R. Cartier said that's what I was going to question, do you think that Dave would be qualified to do that type of compliance inspection. Dave are you comfortable with that? D. Murray replied I'm good with the building but as far as the drainage and whatnot, not so much. I'd feel more comfortable if someone else did that, as simple as it is, actually but still. R. Cartier replied I think there was some concern on the retaining walls that I haven't seen the plans yet so I don't know what the final design was on that. M. Dolder said I think those were resolved. R. Demanche reiterated everything was resolved as of today. R. Cartier said okay, that's good. I think the only concern would be that an engineer, it could be your engineer, do a final plan compliance and gives us basically a report stating that, again this is going to cover you too, stating that everything has been done according to plans and it's going to be safe. We'll put that in there as one of the conditions. M. Dolder confirmed and that's just one final inspection at the end of the project by his engineer. R. Cartier said we'll put down by a professional engineer that way it could be yours or you could have someone else do it if your engineer wasn't there, just for your own safety too. B. Breault commented at the discretion of In-laws who they use. R. Cartier agreed, yes.

R. Cartier said the last one is performance bond for *restoration/stabilization of the site in the event that the developer has not complied with the proposed improvements within four years of the date of approval for the Town to restore the site (from Stantec's letter dated May 16, 2018)*. I'm going to open it up to the Board to see if you feel if that this would be necessary on that site, that's a small site. M. Dolder replied this would be highly unusual for such a small project especially when there are no Town components to it. R. Cartier agreed, right. We want to make sure we cover everything that we should be looking at. Any objections? Bryan are you okay with it? B. Ruoff replied yes I felt it was something the Board should discuss but we're not advocating for it in any way. I don't think it's necessary for this site. R. Cartier asked any other questions from the Board? (*none*) I think we covered everything and have come to a resolution Roger so if you can do those very minor things I think if we have a letter from the engineer. M. Dolder said well we need a Board vote on the project and we can make the letter a condition. R. Cartier replied I'm just looking at the conditions to make sure we have everything covered so once we approve it, this is done. The only thing we have is the engineer's letter, your engineer about the water supply capacity in there. R. Demanche agreed, correct. R. Cartier continued do you think we need it on the plans or just in the file. The files in the past have been a little shaky. R. Demanche said I don't see why you can't just staple it to the back of that last page. M. Laliberte replied one of the things you've been doing is making those files more cleaned up and so I think because of all the work you do I don't think they have to put it on the plan because I think the way you've been doing it would make it more efficient. R. Cartier said we've had things get lost in the files. A. Hall said we don't have to do the Mylar stuff do we?

R. Cartier agreed, right and the only other condition would be that there would be a site plan compliance inspection by a registered professional engineer. B. Breault added prior to certificate of occupancy. R. Cartier said right and we'll leave it at that. So we'll give you conditional approval.

**MOTION:**

A Hall **motioned** to grant the conditional approval. M. Laliberte **seconded**. **All were in favor. Motion passed with a vote of (6-0-0).**

R. Cartier thanked the Chief for his comments.

Other Business**Planning Board Procedures:**

R. Cartier commented Andrea and I have been reading a lot of stuff lately about procedures and some of it is confusing and are we doing it the way we should be doing it. We are still working on this to figure out what our procedures are and we're we are deviating and where we're doing a good job on, we have both. One of the things that have been the biggest problem has been applications. This was a good example of one when the application came in and it was going to be presented by the Board, there were like 29 different items that were incomplete on the application. We still had to bring it in, we knew that there were 29 things so we started and it goes like 4 or 5 meetings before everything gets done. I'd like to suggest and I want people to think about this is should we really be going by the regulations and the law was intended; if we get an application and it's not complete, we deem it incomplete and send it back. Going over and over and over again is a waste of our time and it's costly because Stantec is looking at it a lot, I'm looking at it, other people are reviewing the plans. I think Sean had brought this up a year and a half ago about how things are being processed through the Board and I think we need to be tighter on what's going on so that we're not wasting our time and the applicant's time. So give it some thought. We're trying to find out if we have the authority to say look if the material isn't in, how many days before you have to post it. A. Bickum said it's not a lot of time. I get the application and the deadline for the newspaper is 3 weeks out. That first week you have a chance to look at it and review it. The abutter's letters don't go out until 10 days prior same with the public notice. The newspaper deadline is the week before when the public notice would go out. R. Cartier said and we have to do a public notice for an application. A. Bickum agreed, correct. R. Cartier continued that's the big thing. I think we should have things in earlier so it gives us a chance to look at it. Andrea has sent a handbook out to everyone on the planning regulations from OEP. M. Laliberte said OEP, OSI now. R. Cartier said we could do a pre-application meeting or informational type of thing or have it reviewed. I've been doing a lot of the application reviews and I'm comfortable doing them but if anyone else on the Board would like to do it, please let me know. The pre review wouldn't be done by someone on the Board; it would be done by Stantec or something like that. The client would actually be looking to get that information from someone and say yeah you have everything there you're ready to go, send it to the Board.

M. Laliberte asked how much of this do we make available online. How much do we really make clear to a prospective builder or someone that needs to come to us; this is what you're going to need before you submit plan, here's what you need. Let's make that; if they can do some of that stuff ahead of time before you even have the pre-planner go to that, then it becomes much easier. Stantec or anybody can say have you looked at the website, the word starts spreading that Candia has this information readily available, these things don't necessarily get so bad. Especially when you're dealing with professionals, if they know exactly what they're looking for they'll come to it, we saw the website, we saw the checklist, this is what we had. A. Bickum responded the application has a checklist on it as to what they need and also I tell people every time that our regs are online. I send them a link to it through email. It's all there. M. Laliberte said I know but if it was on a page as opposed to a downloading document; just simplify the heck out of it. R. Cartier said the one that we use. A. Bickum said it's basically the application but it says application checklist. J. Lindsey said like this one? R. Cartier said yes. M. Laliberte replied and when I open up the planning page, that comes up; something like that. R. Cartier said we could make it more prominent. Is it there? A. Bickum said not the checklist so much but the applications. M. Laliberte said make the checklist as easy as humanly possible, make it one click. R. Cartier said it's like 3 pages. Here's your checklist. J. Lindsey asked does that come up first to make it easy. R. Cartier said I don't think it does. M. Laliberte said it sounds silly but the more you hide it, 3 or 4 clicks, they won't look. If it's one click, planning checklist, check push here. A. Bickum replied but it's different for each application, that's the problem. Not all the applications are the same. You've got way more stuff that's required for majors vs. minors and minor subdivisions are different from minor site plans. Major subs are different from major site plans so every

application is accessible online and in the application itself is a checklist basically of what is required for the plan. M. Laliberte replied then maybe what I'm getting at then is there something that says I want to build a house or I want to build a subdivision; I want to do this and I go to this page, it says does it meet this? Major subdivision click here. Do I meet this? Minor subdivision click here. Do you see what I'm saying? Maybe there's a quick and dirty question they can answer and if that happens it takes you to the checklist. R. Cartier said if you look at the document that Andrea sent out, there's a flow chart of what you do. The other thing we should encourage people to do is to contact the Land Use Office and talk to Andrea and between her and Dave, to me it would be better to have that personal contact with someone and say if you want to do this these are the things that you need to do. You can have it on the website but encourage that personal touch and start from the beginning and talk to the Land Use Assistant and she will help guide you through what's going on. K. Kustra asked we don't have this application online to be filled out do we? A. Bickum replied a PDF. R. Cartier said it can't be. K. Kustra asked why not? J. Bedard said you need signatures right you can't really do it online. M. Laliberte said the checklist. He wants to know is the checklist active if you meet something you can check it or upload something. R. Cartier said that can be done, I'm not exactly sure, but we don't want to do is have that document in a Word format that someone can change the document. PDF you can't change the document. M. Laliberte said you can do something like that; there are ways to do that. K. Kustra said if it was online and submitted, also online, it could be shown that this is required by an asterisk and when it's submitted Andrea or the machine itself can check it and it's complete or in-complete. A. Bickum replied I'm doing that anyway. For example, here's an application for a minor subdivision. Somebody wants to do a minor subdivision. This is a pdf online; they can open it up; print it. It says right here to be completed by the applicant and it's got everything that needs to be on their plan, right here, with a checklist. They can check this. All I'm doing for Rudy for the checklist is taking a copy of this blank application putting checklist on the top; it's the same thing and he's reviewing it to make sure they have everything from the application. That's all it is. M. Laliberte replied I think where the disconnect for me is supposedly it's simple yet the applications are coming in sloppy and we're having to send them back so where's the disconnect. If it's supposed...other towns don't have these issues is what I'm saying. I'm not saying there's anything wrong with what you're doing I'm just saying is there a process that we're missing that maybe makes it easier for the information to come to here more complete less errors. A. Bickum replied yes, I can start kicking it back. Kicking it back to the applicant saying you're missing all this stuff and you're not going to get on the Planning Board Agenda until I have it. R. Cartier said it would be the same whether they did it online or not. M. Laliberte said so basically the whole system is just you throwing it back...A. Bickum reiterated I have to start kicking it back because this was one of the worst ones that ever came through here. B. Ruoff commented maybe I can shed some light because I know what Horizons usually does. They're more of a pipe engineering company. They do water mains and sewer mains and that sort of thing. They don't really do site plans and subdivisions and development like that and I even noticed from some of their responses that there was a real disconnect on what was required because they kept responding that it was provided but it wasn't. I don't even think they were really even checking most of the time they were just saying it's good enough to get approved but it didn't meet the letter of the regulations. I think these are all good ideas but at the same time we're putting a lot of thought into why the last two applicants are missing so many things and the reality is there are two different trains of thought. 1) Horizons isn't set to do this type of work. It can check the checklist but they're not adding the information. They didn't even add a drainage report so that's an obvious one; you need a drainage report, you need calculations and they didn't even provide it. So they're not checking the checklist when they're submitting. 2) The other one is Eric Mitchell and the reality is in his submissions what he's trying to do is give the Town as little as possible so he's not giving more than what the Town will accept. So if he can get away with it; upgrading Crowley to 18' feet wide instead of 22' which is really what's necessary, he'll do that. He's just taking little bites. So as much as it would be great to have a system which makes it easy for everyone to put in a complete package, the reality is you're always going to

have applicants and developers that are playing games with you that just don't want to, they want to see how little they can get away with submitting.

D. Lewis said I would add to that. I've been around here for 20 some odd years and this is common. You always receive as minimal information as they feel they have to provide. It's always been the Town that has to push them for further information and this is an ongoing problem. I don't think if you had it online, if you had Andrea sit there and walk them through it and tell them what to check and not check it would come out any different. J. Bedard agreed. D. Lewis continued it's the nature of the game for a lack of a better term. R. Cartier said that's a good way of putting it; it's a game. D. Lewis continued and you're going to find that no matter how easy or difficult you make it, they don't want to put out anymore and there's never been an application I think come in here in 22 years that I'm aware of that had everything on it that it should have had. A. Bickum said there's been one. D. Lewis said was there one? A. Bickum said there was one, Appledore Homes, minor subdivision, he had everything. That's it, he was the only one. D. Lewis said it's the nature of the business, it's tough. And it doesn't end here. When it leaves here say it's an approved subdivision and they're building a road, this same process goes out in the field, I'm sure Bryan would agree. It's a struggle after there's an approval because they want to leave this out or change this. R. Cartier joked Dave never has that problem. D. Murray replied honesty across the board all the time. *Laughter.* D. Lewis said and no matter what we do it's the Boards and our Engineer and the Building Inspector and myself; our responsibility to make sure that those things are upheld as much as applicants don't like that, it's the way it is. D. Murray said it's the plan they signed, this is how you're gonna do it.

A. Hall said I would like to follow up on Dennis's comments. It reminds me of going back to elementary school. Here's the simple regulations and number one; read. Don't try to cheat and cut. I know my son is in computers we always try to cut corners but when you cut a corner someone's biting you in the back end. Do your homework and do what the application says. J. Bedard agreed. A. Hall continued the application has been updated. What part of A don't you understand?

K. Kustra said we should have a standard rejection letter, send it back the first time and when they send it back the second time. A. Bickum said well what we did this time we really shouldn't have done. Because it came to the Board, it was incomplete. We knew it was going to be incomplete because there was so much missing. It got kicked back, technically that should have been re-noticed again. Abutters again, newspaper again; not continued because nothing was ever accepted. R. Cartier agreed, right. A. Bickum continued so what I'll start doing now is if it's not complete I'll give it back to the applicant say these things are missing. I can't move it forward until I have this in or if you want to go ahead and get on the Board, they'll probably deem it incomplete, it's up to you to pay the noticing fees AGAIN and we'll do it that way. K. Kustra said why should you be telling them what's missing? A. Bickum replied because I babysit. R. Cartier said we take a look at it, I'll review it. Andrea reviews some of them and we go through the list and we're just looking have you submitted this piece of information. If the information's not there then it's like okay, this should go back. I told Andrea I don't want these to come to the Board because the only thing we'll do; we should just be saying yes or no. Not continuing it because they didn't have this little piece of information. I don't want long meetings. We get an application in here; it should take us all of 15 minutes. A. Bickum agreed. D. Lewis said most of the frustration of coming back to meetings, most of it is self inflicted. Because those people are using the exact same list you are so they can read that list and why they think they can leave it off and you're going to leave the same one off the checklist. They know better than to come in here and to go to a meeting without it because it's not going to go anywhere and they have to come back to another meeting. R. Cartier added and it will be an economic hardship for them because you have to pay again if it comes to the Board. A. Hall said the Board needs to have a reputation, you come before the Candia Planning Board and you better do your homework. Judi is a school teacher and if some kid presents something less than satisfactory you're going to get an F. J. Lindsey said I can't grade this yet, it's not complete. A. Hall said you have to play hardball and the reputation will get out there. I've run across this with SNH Planning, our Town is good, other Towns are loosey goosey. We have to take a stand and be firm. With all due respect make it easier for them, we're all grownups. M. Laliberte replied I

respectfully disagree in that if there are ways to make things more efficient we should. It's an ongoing process because technology changes as times change. While I don't disagree that people are going to get cute but if there are ways to make life easier for us and are able to get information in more efficiently and give them less excuses I'm always for it. I'm not going to kill ourselves over this and it's not a reflection on anyone here, it sounds like the work is being done especially in the last couple of months, last year or so have been very strong but I'm just saying at the same time if there are ways we can be more efficient then that's always a worthwhile project. Board agreed.

K. Kustra asked are we satisfied with this application and checklist as it stands. R. Cartier said it's worked for me but I wouldn't say it's the best ever. Probably if everybody takes a look at it, if you were looking at it and you wanted to do something, what is confusing? Maybe some things we can't make too simple but maybe easier to read. If it says you submit your subsurface permit application, that's straightforward but maybe there are other things in there that could be clearer. *Discussion ensued regarding application changes; fonts and bold; lead to more problems. All items are important.*

D. Lewis said those applications should be reviewed annually or semi-annually anyway because regulations change on the state level. All different things. R. Cartier said I do want to resurrect the Zoning Review and Revision Committee again obviously we'll wait until the Crowley Woods thing is over but it's a high priority we need to get back on that. M. Laliberte said its 10 months away but elections come fast so things that you want to get on the ballot in 2019. R. Cartier said a lot of the things so far won't need much; it's more like typographical things. M. Laliberte replied but there may be some things in your review, we talked about this thing with fire, a discussion needs to be held.

A. Bickum said this is what I had sent you tonight, the pdf, its part of the application process. We don't really currently do this, well things are called differently...this pre-application review to me when I'm reading it sounds like our informational where you don't have to notice, it's basic but they call it different things compared to what we call it. But then there is also a design review phase which we don't necessarily do except for the major subdivision because there is a preliminary and then the final, which the preliminary is kind of the design review phase. B. Ruoff said which confuses everything. A. Bickum agreed, it's very confusing. I think if we look at this too and maybe come up with instead of preliminary and final, maybe we incorporate design review for more stuff but that's also more noticing, you have to notice it. Trying to save everybody money. R. Cartier said Andrea caught that and if we change the zoning regulations you can require people to come in for that conceptual consultation, that they come before the Board and give us an overview of what they want to do and we could have that personal touch and say okay this is the types of things you're going to have to look at in here. We've done that, we've had some informationals. By the time they leave...M. Laliberte said so essentially requiring an informational. R. Cartier right, now it's not required. A. Bickum said they can request it. R. Cartier said they can request it or we can say hey would you like to come in for an informational, which would make life a lot easier. We could get an idea so when they come in, we'd have an idea of what they are trying to do. A. Bickum said but they can't bring in plans, a full set of plans in an informational, that's too much information. The Planning Board's met with the applicant and gone through everything as well. Before they even come to the Board stuff is...R. Cartier said I did that with Ronnie Severino. J. Bedard asked Andrea you're comfortable with kicking it back, you think that will help. A. Bickum replied yes. I think it's just been, it's been crazy busy since I came on board and I'm still learning but I think part of the problem is people come in, they drop everything, throw me a check, I'll see you in 30 days. They expect to be on the agenda. If they fill out the application and it has the checklist and everything is on the plan. If their missing a couple of things I think that can still come forward, especially if they are minor things but if half the application's missing, then it needs to be kicked back until they can bring it forward. R. Cartier said the law changed too, they have to give us the application 21 days before the meeting; it used to be 15 days. A. Hall said READ the application and do your homework like we learned in school. It's not rocket science. R. Cartier said if everyone's comfortable, we'll proceed that way. Board agreed.

**Email concerning Granite Bridge Gas Project:**

R. Cartier said I got an email regarding the Granite Bridge Gas Project in here. There is a group called NH 360. M. Laliberte said it's an environmental group. R. Cartier continued they're opposed to the pipeline. Basically opposed to any increase in fossil fuel usage and things like that. I've been asked to see if the Board would entertain having them come in to do a presentation. I personally have no problem with it I'd like to have opinions come up but I wanted to leave it up to the Board to hear their presentation on why the Granite Bridge project should not go through. J. Lindsey replied I'd be very interested. A. Hall commented I'd love to have that happen but given the work load that we have now and I'm very concerned like Mark was saying the Zoning Review and 10 months from now is election, we've been sitting on our hands with this revision committee for so long and all of a sudden some group, a negative group because they've said they're against it. J. Lindsey said positive for the environment. A. Hall continued well, having been an observer in last night's Conservation Commission meeting perhaps it would more appropriate for that group to present to the Conservation Commission. J. Lindsey replied we're the planning committee of our Town, we say nay or yeah to things that come in. M. Laliberte commented except we can't say yeah or nay to this. J. Lindsey continued but at least we could be more informed about what are the ramifications of such a development or whatever. Planning. A. Hall said but in the interest of economy of time. J. Lindsey said I don't think their presentation needs to be that long. A. Hall reiterated they could present to the Conservation Commission and anyone from Planning Board or anyone else could go. J. Bedard said if we're not voting on it then what's the point? R. Cartier said I was thinking like Judi had said we had a group that came in and gave us the pros of why. M. Laliberte said but that's a project that's going to happen. This is going to site eval. They are doing this; this is going to tell us what they are doing. We could every group come in and say we are against this or this or that; that has no bearing on the project proper. We were given an informational on the project proper so we were in the Selectmen as well. That's my feeling, we could have every group pro and con in this and then it becomes a debate. If that's the case let's have stuff at the library. I personally don't feel like anything that's going to come of it is going to affect what we do one way or the other than we're going to send a letter to the site eval. J. Lindsey commented I'd like to hear what Rudy has to say before he's cut off. M. Laliberte apologized. I'm all set. R. Cartier said I'll leave it up to the Board to decide if it's appropriate to have that group come in and give a presentation. I've heard good things both sides. In the interest of making us fully informed when making our decisions I don't have a problem with having someone come in for a short presentation. I think the utilities company that came in only did a 15 minute presentation. A. Bickum corrected 45 minutes; it was almost an hour. M. Laliberte confirmed it was about 40 minutes with the Board of Selectmen. A. Hall suggested a time limit of 5 minutes. J. Lindsey said how about 10 minutes. M. Laliberte said if you're going to bring them in and truncate them and not give them enough time, it's not fair to them. A. Hall said what's enough time? J. Lindsey said 15 minutes. R. Cartier asked if they did a presentation to the Conservation Commission yet. J. Lindsey replied no. M. Laliberte replied nor to the Board of Selectmen. R. Carter said let's hold off on this until we get a little more information on what they're going to do for presentations because I'm not sure it would be the Planning Board be the lead on that. With Granite Bridge they gave a presentation to the Select Board. M. Laliberte confirmed they gave one to us and the next week they gave one to you guys. R. Cartier continued I would like to find out more about how the procedure would work. If the Select Board had them come in I don't see any reason why the Planning Board would have them in too; if they want to do one presentation in Town, sponsored by whatever organization, then to me that would be fine. I don't want to take the lead on this but I also don't want to make it so we're not getting good information all the way around, pro and con for when we make decisions. We'll table it for now and I'll let them know that we discussed it but because of our work load that we have coming up it's not an opportune time. K. Kustra asked is this a local group. M. Laliberte stated they're nationally funded but a Seacoast group. R. Cartier said the group basically wants all renewable, no fossil fuels being used. J. Lindsey said it's all about climate change. K. Kustra said Al Gore hasn't convinced me. R. Cartier reiterated I'll let them know we're going to hold off.

**Next Planning Board Meeting:**

The Board asked about the next meeting. A. Bickum said there is nothing on the agenda for June 6<sup>th</sup>. J. Bedard asked about the vote in Chester. The Board said it failed. A. Hall said the Chairman of the Board of Selectman was strongly opposed and he lost. He was the one that insisted on a super majority, 60%. R. Cartier asked we haven't accepted their application have we? A. Bickum said no. R. Cartier said this will be a disaster because if we notice it as a public meeting not a hearing, they're still be a bunch of people there and if it's not complete and we say it's not complete and we deny it, it's going to drag out again and people will still be upset because we're dragging it out and they want to talk. If we accept it as complete, we won't have the public hearing until July 18<sup>th</sup> because our first Wednesday is July 4<sup>th</sup> so the hearing would be July 18<sup>th</sup> and we don't have a place to hold the hearing because you can't rent the school in the summer. They clean it. J. Bedard asked CYAA? M. Laliberte and A. Bickum said they have things every day. Every night. D. Murray said have a lawn party. R. Cartier said put some chairs outside. We have it here and when the room fills up and the Fire Chief says that's it, open the door. We're still trying to work on that but that will depend on what happens. A. Bickum said the way it's noticed now is a public meeting. Even if you accepted the application as complete that night, that's it. We have to stop, it wasn't noticed as a public hearing so nobody can really talk about it unless you want me to change it; it hasn't gone out yet. D. Murray said it gives you time to review it and talk about it without public comment. R. Cartier said if we accept the application, we can't discuss it either until the public hearing but we get the chance to pick it apart. I think we'll end up having the meeting here and it's going to be a meeting and it's yay or nay, ok you go back to square one. If yay, we'll have the public hearing and people will have their chance.

**The Planning Board Meeting on June 6<sup>th</sup> was cancelled due to lack of applications.**

**The next Planning Board meeting will be on June 20<sup>th</sup> to review the Final Major Subdivision Application for Crowley Woods; location Henry Moore School Gym at 7 pm for a Planning Board Public Meeting.**

**MOTION:**

A. Hall **motioned** to adjourn at approximately 8:06 pm. M. Laliberte **seconded**. **All were in favor. Motion carried (6-0-0).**

**\*\*\*\*\*Zoning Review & Revision Committee Meeting has been cancelled until further notice.**

Respectfully submitted,  
Andrea Bickum  
Land Use Secretary

cc file