

**CANDIA PLANNING BOARD  
MEETING MINUTES OF May 1st, 2024  
APPROVED MINUTES**

PB Members Present: Tim D’Arcy, Chair; Mark Chalbeck, V-Chair; Brien Brock, BOS Representative; Rudy Cartier; Judi Lindsey; Kevin Coughlin; Scott Komisarek.

Linda Carroll, Alt.

PB Members Absent:

Mike Guay, Alt.

M. Santa, Alt.

\* Tim D’Arcy, Chair; called the PB meeting to order at approximately 6:30PM, followed immediately by the Pledge of Allegiance

**New Business:**

- Informational Hearing: (Lot Line Adjustment) Applicant/Owner – Thomas Severino, 92 Adams Road, Candia, NH 03034. Property Location: 80 Diamond Hill Road, Candia, NH 03034 Map 409 Lot 141 Intent: Lot line adjustment with Map 409 Lot 132. Divide the remaining 30-acres into two separate lots.

Tom Severino – 92 Adams Road: The subject project here is 80 Diamond Hill Road. I recently purchased this from the Holt Family back in January. The lot we are discussing here is 141. Back in 1973, Mr. Holt came through the planning board and did this survey and subdivision himself. There is currently three separate lots, three separate tax bills. The discussion today is for this 41-acre parcel. This was recently done by Jim’s newly formed Franklin, Verra, and Associates. He has joined teams with someone out of the seacoast which are very good surveyors, so he has joined with them. They have surveyed the entire parcel. Jim has previously surveyed the Sanborn piece back when Ronnie and I purchased it. So, right now, this is the entire parcel in itself, showing the three separate parcels again. And again, dealing with 141. The reason for today’s informational is kind of two-fold. There are a couple of different things I would like to do. One of which is to square up the Sanborn piece. That commercial line comes back 800 feet from the center line of 27 which is just slightly behind this yellow. So I just lined up this corner of that lot 141 and the recent lot line we just did when we sold to the guys at Contel and so that lot line adjustment will kind of make a perfect rectangle out of that parcel. So we are sort of trying to clean up that parcel by just doing that lot line adjustment and squaring up that entire parcel.

T. D’Arcy: And that’s the part that is commercial?

T. Severino: Yes, and we did it because it’s also part of Holt’s property. So, we are really just taking that, and I said, why not move the commercial piece of property, move the line back to the

commercial line, so essentially that's really just to clean that line up is what that's for. So that will just be a lot line adjustment between myself and myself. And then really the only goal here is I am trying to break off this 9.17-acre piece, which is the Holt's house with 9 acres. This area happens to be the field that's there right now. I have a family that's family, that was looking for a place, they have two kids, they want to have six kids, they want a homestead. And it happens to be the family of my son-in-law Brody. And Landing Way isn't the place to have cows and sheep. I know I have to go through a minor subdivision because it's three lots. Technically even a major because it has potential for more and I understand all the technicalities of that. I have no clue what I will do with the other piece. Ironically, I have had interest. There was another nice young man that was looking. When something comes along, I will try to make it work. I am kind of trying to make one big lot work for him. I haven't shown it to him yet or approached him with it yet because I wanted to get this process out of the way. But the goal is to hopefully leave this like this because that's the type of parcel he was looking for and wanted to build a nice house on the top of the hill. So, I prefer to do a minor because I really just want to break this one lot into these two lots. That's what I am here for tonight. Is this one meeting I can come in with a two-sheet plan that shows the lot line adjustment, and the second sheet shows the subdivision after the lot line adjustments done. Or am I coming in in one month on June 5<sup>th</sup> with a lot line adjustment and then I am coming in two weeks later for the subdivision. So, I just really want to see what the opinion of the Board is, answer questions, and see how I should attack this.

T. D'Arcy: Well, I would think from a subdivision standpoint, you're looking at just a subdivision of two lots. The other is a pure lot line adjustment that both parties have agreed to because you are both parties.

R. Cartier: Looking at what you want to do, it would be a minor subdivision and I don't think you would have any conditions on it. The reason being is that both of the frontages on the two lots you are proposing are a little over 200 feet, so that lot with 262 feet, you're really not going to be able to subdivide it anymore.

T. Severino: That's why I did that. I could have put, there's more than six and I could have put on at two and one at four. So, I purposely divided it down the middle to show that I'm just trying to make two lots here. So, that's why I did it that way.

T. Severino: Should I do it in two separate or can I come in with a two-sheet plan set that one sheet has the lot line adjustment and then if you flip the sheet, it will show this lot as one lot and it will show this lot subdivided? And I could do it in one meeting.

R. Cartier: You would have to do two applications.

B. Brock: You could have two applications on the same night.

T. Severino: Pretty simple, pretty straightforward. I tried to clean it up as best I can. I tried to put the property line back on an existing wall that's there right on the edge of the field. I spent a lot of time this week walking around in circles out there to get the line just in the right spot to use what I could of the wall..

T. D'Arcy: Are you sure you can put a driveway in on that larger lot?

T. Severino: Yes, there is about 100 feet of upland between the edge of that pond and here. I made sure of that right away, that there was enough room to get a driveway in there.

L. Carroll: What about the blind corner?

T. Severino: That's actually a really good spot for it because this driveway is also right across the street from it. When you come up from this way, you can see down there and over there from that particular spot right there. I was going to clean that whole corner up so you can see right through there.

T. Severino: Easy enough?

Collectively: Easy enough.

**Old Business:**

- Case #24-001: Applicant: Applicant/Owner – Bob & Claudia Carr — 17 Vassar Street, Manchester, NH 03104. Property Location: 669 High Street, Candia, NH 03034 Map 405, Lot 48 Intent: MAJOR Site Plan consisting of three duplexes and a barn.

The applicant has postponed again until the next meeting. I just will note that you do have in your packets the most recent letter from Stantec on all of the issues. And Amy sent out the list of waivers they are requesting. Keep that in your files for next meeting.

- Southern NH Planning Commission - InvestNH HOP Updates – Steering Committee

Tim D'Arcy: The HOP Grant Application as signed and executed. We talked a bit about it at the last meeting. It is for the \$50,000 to go through and audit our ordinances and controls. Do some community engagement, do a build-out analysis and to make priority regulatory changes to make sure that our regulations match our housing needs. It was submitted last Thursday. As kind of a follow-up, not much of a follow-up to the SNHP Alternative Fuels Grant. I called that woman, Tammy, I think it was, twice. Got no response at all and I haven't called her back a third time but...I will follow up again.

Also, I know a few people on this Board either went to or watched the zoning board meeting on the campground on Depot Rd. I won't really discuss it except to say that I walked away with a few things that we are not necessarily going to dive into them right now but that I thought we as a Board would need to look at or should talk about. One of which is that campgrounds are forbidden in Candia. We need to talk about is that something we want to do and what would the framework of that look like and limit the number of campsites, limit the locations, just like we do for other conditional use permits. Limit so many campgrounds in the town. I plant this as a seed. We will put it as an agenda item at some point in time in the future.

M. Chalbeck: They definitely have to be accessible by fire and police. No matter what, wherever you are. If you have kids out there on bikes or doing something, they get hurt. You need some type of communication. And maybe we need to designate where it can be in the town.

T. D'Arcy: That was kind of my thought. We need to designate specific areas where it should be and do we want a 200 campsite KOA or a ten campsite Momma Bower's Campground?

S. Komisarek: Judith brought up the point that technically the state wants water and toilet facilities and that sort of thing but if you kind of keep it really simple it's almost...I think definitely it has to come through the planning board.

R. Cartier: The DES has control. If you reference the state requirements for DES, that takes the burned off the town. The other thing that came up at the meeting was the definition of short-term rental, that there wasn't one on there. The state actually does have RSA 48.

T. D'Arcy: This is a new one that is just making some amendments to the previous one. 48 A.1.

R. Cartier: When we went through the whole thing with short-term rentals, we looked at one of the definitions and that was the 182 days, 184 days before rooms and meals kicked in or something along that line but I couldn't remember what but there are two definitions in there and they are both pretty much the same. NHMA did a very good job saying this is how you should handle it.

How is Phase I of the HOP coming along because I think we have to have everything done by July.

T. D'Arcy: I have been on Cam on that pretty aggressively. And Carla has been on me pretty aggressively. They had done some compiling of the data from the surveys. I am going to reach back out to Cam again probably tomorrow or Friday because we are up against a timeframe there. He was somewhat responsive but not overly. Actually, I called him, and he told me he would call Carla. The next morning Carla called me, and she actually called the executive director and when she talked to her, she got an immediate response from Cam. Last time I talked to Carla she was happy that things were moving.

R. Cartier: I know that the CIP is done but you need to keep on them for the four impact fees now.

T. D'Arcy: I will follow up with Nate on that, thank you.

R. Cartier: We are way behind with the impact fees that should have been done last year and now we are going to be backed up with the impact fees for this year. You may want to talk to Nate or talk to Sylvia about as you said about the staffing that they have because we have a lot of money that is sitting out there and it's work that really needs to be done.

- Approval of Minutes, 4.17.24

J. Lindsey: **Motion** to accept the minutes of the April 17<sup>th</sup>, 2024 meeting as corrected. K. Coughlin: **Second**. All were in favor. R. Cartier abstained. **Motion passed**.

### **Other Business:**

- Town Planning

T. D'Arcy: There are two things now that we are going to need to discuss for zoning ordinance amendments. One will be campgrounds and the other is the ADU legislation. It's still in the senate, it hasn't passed yet but the first ADU that goes on a property is by right. The second ADU can be by right by conditional use or special exception. Only one can be detached but they don't say it that way. They say if the first unit is detached, the second unit must be attached. We have until July of 2025, but we will want to amend our zoning ordinances to reflect the second ADU and if it is detached, whatever conditions we want to put on that detached ADU.

- Any other matter to come before the Board.

S. Komisarek: I've got something, it's not really town planning. It's something I actually want to recuse myself and just talk as an applicant for a second. I happened to get an approval today, so I just wanted to bring the Board up to speed.

Linda Carroll stepped in for Scott Komisarek.

S. Komisarek: So, it took forever with DOT. They've got some real problems. Part of it is always my engineer who's always running behind so it's always a combination of the two. Finally got DOT. I am going down through all of the conditions and my engineer is going to make all the necessary changes to the plan that were noted before, make those modifications. I will work with Amy and with Bryan Ruoff on the inspection and what Bryan wanted to do and all that. The site contractor is ready to go. So, what I would like is if we can come to an agreement tonight, say in 5 or 6 or 7 days if I've met all of these conditions then I can get the plans signed. I don't really want to have to wait the full two weeks to come back if possible. But fundamentally I'm going to address all of these things. Work with Bryan, get everybody to sign off on it and make sure the plan is right and then I am able to start work. It just took forever to get that permit so I've got site guys under contract for May 1<sup>st</sup>. I've talked with my engineer, he said it's pretty common, he says a lot of these plan things now become more administrative, so he said just give the Board an update, tell them what you're doing and if you guys said no, you have to come back in two weeks, it's not going to be the end of the world but I would like to get those guys started. Once I've met all the conditions, I'll get Bob Donovan out there and get Bryan to sign off on it.

T. D'Arcy: I think for the plans to be official though, we all have to sign it right? The whole Board has to sign it.

R. Cartier: What you can do is this. Once the conditions are met, he can start work and the plans can be signed. So, if the Board is comfortable that the conditions have been met, you don't have to have a special meeting to sign the plans or anything. You can just have people come in anytime

they want and just sign the plans. So, I think the only thing that you'd have to do is to find some way to make sure that all the conditions have been met.

S. Komisarek: I've got the list. We'll do down it and knock them all off.

L. Carroll: I do have a question, one of the meetings that we had when you presented the site plan, you changed part of the site plan. The gardens, no solar. So, I thought at that meeting we were told that changes in that site plan had to be brought before the Board. Is that still...

S. Komisarek: Those were noted, those were conditions that I had to remove those things from the plan.

L. Carroll: So, the plan looks differently, so what's happening with that land?

B. Brock: The plan doesn't look any different, he just omitted a couple of things.

R. Cartier: That stuff is not on the plan anymore?

S. Komisarek: Correct. So those are conditions, I've got to meet all of the conditions.

B. Brock: I think as long as he's got the list of conditions and the approval that they have been met, Amy can verify that and then just let you know to have people come in and sign.

T. D'Arcy: If Amy says the conditions have been met, then I guess I would need to sign something that says the conditions have been met?

K. Coughlin: Is Bob Donovan the judge to determine whether they have been met or is it town engineering people?

T. D'Arcy: Town engineering people. But then the town engineer, though in the construction process, will hold him accountable to the conditions.

R. Cartier: DOT approved two driveway locations on the plans? But on the plans don't you only have one?

S. Komisarek: No, there's two. It's a U.

T. D'Arcy: If all of the conditions are set and Amy you can do that, you can make sure that all the conditions have been met and then whatever needs to be signed can be signed and then the next meeting we'll have the plans and we can all go over all of the conditions, make sure that they have all been met, reaffirm that and sign the plan.

K. Coughlin: There is a list of conditions that need to be checked off. It takes two parties to check something off.

T. D'Arcy: Amy and Stantec. He needed to go get state approval for road access because it's a state road. He needed to get approval for the septic design and all those types of approvals.

K. Coughlin: I just wanted to know who was the balance for the check.

J. Lindsey: Good Question.

T. D'Arcy: And then again there is a balance that goes forward because Stantec is going to continue to do site inspections and make sure that this is being built as per the conditions that we put on it.

J. Lindsey: I have a few questions and I wasn't sure what Board to bring it to. And it's about flooding and trapping Beavers:

- Who's responsible for the flooding caused to a Candia town resident's property?
- Why was a house built in a flooding area?
- Merrill Road is a town road, and the flooding is caused when the culvert there gets blocked by debris.
- Wouldn't it make sense to correct the problem with a long-term, sustainable solution - such as installing fencing around the culvert to keep the beavers from blocking it up? Using a humane and more permanent method of addressing the issue.
- Now trapping/killing beavers is a short-term solution - like whack a mole. You kill the beaver and soon another moves in. You relocate a beaver, and soon another moves in.
- Perhaps there's a way to address the issue where beaver and people live harmoniously together, benefiting one another??
- Who funds the fencing around the culvert? It is a town road but flooding an individual's property.

M. Chalbeck: Road Agent. Podunk Road has that specific thing. Out near the road, so it keeps them from damming up and allows the culvert to flow. And the other part, which looks decent, there is a floating valve out in the pond, and it lets the water flow out, so it doesn't build up. Then once that pressure blows the dam out, then you flood the road, and we don't have to trap the beavers.

J. Lindsey: I have talked to the Beaver Deceiver guy, Chuck Crow and he is willing to make the site visit, which would be like \$200 but \$100 of it is applied to your solution. Who starts the ball rolling? Who takes care of it? Who funds it?

M. Chalbeck: I know the Road Agent took care of that for Podunk Road.

R. Cartier: In the past few weeks, I have had a tremendous amount of positive things happening in my life. One of them is my former company has made me an offer I couldn't refuse to come back to work. So, I am going to be spending a lot of time between that and also all the other things I have going on. So, I would like to step down as a member of the board and be an alternate as I have done before. I am going to find something that I am going to have to back away from and unfortunately, I think it's going to have to be the planning board. It's obviously with a heavy heart.

T. D'Arcy: Quite honestly, Rudy, this Board really depends on your expertise.

R. Cartier: If the Board doesn't mind if I don't show up to some of the meetings where there isn't a lot going on.

T. D'Arcy: Everyone misses meetings.

R. Cartier: I do apologize to the Board for being so upset. As Tim said, it is time to move forward.

T. D'Arcy: Thank you and thank you for offering to stay on.

**Public Comments:**

**Motion** to Adjourn: J. Lindsey. D'Arcy. **Second:** K. Coughlin. All were in favor. **Motion passed.**

**7:23**

Respectfully submitted,

Amy M. Spencer

Land Use Coordinator

cc: file