

**CANDIA PLANNING BOARD**  
**MINUTES of October 3, 2007**  
**APPROVED**

**Present:** Mary Girard, Chair; Kim Byrd, Vice Chair; Joe Duarte, Selectmen's Rep.; Judi Lindsey, Garrick Asselin, Susi Nord, Sean James, Alternate; Amanda Soares, Alternate; Road Agent, Dennis Lewis; Fire Chief, Rudy Cartier; Tony Timbrell of Stantec

**Absent:** Barry Margolin

The Chair opened the Public Hearing at 7:00 p.m. Sean James was seated for Barry Margolin. It was the consensus of the Board to read each proposed amendment and vote on each one.

**Subdivision Regulations**

\* The *italicized* words indicate additions to the section

**Amendment #1: Article 2.10 Acceptance of Streets and Utilities:** Any new street or utility ~~within a subdivision~~ will not be considered for acceptance by the Town until such time as all improvements have been completed as shown on the Final Plat, in accordance with these Regulations and town road ~~construction~~ specifications and subject to any conditions established by the Planning Board at the time of approval of the Final Plat. The Town shall be under no obligation to accept the offer to dedicate ~~any~~ *the* street.

*Any new street or utility will not be considered for acceptance by the Town until such time as all improvements have been completed as shown on the final plat, in accordance with these regulations and Town road specifications, and subject to any conditions established by the Board at the time of the approval of the final plat. The Town is under no obligation to accept the offer to dedicate the street. When the Planning Board and Board of Selectmen have voted to accept the street as complete, the Selectmen may hold a public hearing upon request to consider dedication of the street as a Town road. If the Board accepts the dedication, a deed, signed by the applicant, and the Board of Selectmen must be provided and will be recorded in the Rockingham County Registry of Deeds.*

After some discussion Joe Duarte **moved** to accept the changes to Amendment #1. Kim Byrd **seconded**. **All were in favor.**

**Amendment #2: Article 2.11 Maintenance of Streets:** *The applicant shall make arrangements for maintenance of any new street within a subdivision for the period prior to its acceptance by the Town as a public highway, and a deed has been accepted, signed and recorded in the registry of deeds.*

*The applicant may choose to maintain the street prior to its acceptance as a public highway by providing a notarized letter to that effect, and by notifying all of the residents of the street. Alternatively, the applicant may enter into an agreement with the Town to undertake winter maintenance at the applicant's cost. However, no such agreement will be entered into unless*

*and until the construction of the road is complete in accordance with these regulations and Town road specifications and subject to any conditions established by the Board at the time of the approval of the final plat.*

After some discussion Judi Lindsey **moved** to accept the changes to Amendment #2. Susi Nord **seconded**. **All were in favor.**

**Amendment #3: Article 4.03B Filing Fees, Administrative Expenses, and Other Costs Incurred by the Town and Board:**

B. All Subdivisions requiring new street/roads are subject to review by the Candia Town Engineer and Town Road Agent, at the applicant's expense. Cost will be estimated including engineer's attendance at hearings, and must be paid for in advance. Money will be held in an escrow account ~~that the applicant must reimburse as payments are made to the engineer for services performed.~~ *Any additional cost above the estimate will be the responsibility of the applicant and must be paid before work is done.* Engineering reviews may also be required for other major subdivisions at the discretion of the Board.

After some discussion Garrick Asselin **moved** to accept the changes to Amendment #3. Joe Duarte **seconded**. **All were in favor.**

**Amendment #4: Article 6.04 Modification of Review Process: Repeal this article.**

No discussion. Susi Nord **moved** to repeal Article 6.04. Judi Lindsey **seconded**. **All were in favor.**

**Amendment #5: Article 10.06n Information Required:** A letter from the Fire Chief and Police Chief regarding safety issues is required. A copy of the plan ~~should~~ *shall* be submitted to these agencies Road Agent, Conservation Commission, Building Inspector, and the Town Engineer ~~as soon as possible at least 30 days prior to any public hearings as soon as possible (before the noticed hearing if possible)~~ to allow their recommendations to be part of the hearing process. ~~If the Fire Chief or Police Chief has not approved the plans prior to the hearing, the Board may approve the plan conditioned upon the approval of the Chief. The applicant may then return to the Board to have either Chief's requirements reviewed.~~

After the word "agencies" the following was added "Road Agent, Conservation Commission, Building Inspector, and the Town Engineer". Susi Nord **moved** to accept the changes to Amendment #5. Judi Lindsey **seconded**. **All were in favor.**

**Amendment #6: Article 10.12a(11) Additional Information for Final Plat:** ~~11)A statement acknowledging that the deed dedicating the road to the Town will include the following language with respect to drainage easements: "There are hereby conveyed the following easements as appurtenant to the parcel of land on which (name of highway) is located; namely, the right to drain and flow surface water from the culvert shown on said plan on lots (insert numbers or other descriptions) with the right to enter upon said lots which the drainage easements are located for the purpose of maintaining said easements and also including, if applicable, maintaining, repairing and replacing the culverts located in said highway."~~ *A deed dedicating the road to the*

*town and any easements with respect to drainage etc. must be presented before the plans are signed. This also includes deeds and easements to fire ponds, detention ponds, cisterns and access to same.*

After some discussion Garrick Asselin **moved** to accept the changes to Amendment #6. Susi Nord **seconded. All were in favor.**

**Amendment #7: Article 10.13b Submission of Application for Final Plat Approval:** Time for Filing an Application: The subdivider shall file the Application for Final Plat approval with the Planning Board at least ~~15~~ 30 days prior to the public meeting at which the Application is to be considered for acceptance by the Board.

After some discussion Kim Byrd **moved** to accept the changes to Amendment #7. Susi Nord **seconded. All were in favor.**

**Amendment #8: Article 10.18 Performance Bond:** ~~When the Board agrees to accept a performance bond,~~ the subdivider shall submit a performance bond providing for and securing to the Town the completion of the actual construction and installation of all improvements and utilities within four years from the date of acknowledgement and acceptance of the Notice of Action. The bond shall be in a amount determined by the Planning Board and in conformity with the requirements of Article 18.04.

After some discussion Sean James **moved** to accept the changes to Amendment #8. Garrick Asselin **seconded. All were in favor.**

Judy Szot addressed the Board and felt the Board was not following proper procedure for this public hearing. She referred to RSA 675:6 (II) and stated the Board should review each amendment, close the public hearing, and take a vote on each amendment. It was the consensus of the Board to review each article and take a vote at the end.

\* After the meeting Chair Girard instructed Secretary Hansen to call the Local Government Center and verify what the proper procedure was for the public hearing. The attorney at the LGC stated the Board could vote on each amendment individually, because it was not a public hearing for an application and no deliberation was involved. In addition, the Board should have a formal vote after the hearing is closed to adopt the changes.

**Amendment #9: Article 11.06 Fire Protection and Fire Suppression Water Source Requirements:** All subdivisions shall meet the approval of the Candia Fire Department regarding fire prevention, protection, emergency access and fire suppression water source requirements and shall conform to the specifications in Section IV, article 19.14. *A minor subdivision of less than 3 lots may receive a waiver from fire suppression if safety is not a concern.*

It was the consensus of the Board to accept the changes to Amendment #9.

**Amendment #10: Article 14.06 Street Patterns and Extensions:** The layout of the street

pattern shall be based on a minor street system connected to a collector street system connected to an arterial street system, in conformance with the standards set forth in Article 4.15. In addition, streets shall be arranged to provide for extension or connection of eventual street systems necessary to develop abutting land in future subdivisions. Loop roads are preferred.

It was the consensus of the Board to accept the changes to Amendment #10.

**Amendment #11: Article 14.08 Curb Cuts:** Curb cuts of minor and collector streets onto arterial streets and of collector streets onto arterial streets shall be kept to a minimum. Curb cuts of private driveways onto arterial streets and of minor streets onto arterial streets shall be discouraged. *A maximum of two driveways or curb cuts per lot shall be permitted.*

It was the consensus of the Board to accept the changes to Amendment #11

**Amendment #12: Article 14.11 Permanent Cul-de-Sac Streets:** A permanent cul-de-sac in excess of 1,000’ may be permitted at the discretion of the Planning Board provided that public safety issues are addressed. The maximum 1,000 foot length shall be measured from the intersecting center line of the closest class V or better road to the center point of turn around. A cul-de-sac street shall not be brought to the property boundary line, but shall be placed so that the lots are contiguous with the property line of the subdivision. The cul-de-sac shall be designed for storm drainage and provided with proper turn around termination, as specified in Section IV, Article 19.16. *The minimum length of a cul-de-sac shall be 400 feet and the maximum road grade within the cul-de-sac shall be identified at 4% maximum.*

It was the consensus of the Board to accept the changes to Amendment #12.

**Amendment #13: Article 14.15 Classification of Streets:  
STANDARDS FOR STREET DESIGN**

	Minor	Collector	Arterial
<b>Minimum Paved Travel Surface Width</b>	<del>20’</del> 22’	22’	24’

It was the consensus of the Board to accept the changes of Amendment #13.

**Amendment #14: Article 14.15(c) Classification of Streets:** Sight distance is the distance along a roadway that an object of specified height is continuously visible to the driver. This distance is dependent on the height of the driver’s eye above the road surface, the specified object height above the road surface, and the height of sight obstructions within the line of sight. The height of the driver’s eye is considered to be 3.5 feet above the road surface. The height of the object is 30 inches above the road surface. *The minimum sight distance shall be all-season sight distance of 2.5 feet above finished grade.*

It was the consensus of the Board to accept the changes to Amendment #14.

**Amendment #15: 15.06 Storm Water Drainage System:** An adequate surface storm water drainage system for the entire subdivision area shall be provided by the subdivider. The subdivider shall provide a suitable designed on-site drainage retention system wherever needed,

that shall carry storm drainage. Drainage calculations must be submitted by a licensed professional engineer and shall include both pre and post development runoff and sizing of all proposed drainage facilities. Otherwise, storm drainage shall be carried to existing watercourses or shall connect to existing storm drains. Storm water drainage shall not create additional flow over any adjacent property. For the purpose of preparing drainage plans, all storm sewers and subdivision drainage facilities shall be based on a ~~twenty-five~~ *one hundred* year storm design flow.

It was the consensus of the Board to accept the changes to Amendment #15.

**Amendment #16:** Add *16.04 Notice of Intent to Initiate Construction Activity: Permit must be submitted to the EPA.*

It was the consensus of the Board to accept the changes to Amendment #16.

**Amendment #17: 17.01 Disposition and Excavation of Materials:** Disposition of stumps, rubble, road construction ~~debris~~ *material* and brush which are unsuitable to be used as embankment fill shall be wasted to a designated area within the subdivision. Said wasting area shall not be within an undivided lot or the proposed street right-of-way. The wasting area shall be located by plan, copies of which shall be given to the Board and the eventual property owner. Waste areas shall be above ground water and capped with fill, loam and seeded. All Local, State and Federal regulations pertaining to disposal of solid wastes shall be met. Wasting areas shall be subject to the approval of the Board.

It was the consensus of the Board to accept the changes to Amendment #17.

**Amendment #18: 17.03 Hazardous Waste:** Hazardous waste shall ~~not be wasted in the subdivision and shall be disposed of in accordance with all applicable local, state and Federal regulations~~ *disposed of in accordance with all applicable local, state, and federal regulations and not within the subdivision.*

It was the consensus of the Board to accept the changes to Amendment #18.

**Amendment #19: 18.04A Performance Bond:** Amount of Bond: The ~~subdivider's engineer~~ *town engineer and road agent* shall furnish to the board an estimate of the full cost of all improvements for each phase of the project. Such estimate shall be reviewed by the Board's designated agent who will recommend the amount of the bond to the Board. The Board shall determine the final amount of the bond and shall notify the Board of Selectmen accordingly.

It was the consensus of the Board to accept the changes to Amendment #19.

**Amendment #20: 18.05 Modification of Design and Improvements:** All alterations or modifications of the plans not approved by the Town Engineer, Road Agent, or Fire Chief need approval by the Planning Board, and copies of the proposed changes must be given to the Road Agent and Town Engineer if necessary before the alterations are made. If at any time before or during the construction of the subdivision the Board determines that unforeseen conditions make

it necessary or desirable to modify the location or design of any of the required improvements or installations, the Board may authorize such modification which shall be set forth in writing and signed by the Chairman of the Planning Board. *No revision to approved plans shall be valid or binding until approved by the Planning Board. ~~Any unapproved revisions shall invalidate approval of the plan.~~*

It was the consensus of the Board to accept the changes to Amendment #20.

**Amendment #21: 18.15 Offer of Cession:** ~~Upon completion of the construction of the subdivision, and certification by the Board or its designated agent, the subdivider shall convey all necessary deeds and documents pertaining to easements and rights of way as may be required.~~ *Before signing the final approval for the construction of the subdivision the subdivider shall convey all necessary deeds and documents pertaining to easements and right-of-way as may be required.*

*The road within the subdivision will not be considered to be accepted until the Planning Board and the Board of Selectmen have voted to accept the road and the selectmen have accepted the deed at a public hearing. As per Article 2:11 the Town will not be liable for any maintenance until the deed is accepted. An agreement may be made with the Town for winter maintenance at the developer's expense.*

It was the consensus of the Board to accept the changes to Amendment #21.

**Amendment #22: 19.11 Surface Course:** Surface layer shall consist of one 2" 2 ½ " layer of Type B binder course, and one 1" 1 ½ " layer of Type E wearing course. ~~Both courses shall meet the NH Department of Transportation standard specifications for bituminous concrete pavement.~~ *Surface course work shall conform to all requirements listed in Section 401 of the NH DOT standard specifications including the requirements for materials, batch and drum plants, hauling, placing, compacting joints, and surface tolerances.*

It was the consensus of the Board to accept the changes to Amendment #22.

**Amendment #23: 19.13B Miscellaneous Items:** Bituminous Concrete Sidewalk: All Bituminous concrete sidewalk shall be placed in 2 courses and shall meet the current NH Department of Transportation construction standards for 2 inch bituminous sidewalk. Bituminous sidewalks shall have a base course consisting of a minimum 6" 9" deep layer of crushed gravel meeting the gradation requirements of 19.09.

It was the consensus of the Board to accept the changes to Amendment #23.

**Amendment #24: 19.14 Fire Protection:** ~~All subdivisions creating 9 or more new house lots or that are more than 1000 feet from an arterial road must have an adequate fire suppression water source. An additional water supply must be included as specified in 19.14 A. per each addition of houses up to 9. Cisterns or a sprinkler system can accomplish this. Fire ponds may be allowed if a natural water supply is present on the site.~~

*An adequate fire suppression water source is required for any of the following:*

- 1. A major subdivision creating 9 or more dwelling units,*
- 2. A major subdivision more than 1000 feet from an arterial road*
- 3. A subdivision with multi-family structures of three or more dwelling units, or*
- 4. Any commercial and/or industrial subdivision*

*Actual water supply requirements will be determined by the use, type of construction, and fire load inside the building(s) or of the number of residential units within a development.*

*For residential subdivisions, an additional water supply must be included as specified in Section 19.14 A per each addition of houses up to 9. The additional water supply can be met by additional cisterns, individual building sprinkler systems, or an approved fire pond if a natural water supply is present on the site.*

*If cisterns are chosen as the water supply, the volume and construction of the cistern shall be a minimum supply consisting of a 30,000 gallon, 20 year warranty fiberglass tank which the property owner shall be responsible for maintaining access to. The required number of cisterns shall be as follows:*

<i># of houses</i>	<i># of cisterns</i>
<i>4-9</i>	<i>1</i>
<i>10-18</i>	<i>2</i>
<i>19-27</i>	<i>3</i>

*If sprinkler systems are chosen to meet the water supply requirements, the systems shall be designed and installed in accordance with NFPA Standard 13 for commercial and industrial buildings, NFPA Standard 13D for single family structures and NFPA Standard 13R for multi-family structures.*

*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 Water Supply Capital Reserve Fund if it is determined that this option will improve the overall fire protection of the Town*

It was the consensus of the Board to accept the changes to Amendment #24.

**Amendment #25: 19.14A Fire Protection:** Adequacy: A water supply using a cistern is deemed adequate if it is capable of providing 30,000 gallons of water during the driest time of the year. Fire suppression ponds shall contain a minimum of 90,000 gallons of water. More than 9 homes ~~may~~ *shall* require an additional water supply.

It was the consensus of the Board to accept the changes to Amendment #25.

**Amendment #26: 19.15 Construction of a Fire Suppression Water Source:** Add “R”: *All detention ponds, fire ponds, and cisterns shall be deeded to the Town with access to the area for upkeep and repair and shall not be included in the acreage for the lot where they are located.*

It was the consensus of the Board to accept the changes to Amendment #26.

**Amendment #27: Article 19.16 Permanent Cul-de-Sac Turnaround and 19.17 Temporary Turnaround Design:** Make corrections to cul-de-sac picture to correct errors and update specifications.

It was the consensus of the Board to accept the changes to Amendment #27.

**Amendment #28: Section V Definitions:** ~~Shall mean an area located on a lot, tract or parcel of land built for direct access to a garage or off street parking area serving not more than two adjacent dwelling units.~~ **Driveway:** *Shall mean a vehicular entrance to public or private land built for direct access to a garage, residence, business, or off-street parking area serving not more than 2 adjacent dwelling units. Maximum number of driveways (curb cuts) per lot shall be two.*

It was the consensus of the Board to accept the changes to Amendment #28.

**Amendment #29: Appendix B:** Update Road Profile and Typical Road Cross Section illustrations.

It was the consensus of the Board to accept the changes to Amendment #29.

### **Minor Site Plan Review**

**Amendment #1: Section 4.01 Number of Copies Required:** The application for minor site plan review shall be submitted with three copies of the proposed site plan *to the Planning Board. In addition, copies of plan must also be submitted to Fire Chief, Police Chief, Conservation Commission, and Building Inspector at the time of application.*

It was the consensus of the Board to accept the changes to Amendment #1.

**Amendment #2: Section 4.04K The following information must be shown on the final minor site plan to be approved by the Planning Board:** Approved fire suppression plan ~~shown on plans (if required), must be shown on site plan. If approval from the Fire Dept. is not received a conditional approval may be given and the applicant can then return to the Board when the recommendations are made and approved by the Fire Dept. and the agreed upon system and location can be shown on the plans.~~

It was the consensus of the Board to accept the changes to Amendment #2.



**Major Site Plan Review**

**Amendment #1: Section 3.01B Submission of Application:** When the application is submitted copies of the plan shall be provided to the Police, Fire Dept., *Building Inspector, and Road Agent* for their review. A copy of the plan shall also be provided to the Town Engineer for review at the applicant's expense. *Copies to be given no later than 30 days prior to the noticed hearing.*

It was the consensus of the Board to accept the changes to Amendment #1.

**Amendment #2: Section 3.03A Fee Schedule:**

The following schedule of fees shall apply to all major site plan review applications:

1. Application Fee:	\$150.00
2. Legal Notice Fee:	\$50.00
3. Abutters, Applicant, Owner, Engineer, Architect Licensed Land Surveyor, Soil Scientist Notices (each)	\$ 6.21
4. Compliance Inspection Fee Set as determined as necessary	
5. Fire Department review fee	\$ .10/square foot
6. Mylar Recording Fees: (22" x 34" sheet)	\$24.00
(11" x 17" sheet)	\$26.00

It was the consensus of the Board to accept the changes to Amendment #2.

**Amendment #3: Section 3.03B Prepayment of Plan Review and Compliance Inspection Fee:** The site owner or authorized agent shall deposit with the Land Use Office, a security deposit sufficient to cover the professional engineer review of the site plan documents and the necessary inspections which the Board deems reasonable and necessary to protect the general welfare of the Town. *The Town Engineer will estimate the cost and the applicant will be responsible for any additional cost thereafter. Funds will be kept in an escrow account.*

It was the consensus of the Board to accept the changes to Amendment #3.

**Amendment #4: Section 3.03C Fire Department Review and Inspection Fee:** A fee of \$0.10 (ten cents) per square foot of building area ~~will~~ *shall* be assessed *for fire department review of plans, drawings, and specifications, and for necessary inspections of all commercial, industrial, or multi-family structures of three or more dwelling units.* A copy of the drawings shall be submitted to the Fire Department at the time of application. *Fee payment shall* be payable to the Town of Candia.

It was the consensus of the Board to accept the changes to Amendment #4.

**Amendment #5: Section 4.01 Number of Copies and Scale Required:** The application for Site Plan Review shall be submitted with three copies of the proposed site plan drawn at a

minimum scale of one inch equals 20 feet. *Copies must include Mylar for Registering at Rockingham County Registry of Deeds.*

It was the consensus of the Board to accept the changes to Amendment #5.

**Amendment #6: Section 4.03I Information Required to be Shown on the Plan:** The location of natural features such as rivers, streams, marshes, wetlands, and any man-made feature such as existing dams, roads, *stone walls*, and structures. The plan shall indicate those natural and man-made features which are to be removed, retained, or altered.

It was the consensus of the Board to accept the changes to Amendment #6.

**Amendment #7: Section 4.03T Information Required to be Shown on the Plan:** The location of any fire suppression system as required by the Fire Dept. must be shown on the plans. ~~If approval from the Fire Dept. is not received a conditional approval may be given and the applicant can then return to the Board when the recommendations are made and approved by the Fire Dept. and the agreed upon system and location can be shown on the plan.~~

It was the consensus of the Board to accept the changes to Amendment #7.

**Amendment #8: Section 7.04E Coordination of Streets, Parking, Loading, and Safety:** All new commercial, industrial buildings, *multi-family structures*, and existing buildings that have a change of use shall have a monitored fire alarm system and a Knox Box. A Knox Box application may be obtained by contacting the Fire Department.

All buildings shall have the street address in numbers a minimum of 4" high with a contrasting background and posted on a minimum 4' by 4" post or mailbox within 10' of the roadway. ~~Existing structures less than 20' from the road may display the address numbers on the building.~~ *The street address shall be obtained from the Fire Department prior to obtaining a building permit and be posted prior to the commencement of any construction activity. Temporary markers shall be allowed with prior approval of the Fire Department.*

It was the consensus of the Board to accept the changes to Amendment #8.

**Amendment #9: Section 7.08B Utilities and Fire Protection:** All new multi-family *structures of three or more dwelling units* commercial and industrial buildings constructed in the Town of Candia ~~will~~ *shall* have provisions for on-premise use water supply in accordance with the NH State Fire Code and NFPA Standard #1142. Options include but are not limited to a cistern, fire pond or approved building sprinkler system. The volume of the cistern water supply shall be based on the formula used by the NH State Fire Marshall Office with the minimum supply consisting of a 30,000 gallon, 20 year ~~warrantee~~ *warranty*, fiberglass cistern, which the property owner shall be responsible for maintaining access to *at all times*. Actual water *supply* requirements will be determined by the use, type of construction and the fire load inside the building.

*Sprinkler systems shall be designed and installed in accordance with NFPA Standard 13 for commercial and industrial buildings and NFPA Standard 13R for multi-family structures. 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 Water Supply Capital Reserve Fund if it is determined that this option will improve the overall fire protection of the Town.*

It was the consensus of the Board to accept the changes to Amendment #9.

Chair Girard closed the public hearing at 9:00 p.m. The changes that were made were considered minor, therefore a second hearing was not considered necessary. Joe Duarte **moved** to accept all the amendments with additional changes in its entirety. Garrick Asselin **seconded**. **All were in favor.**

**Signing of Ron Severino's Major Site Plan**

Ron Severino stated he received DES approval. He added handicap details to the plans. Tony Timbrell from Stantec reviewed the plans. He stated a test pit needed to be done in the detention pond area. Ron Severino agreed to have the test done. Chair Girard, Kim Byrd, Joe Duarte, and Garrick Asselin signed the plans.

Kim Byrd **moved** to adjourn at 9:40 p.m. Susi Nord **seconded**. **All were in favor.**

Respectfully submitted,  
Andria Hansen, Recording Secretary