

**CANDIA PLANNING BOARD
MINUTES of January 5, 2011
APPROVED**

Present: Mary Girard, Chair; Sean James, Vice-Chair; J. Lindsey, G. Clifford; Albert Hall III; Amanda Soares, Board of Selectmen Alternate

Absent: Kim Byrd; Joe Duarte, Board of Selectmen; Scott Komisarek, Alt.

Chair Girard called the meeting to order at 7:00pm, followed immediately by the Pledge of Allegiance. She asked A. Soares to sit for J. Duarte.

Minutes December 15, 2010

A. Soares **motioned** to approve the minutes of December 15, 2010 as amended. S. James **seconded**. S James, J. Lindsey, A. Soares, G. Clifford, M. Girard **were in favor** and A. Hall **abstained**. Amendments are on file.

Work Shop for 2011 Zoning Amendments.

Chair Girard summarized the 2 Amendments proposed. The first amendment is:

Amendment #1

New Article XII – Telecommunications/personal Wireless Services Facilities (8 pages)

Subsequent articles will be renumbered if passed.

Add to Section 5.02 Table of Use Regulations D. Communications and Utilities:

	R	C	MX	LI-1	LI-2
D. Communications and Utilities					
(d-1) Essential Services	S	P	P	P	P
(d-2) Radio or televisions tower, provided that any portion of the structure shall be at least 200 feet away from any residential district	-	P	-	P	P
<i>(d-3) Telecommunications/Personal Wireless Services Facilities</i>	<i>S</i>	<i>P</i>	<i>S</i>	<i>P</i>	<i>P</i>

Discussion ensued on the New Article XII. Telecommunications/Personal Wireless Service Facilities. A question was brought up about 12.03 C. Average Tree Canopy Height. The question was, if there are no trees within the 150 foot radius of the facility, how would the AGL (average ground level of the trees) be determined. It was the census of the Board to add a sentence to the end of 12.03 C. Average Tree Canopy Height: *“In open areas without trees, the AGL shall be taken as 130’ within a 150’ radius of the facility.”* This sentence is to help clarify AGL where there are no trees.

12.04 E. Dimensional Requirements 1. a. Height of facility not to exceed 140’ was discussed next. A. Soares said 140’ was the height Greenfield had chosen not Candia. There was a discussion of towers currently in Candia and their heights. It was the consensus of the Board to be reasonable and set the height at 150’ and if someone comes in that would like a taller cell tower they can ask for a variance.

Discussed next was 12.04 G. Performance and Design Standards 1. Visibility. G. Clifford said the ordinance essentially states a cell tower can only be located in the woods. S. James said the ordinance proposed was taken from the Town of Greenfield. They had even stricter restrictions which included scenic vistas where cell towers were not allowed. He said he took scenic vistas out of the proposed ordinance for Candia.

S. James suggested replacing the word “is” on the last line to “may be” under 12.04 D. Use Regulations 3. Completion Schedule. He said this would allow the Board to give extensions

on case by case basis. If the word “is” stays, then the applicant would have to start a new application and would not have the ability to ask for an extension. A. Hall asked if the word “is” came from the article from Greenfield or if Candia added it and S. James said it came on the original document.

12.04 E. Dimensional Requirements: 1. D. Height Ground Mounted facilities was discussed. Chair Girard said that all the towers in Candia are ground mounted. G. Clifford asked if a cell tower is proposed for a field does the applicant have to change the field to add trees for a buffer per the proposed ordinance. It was the consensus of the Board that as written trees would have to be planted.

G. Clifford said that the second part of Amendment #1 is (d3) not (d2). The change will be made for the ballot and is considered a clerical error.

The Board through a consensus approved the following amendments to the proposed New Article XII – Telecommunications/Personal Wireless Service Facilities:

1. Section 12.02 Applicability, last paragraph add “*facilities*” after “*telecommunications*” in the last sentence.
2. Section 12.03 Definitions C. Average Tree Canopy Height, add the following *sentence* “*In open areas without trees, the AGL shall be taken as 130’ within a 150’ radius of the facility.*”
3. Section 12.03 Definitions H. Equipment Shelter, remove “*a*” from “*amount*” on first line.
4. Section 12.03 Definitions P. Mount d. Structure-mounted, add “*or in*” after “*on*”.
5. Correct lettering on Section 12.04 District Regulations C. 6.
6. Section 12.04 District Regulations, D. Use Regulations, under 1. strike “*under section D (1).*” Section 12.04, D-3., change “*is*” to “*may be*”.
7. Section 12.04 District Regulations, E. Dimensional Requirements a., replace 140’ with 150’ in two places.
8. Section 12.04 District Regulations, G. Performance And Design Standards, 5. Historic Buildings, last line replace “*F (1-f)*” with “*G*”
9. Section 12.04 District Regulations, H. Monitoring, Maintenance and Verification, 3. Security for Removal, replace Section “*H*” with Section “*I*”
10. Section 12.04 District Regulations, H. Monitoring, Maintenance and Verification, 4. Verification, first line change “*is*” to “*its*”. Change
11. Section 12.04 District Regulations, “*L*” Notifications to “*J*”. Notifications.
12. Section 12.05 change “*Serverability* to “*Severability*”

Amendment #2

Add to Section 5.06 Conditional Use Permits Standards

“28. Limitation on Approval. All requirements of conditional approval of Conditional Use Permits shall be met within one year. If all conditions are not met within one year of approval a new application may be required.”

Chair Girard said she changed “is” to “may be” in the second sentence of Amendment #2. This would allow the Board to grant an extension and not require the applicant to submit a new application. G. Clifford asked if the Conditional Use Permit was for Elderly Housing only and Chair Girard said it was only for Elderly Housing. The Board was in agreement on amending Amendment #2. G. Clifford asked if the wording for the ballot should be changed to clarify it is only for elderly housing. Chair Girard said the section refers just to Elderly Housing.

The full text for the new articles would be posted at the Town Hall January 6, 2011 in the same manner the new ground water article was done in the past. A. Soares said the amendments are allowed to be taped to the side of the voting booth.

Other BusinessPlastic matting for erosion control

J. Lindsey brought up an article she read concerning plastic welding matting used in erosion control and didn't know where the Board stood on this. Welded plastic matting commonly used in erosion control injures and kills many species of wildlife including snakes. Snakes become trapped when passing through and die because they cannot back up. Fish and Game encourages land owners, consultants and developers to use tightly woven organic mats that are less likely to kill wildlife and still provide suitable erosion control. She wondered if this was in the ordinances and if not would be something to think about for next year. Chair Girard said that would be something the Road Agent, Dennis Lewis would know about. A. Soares suggested talking to the Building Inspector John Ciardi about the matting.

Raymond Sand and Gravel

A. Soares said she wanted to let the Board know the Raymond Sand and Gravel issue came up and the Town of Candia was not notified. She said the town did receive notice as an abutter from the Town of Raymond on their intent regarding Raymond Sand and Gravel. She said Dick Snow talked to legal counsel and legal counsel gave the Town of Candia a 3 page letter stating Raymond Sand and Gravel is not allowed to touch anything on the Candia portion of sand and gravel pit.

A. Soares said the Board of Selectmen had an emergency meeting today and appointed Dick Snow as the representative to attend the Raymond Planning Board meeting to present the letter from Town Counsel. S. James asked if this was John Cole and A. Soares said no this is Kevin Cole and they are not related. A. Soares said she is the alternate in case D. Snow cannot make it. A. Soares said D. Snow is going to explain Candia's displeasure that Candia was not notified and that they were allowing excavation in Candia. Girard said the Town of Raymond issued a variance to allow excavation of material out of Candia. She said they do not have the right to issue a variance.

A. Soares said there have been incidents where the police have been notified of refrigerators and other material dumped on the Candia side, then it mysteriously disappears and said they are looking for areas of unearthed ground thinking they are dumping stuff into the ground that they shouldn't be dumping into the ground. A. Soares said she has Building Inspector John Ciardi checking once a week.

The next scheduled Planning Board meeting is January 19, 2011 and is the Public Hearing on proposed 2011 Zoning Amendments.

A. Hall **motioned** to adjourn at 8:45 pm. A. Soares **seconded**. **All were in favor**.

Respectfully submitted,
Sharon Robichaud
Land Use Secretary