

**CANDIA PLANNING BOARD**  
**MINUTES of October 5, 2016**  
**APPROVED**  
**Public Hearing**

Present: Sean James, Chair; Tom Giffen; Scott Komisarek BOS Representative; Judi Lindsey; Ken Kustra; Rudy Cartier Alt; Carleton Robie, Alt; Dennis Lewis, Road Agent; Dean Young, Fire Chief

Absent: Al Hall, Vice Chair; Joyce Bedard, Alt; Mike Santa

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

S. James, Chair, asked Carleton Robie to sit for Al Hall and Alternate, Rudy Cartier to sit for Mike Santa.

Minutes September 21, 2016

T. Giffen made a **motion** to accept the minutes of September 21, 2016 as submitted. S. Komisarek **seconded**. S. James, Chair; J. Lindsey; C. Robie, **were in favor**. Ken Kustra; Rudy Cartier, Alt. **abstained. Motion passed (5-0-2)**.

**Continuation of 16-012 Earth Excavation Review Application:** Applicant: Wildcat Land Development Services, LLC 43 Lawson Farm Road, Londonderry, NH 03053; Owner: same; Property location: 285 Old Candia Road, Candia NH 03034; Map 410 Lot 137 & 137.1 Intent: To perform earth excavation for added parking area.

No Abutters Present

Craig St. Peter, owner was present. Craig St. Peter's business partner, Joe Sobol was present. Engineer, Doug MacGuire with the Dubay Group, was present. Bryan Rouff of Stantec, Town Engineers, was present.

S. James said we will re-open the hearing. There are a couple of letters since our last meeting. One dated September 27<sup>th</sup> from the Dubay Group, 10 pages from Douglas MacGuire and one letter dated today, October 5<sup>th</sup> from Bryan Rouff of Stantec. I also have a waiver request here.

C. St. Peter stated I can give a summary. This is our third meeting with the Planning Board for this alteration of terrain excavation permit. Based on our last meeting, we did some housekeeping, cleaning up the plans and resubmitted them to the Town and also to Stantec. That was done on last Tuesday. Stantec has written this letter here dated the 5<sup>th</sup> that is relative to the outstanding comments that were originally generated from our first submittal. Out of 48 or so original comments, I think there are 18 here, some of these overlap and there is one other comment added that wasn't part of the original. If I can just take a couple of minutes I think I can walk through this fairly quickly with Joe and Doug to support some of these comments in general. The first two comments are in the waivers regarding the excavation limits, you guys had done a straw pull on that and we formerly put that together for you and these are the first two comments numbered one and two. If you guys are good with that, you have the documents there. That addresses those two.

S. James commented everyone has the memo now but there's waivers for section IX.A.1 and IX.A.2 which have to do with offset limits from 150' from a structure and 50' from right-of-way so they have requested waivers on those two sections. Anyone have any questions or comments. We've talked about it before, not necessarily any issues but we thought they should have a waiver.

MOTION:

T. Giffen **moved** to grant waivers to section IX.A.2 and IX.A.1 as requested by the applicant. S. Komisarek **seconded. All in favor. (7-0-0) Motion passed.**

C. St. Peter continued we're on number 3 and this one here was, the issue was raised regarding Severino had quantified about during the actual removal, and this is not going to occur all the way through the process but when we do start to remove the material off of the site, there will be about 10 trucks per hour during the acceptable working hour period. The site itself accommodates, was designed to accommodate a lot more traffic than is present there today. For a good example, for the fair weekend, we had vendors in substantially more than 10 extra trucks per hour that were fueling at the diesel areas and there was no substantial disruption to traffic. That's pretty relevant. That's our comment back on that one. Number 4.

J. Sobol added that Severinos trucks won't be looping into the diesel island either; they'd just be leaving the site.

C. St. Peter said it won't disrupt our own traffic flow and it will be above. S. James replied let's go through them one a time. Bryan if you want to jump in on each of these and we'll check them off.

B. Rouff replied I guess if there is evidence that trucks in excess of what's being proposed don't currently disrupt the flow of the gas station, I'm not opposed to not require that comment or waiving our stance on that comment. Our concern would be if it is observed, but there is a disruption to traffic, what will be done then at that point. Not necessarily we can absolutely say, I would wonder what would happen with truck stacking, trucks leaving the site vs. entering the site and whatnot. That's where our concern comes from on that point.

T. Giffen responded I would think the only way one might consider changing this approach would be to add a second access point and every time I've been involved in looking at the number of driveways that are permissible on a lot, there is a good reason that they are minimized, and it's usually because of safety concerns and adding a second access point would cause more problems than it would solve. I don't see how adding a second access point would be of benefit, I think it would be a detriment.

S. Komisarek stated I would add that they own that business so it's in their best interest to make sure their customers can access their business and that's traffic is flowing and it's not disruptive. I think that's actually a benefit, they want it to run smooth, it's their business.

S. James commented it sounds like the Board and Stantec are fine with that and if for some reason there's a heavy day, I'm sure you'd work with the Town if there was anything needed. C. St. Peter said sure. S. James said I think we're good there.

C. St. Peter continued number four comment, it says "*a note has been added that a water truck will be used on site for dust control*". The note was added, and it also went on to say, I think it said more than that, Doug you can correct me, that there will also be a sprinkler system, I think it's noted in there. The way that that works is the sprinkler system would be addressing both the surface and also the crushing operation. That's where your dust is going to be created. So that's on the plans.

D. MacGuire said we can clarify that note a little further. I think I didn't specifically state the crushing, the actual crusher itself, I just said it was sprinklers and a water truck but essentially the way it works, the crusher has built in sprinklers and if you tie a water hose, water truck to that, while the crushing operation is happening, the water is sprayed on the operation to keep the dust down. Is that what you were looking for?

B. Rouff responded basically the way I read it was that there would be sprinklers on a truck, so for me, that makes a lot more sense. D. MacGuire replied I'll clarify that. B. Rouff said if it's clarified it should be fine.

C. St. Peter continued number 8 the limit of the fence for the 1:1 slope route, we'll do that, we'll add this note, so we're good with that. The next one, this is regarding drainage and this may loop into one of the other comments here too, overlap. The Board has asked to prepare a drainage memorandum and a brief study and our engineer has done that. In essence you have less...I'm going to turn it over to Doug; I don't want to mis-speak here, but Doug a quick summary of that.

D. MacGuire responded basically from our discussions with the Board and our eventual discussions with Stantec at our sit down meeting, we boiled down the main concerns to two high point areas. One was could the existing swale, excuse me, the proposed swale that we're proposing at the top of our excavation to divert water around the system, is that designed and sized adequately. Because if it couldn't handle the water, then the water might be overflowing over the rock slope and that could be an issue. That was one concern. The

second concern was the excavation area, the only water coming into the excavation area, is the water coming from the sky. There's no run on into that area and that's the intent of an excavation plan is to drain the water into itself. But the concern was brought up well if you drain it into itself, are you going to just have a big pond bowl created there. Those were the two concerns. What I did is I performed some analysis on both of those. I sized, or I basically analyzed the amount of water going to the swale, in a 50 year storm the amount of water flowing into that swale was modeled to be a half a foot deep. Our swale's at least a foot deep everywhere and that's a 50 year design storm, usually a swale wouldn't be designed to a 50 year storm but I just ran that just to look at the more extreme case. I felt that was adequate. Regarding the prolonged water in the excavation area, we modeled the assumed flat area of the excavation, which in reality isn't flat, it rolls a little bit to allow water collections in certain areas, but all of that area will be over-blasted by 2 feet. There are requirements on our plans, notations on our plans and the intent of that is to provide a permeable layer within the whole area. Effectively, if they don't move forward, that permeable layer would stay and grass, loam and seed, would be placed on top of that so water would just naturally come into the grass area, infiltrate down in and it has 2 feet of permeable material at a minimum to infiltrate into. And in doing the analysis, if we assumed no x filtration, meaning that all the water was held just within that stone, wasn't going to go anywhere and we bottled a 50 year storm, it filled up about 1.2 feet, 1.22 feet of that 2 feet of storable area. So what that means is that no water would be ponding on the top surface. If it flowed up beyond 2 feet, then it would start to accumulate on the surface of these depressions. What I also ran is a very conservative, let's say a half inch per hour infiltration rate, there's no basis to that rate. I didn't do any analysis or scientific explanation into why I'm looking at that but I look at that as the odds are there fissures...what's the correct word for that? J. Sobol said joints. D. MacGuire continued joints in the ledge that the bedrock is going to allow for some level of permeability somewhere over time. It might not be a quick infiltration rate but it would likely allow for some. J. Sobol commented we know there are joints in the rock because that's the only way you can get a bedrock well to function and provide water. And we know that the water table in the bedrock is quite deep from our two wells that are on site, the static levels are quite deep, the water, rainwater flowing on the surface gets into the bedrock aquifer and meanders downward. So we know that it's not perching at the rock surface, it's meandering into the bedrock aquifer. D. MacGuire said to follow up with that, if we assume, at a very very conservative infiltration rate, it drops that 1.22 feet of storable depth of the 50 year storm down to half a foot. And then if you model a more typical storm, a two year design storm, which most storms that we get are actually even lower than that. You're typical heavy rainstorm is going to be less water than that. We're looking at .17 with no infiltration at all and .01, almost none, assuming your typical storm would just naturally, it wouldn't even store within that rock surface. This was a model that was done on more of a big picture basis because I didn't model every little single depression but the intent is to show do we have capacity within that area to hold the water. My engineering judgment said we had that to begin with which is why I didn't really want to perform any analysis but I can understand the concerns and it's better to be safe than sorry but I think this analysis does show that if we can hold a 50 year storm, we're not going to have any ponding of water and the regulations only require no prolonged ponding of water, we really don't have that situation. This memo addressed our drainage concerns. In the Stantec review and Bryan can speak to this, he thinks that there is going to be ponding so maybe he misinterpreted my analysis or maybe I'm not following where he's coming from. C. St. Peter said let me add two little things on this. From a picture standpoint, there are two parts to this. One is there less or more water going off site after we blast and excavate. There's less. Less water will be leaving the site now from a drainage standpoint, when you're doing a drainage analysis you want less water going off the site or equal two, one of the other so check. The area where we're blasting, is going to contain the water on his analysis and have the capacity left over for bigger storm, larger than 50 before it ponds, to me, that's the analysis in laymen terms. Ok do you meet those two criteria? Bryan can comment on his thoughts so we can get a conclusion on this.

B. Rouff replied I guess I didn't really follow the storage in the modeling, that wasn't clear to me. Perhaps we can discuss that. My bigger concern really is the infiltration because if we're viewing this whole site and we know there's going to be a layer of rock 2 feet below whatever our final grade is, it seems like an

easy exercise to get perk rates, yes it will infiltrate at one inch per hour, half inch per hour, or whatever it may be or else we're just going to have, and our opinion storm water building up on that there rock potentially and that's what we'd like to avoid, obviously, because if that happens it could adversely affect the site, so that's where we're coming from. D. MacGuire responded my response to that would be the infiltration rate, I really kind of put in as a little belt and suspenders, even if we had that, it would make it that much better. I don't really know of any way that we could test the bedrock or its permeability because the reality is we are going to be blasting down, for the most part this area will be impervious in a lot of areas; the reality is water is going to permeate in at some rate. But if we assume not, and we know that's not the case, it's going to evaporate at a minimum, but if it's no infiltration, whatsoever, if this blast was a solid, un-fractured, un-cracked piece of ledge, the entire area that we blasted then we still have the storable capability with a half a foot to spare during the 50 year storm. To me, I think there's enough factor of safety in there; I can't imagine any additional testing that would be necessary.

J. Sobol replied there isn't a good practical way to test in bedrock. In sand, if we had a 10 foot cut in sand, we could dig down to the 10 foot level in a test pit and run a perc test or an infiltration test as they're called now, in the sand and definitely get results but bedrock surface is not the same. You're relying on joints that you may or may not intercept with a test pit. And we can't dig a test pit in ledge we have to blast it so we have to let Severino do their thing in order to do the infiltration test. I think I would rely on Doug's analysis and his professionalism to say that even without infiltration there's capacity.

C. Robie commented I think we've all seen that site over there. The rock face that's already been created and the drainage along that rock face that's permeable at this time and there's no water that comes over that rock and I'm sure it will be constructed in the same way that it is now, just moved back, and the site has no water on it whatsoever. I don't see moving that face back 100 feet is going to change that drainage one bit and if went on top of the rock now, the swale's already there. The water's not running over that rock, it can't until it rises up way over the swale.

S. James replied so the two issues are the rate, which we talked about and the other was the question on the modeling of that. I don't think the Board has an issue with that necessarily but maybe you could just check; clarify the model with them (*to Stantec*).

R. Cartier asked do you have any idea whether there will be any more water than what is there now from runoff. Are you anticipating anything? D. MacGuire said no I mean, that's where I had difficulty performing any type of analysis in the first place just because we have to assume that when this site is returned to its natural condition, assuming they don't move forward with their site plan, which is not likely, their planning to do that but it is possible and we'll have bonding associated to loam and seed this but effectively at that point, you do a drainage analysis to compare changes in structure, or in surface, permeability. So if right now we have a grassed slope with a rock face, but I'm talking about the area beyond the rock face, scrubby woods and grass right. We're replacing it now with a lawn. So the CN values are almost identical for that. You shouldn't be having any additional...and by the way, we're diverting all water around that so the only water hitting this surface is the water coming from the sky and settling there. The purpose of this analysis was to say look, if we get a rare, very large, quick 24 hour storm, that's going to drop 6 inches of rain in 24 hours, what's that going to do to this lawn area. My analysis shows that it will permeate in to the fractured rock that we're assuming only a 30% void ratio within that rock, it will store itself within that and not pond on the surface. I think after a 50 year storm event, if it ponded this much on the surface I don't even think it would be a big deal, let's face it if we saw the Mother's Day storm events and after that there was this much water on top, we'd claim that was a success. My model is showing that even if that happens, we're going to be under the surface. It's going to have capacity to be stored within that area.

C. St. Peter continued the next one is basically will the abutters be notified and there are nine abutters listed and this is a practice that Joe has more information on if need be. We follow the AOT practice, the NHDES AOT practice, this is what they do for a living every day. I don't know how many excavation permits there have been in Candia over the last couple of years but probably not that many that have disturbed over 100,000 square feet but this is what NHDES does for a living so they have criteria. They don't take it lightly

so we follow what they require to the letter of the law. If they wanted more, we would do more. If they wanted less, we'd do less. But they have criteria and I think if we're following the authority, which I think NHDES is in this case, what they recommend over their best judgment, with all of the things they do on a statewide basis, that's pretty much, something you'd want to do.

J. Sobol responded what we're doing; we did not have to do this in 2010 when we did the initial construction. This is a regulation that's been put in within the last year. So it's more stringent than what we successfully accomplished with the blasting and construction in 2010 without any claims or incidents regarding adjacent wells and we're doing a further step in our submittal to AOT that we are going to monitor 4 wells. We're still waiting for the AOT review to come back. If they say we recommend you monitor 5 wells or don't bother with the 4<sup>th</sup> well, just do 3. We'll do what they say but this is not a Town regulation and as Craig said we're following the authority with our monitoring program.

B. Rouff stated I wouldn't disagree with anything the applicants are saying. My initial reaction viewing 29 properties in the groundwater monitoring report if my property was listed I'd probably want to know, so that's really where the comment came from, not necessarily a requirement by anyone, the Town or AOT but it seemed to be logical from my standpoint. S. James said can you remind me of the numbers, we've got four wells, 29 parcels and 9 abutters, can you help me with that. I know you submitted the monitoring. J. Sobol said there's a sketch in there Sean; let me put my hands on it.

R. Cartier asked blasting has been a very controversial subject in Candia and would you have a problem with at least notifying the abutters that around and that the blasting is going on so we don't get back into a situation that happened on the other end of the town with abutters not knowing what was going on and calling the Board of Selectmen to find out what was going on. J. Sobol responded absolutely. It's a good point. Tom Severino has mentioned that as well that before they even get close to getting ready to blast, we'll go up and see the folks on Fieldstone and I think Scott, you live up there, so we would definitely see the folks and let them know they might feel some rumbling and give them a head's up on that. Sean, the AOT, I took the Tax Maps and four of them came to together at this point, I pieced them together and I drew the 2,000 foot circle and I looked at whatever lots came in and 29 lots are in there. Many of these lots don't have homes or dwellings, structures on them but many of them do. When I talked to the AOT people, Ridge Mauck, at the Des I asked him if he was okay with us not sampling every well in this circumference but rather any well that was first in any particular direction. So we chose a well located here, and here and here and down at the old BP site. Those were the multi-directions where wells existed and they were the first wells. Any other wells were behind those wells. So if there's any impact of nitrates and nitrites, from the blasting that get into those wells and this is what the DES is recommending we test for, nitrates and nitrites that we would immediately be reporting to DES by law and they would act and step in and react. But we don't anticipate that happening but we're following the rules. Does that answer your question Sean? S. James says it does. The comment if I understand it right, the comment is not that they should be monitoring all the wells within the radius but simply notifying if you're within it. J. Sobol said we'll go up and see the folks on Fieldstone before...as a courtesy, before we start blasting.

R. Cartier asked is it just the 29 parcels that are on Fieldstone or does it stretch out to other places. J. Sobol responded that it stretches out to other places, down to Stubby's, that's a big radius that they picked and its 2,000 feet. D. MacGuire said this is my personal opinion but I think if you notify 29 abutters and the abutters don't understand this process, that could become not just a burden to us but to the Town as well because they're going to say, "Well wait a minute, I'm notified now, this is official, this is a big deal, my well's going to be destroyed, its' going to be a huge problem," when the fact of the matter is we're following the monitoring program and the monitoring program is intended to protect those people directly. It might be just knocking on their door and creating worry for no reason. If somebody's well is 2,000 feet away, the well that's 100 feet from the blast site is going to likely get impacted before that one does. I can't imagine, I'm not an expert in that field, but 2,000 feet, 100 feet if we're not getting contamination directly adjacent, and they have to go through that well, the water has to go through that well to go to the next, I can't imagine they are going to have an issue with their well. Obviously, if they did for whatever reason, I'm sure they would bring it

to the attention to the drinking water bureau and they would review that. I think that's making it a bigger deal than it needs to be. Blasting happens all the time, on every project these days and we're in the granite state.

R. Cartier responded I understand that but there has been very big controversy about blasting and it's a two way street. What you're saying is true but on the other hand someone starts blasting then all of a sudden the neighbors in the area start calling the Selectmen and then find out what's going on and say "Why didn't you tell me this was going on," because it's easier right now, what you just told me, I understand it. You're monitoring the wells, protecting the wells etc. etc. but all of a sudden they hear the blasting, and say "Why isn't my well being tested." Then it's like an after the fact thing, instead of being proactive it's being reactive and I want to take the burden off the Selectmen too. C. St. Peter replied like Joe said, we're going to go up and talk to the folks on Fieldstone, that's where the residential abutters live. J. Sobol added we can also go down near Stubby's, there are some homes down there as well. R. Cartier replied I'm not saying you have to do everything in the 2,000 foot radius. J. Sobol replied beyond that, there's nothing across the street. The Town owns the land, the highway, toward the BP, and then you're beyond the 2,000 feet. Everything is Fieldstone or near Stubby's. We'll check in with those folks.

S. James reiterated so they'll notify or meet with those residents. D. MacGuire commented that Maine Drilling and Blasting, who are doing the blasting, will also do that. J. Sobol said we'll go to Tom Severino and just tell him what's going on. S. James said I think you're all set. C. St. Peter asked Joe Sobol to do #12.

J. Sobol said sure. I got a little confused on the numbering on this Bryan. Comment 12, I thought it was listed as 13 in your earlier draft. Would you agree?

B. Rouff stated yes, I apologize. J. Sobol continued you have a number 13 on the next one and I'm not sure which one. B. Rouff said that should be 14. J. Sobol said ok, the comment nonetheless *it is recommended that an updated geotechnical evaluation and report be provided specific to the proposed excavation that an analysis of the impacts to the existing structures, facility, UST and AST fuel tanks, fuel system piping, existing utilities, road and abutters. Comment partially addressed.* I disagree. I did address the comment in my geotech memo dated 9/6/2016. We will be performing this blasting in accordance with NH DOT standard specs; they're extensive and require a blasting plan to be submitted. We have spoken, myself, with Tom Willis of the DES Drinking Water and Groundwater Bureau regarding any particular additional testing beyond the nitrate testing in our public supply well. Craig has spoken to the tank people. I think I'm getting into the next comment on that subject but we're basically going to be following NH DOT specs so the blasting will be designed, and I've spoken on this and Andrea's taken excellent minutes, that we would, the blast design would be to have vibration moving away from sensitive structures and relief is inward toward the site so the vibrations would be going westerly and northerly away from our building, away from the tanks, away from the cisterns, away from those sensitive structures. That's how we have addressed the comment.

B. Stantec responded I guess from our standpoint, it puts us in a difficult position to say it's okay to proceed with if how blasting work is being proceeded with is going to be addressed in the blasting plan which will be put together after the approval of the plans. From that Standpoint, we're looking for some kind of criteria or guidelines for blasting, which was pretty much just discussed, in the plans to say proposed blasting in this area seems fine, seems safe and won't impact existing structures. S. James asked so looking at more in the plans than the upcoming plan I guess. J. Sobol replied that is typically addressed by the blaster who is responsible for the safety. We have no contract with Severino or the blaster yet, until we achieve approval at this level. Again, the NH DOT specs will be the requirement that we would have contractually with Severino and Maine Drilling and Blasting and those specs require a blast plan to be submitted. They are the experts. I'm not. Even as a Geotech Engineer, I can't design a blasting program to keep things safe and you don't want me to. We need to delegate that liability wise and safety wise to the experts, which is Maine Drilling and Blasting and that's what we're doing by implementing the DOT spec. C. St. Peter said this is no different than any other project. This is the protocol that's followed. J. Sobol commented for Doug to come up with a blasting plan on Dubay's plans would be, I won't say unethical, but unprofessional. He's not qualified to do it, nor am I. S. James asked does it say on the plans the blasting will be in accordance with DOT section. J. Sobol replied it says it in the Geotechnical memo that is on record with you folks.

T. Giffen commented we probably have enough on that. The fact of the matter is that it will have to be done in accordance with accepted standards of regulations and it can't be done now by these folks. We may possibly want to ask them to put a note on the plans that blasting will be done in accordance with blasting plan standards as directed by NH DOT, one sentence, call it a day, we're done. Just to have something on there. J. Sobol and C. St. Peter replied we can do that. T. Giffen continued I'm thinking of an expedient solution just to have something there, but in fact I don't think it really adds much because you're bound by that anyway.

S. James stated you're bound by good practice; you're not bound by the DOT. The DOT is a real good standard and I'm glad to hear you're going to use that. I think if you just put that on the plan. T. Giffen reiterated putting that on the plan is a simple thing that dot's the i and crosses the t.

R. Cartier said one of the things with the blasting is if there is any kind of problems with the tank and the blasting people go away and all of a sudden he finds out that the tanks ruptured 2 or 3 years later, Mr. St. Peter's going to be responsible for cleaning up that and I'm sure he doesn't want to have cleanup that's going to cost him thousands of dollars. J. Sobol said but Craig you spoke to the...C. St. Peter said that was #14.

S. James stated how about #17. C. St. Peter commented #17, I'm going to go back to Joe again, geotech. J. Sobol read "*the comment partially addressed. The detail added on plan sheet, this is Stantec's latest comment on this issue, 7 of 9 shows a 1:8 rock face slope and the geotechnical report provided references utilizing a 1:4 rock face vertical slope. The proposed plan should be consistent with the recommendations*"...The 1:4 rock face in the 2006 geotechnical report was for a rock face that was proposed for the industrial park that was never constructed in this section of the site. It was a 35 foot high rock cut in the North Western extreme area of the site, Sean, this area okay. At that time, because of the height of the slope, we recommended a slightly shallower or flatter rock cut face. The rock cut in the area of the gas station expansion will be about a 15 foot high rock cut and we have such a cut, which is near vertical, it was blasted with vertical drill holes, we know the bedrock is horizontally bedded, it does not have any deep joint system, sloping at a 45 degree angle or some other critical angle into the open face of the cut. It's horizontally bedded; it's favorable for vertical rock cut. These vertical rock cuts exist on our gas station site. They also exist on the property to the West, which was Goff's Chevrolet, was it in the 80's, those rock slopes are vertical cuts and their 30 plus feet high and they've withstood the test of time. So we have revised our 2006 geotechnical report with the 2016 geotechnical memo based on our experience of rock cuts in the 15-20 foot range, being safe, being cut at 1:8 or vertical. So that geotechnical memo has superseded the report that Stantec is referring to.

B. Rouff commented I don't disagree with anything that was just said. I actually missed the one that he...amended letter. I guess I would just comment that our preference would be if it's a set slope 1:8, or whatever it's going to be instead of 1:4 vertical. J. Sobol replied well that would require an expensive pre-split operation Bryan. Pre-splitting is tightly spaced, blast holes, that are ignited before the production done. It's very expensive, we've found that in our 15 foot rock cut to the North of our building that exists now, we were able to do it with 5 foot spacing of production blasting and we avoided a lot of cost. And because we were able to do that, we're going to replicate that with Maine Drilling and Blasting and Severino on board. Frankly, two contractors who are superior to the contractors we used back in 2007. So we're confident we can achieve it economically and it's not going to be a perfect, cutting through cheese type of angular slope. As exists out there which looks fine and is perfectly stable. It's a little irregular but it looks good. S. James commented sounds like it's addressed.

C. St. Peter #19, regarding the project surety, Tom Severino was here one evening and spoke on this and his estimate, based on his practices, it's somewhere between \$8,000 and \$10,000 an acre for placing the loam, which is going to be on site, stockpiled. And then seeding it, grading it, placing it and seeding it. Doug would prepare an area, estimate of the disturbed area that that would go into effect, so those are the two elements, that's how we would approach the project surety. Pretty straightforward. S. James commented I read through this section and it's interesting how it's worded. The applicant has to submit a bond of sufficiency of surety; it doesn't actually say who prepares it, which I think was the question. C. St. Peter the applicant is obviously us, but working under us would be Severino, who would have that ability to prepare the bond. D. MacGuire said that in my experience, this is effectively more of a restoration bond, because we're not

finishing a section of roadway or anything like that on behalf of a road taken over by the Town so does that sound reasonable Bryan as far as your experience with numbering, as far as some per acre number and or how would you suggest calculating that number. B. Rouff replied typically don't we do the estimate of surety. S. James said it's not typical but in the past you have, yes. B. Rouff replied yes. S. James said I think we've done it both ways. D. Lewis responded usually Stantec prepares the bond numbers. D. MacGuire commented a lot of times Stantec would prepare a bond if it was like a surety on a roadway, but...if we're doing it by an acreage costs, I don't know if you're looking to actually quantify all the loam and then the seeding, or...typically when I do a restoration bond, it's a number per acre and we just throw it out there. But I think we just need direction from the Board as to how you'd like to see that done.

C. St. Peter replied Doug has those files; he can quantify, take a CAD plan and quantify the disturbed areas. Tom Severino does this for a living and this is what he's come up with a figure, \$8,000 to \$10,000k stated the in the minutes, I think, I could be off by \$1,000 one way or the other, and then the material, the loam is already there. We have to put it out, spread it out; I think we do any more than that we're complicating this more than it has to be. It's just restoring the site so that if something happens, unforeseeable, there is money to put the loam down and seed it. D. MacGuire commented that I have an acreage number so I can give that to Stantec, if Stantec wants to use that number of what, the area that we're disturbing specifically.

S. James replied why don't we do it that way? As Dennis points out, Stantec typically does prepare them, we have some ballpark numbers. If you could give them the areas, that would certainly help them and then we could compare it and see where it comes out. D. MacGuire asked is that all you would need Bryan is basically a disturbance area. B. Rouff replied sure, yes.

C. St. Peter #24 if it's okay, I think we've addressed the drainage. B. Rouff said it's a little different from the last one. Specific to this comment, the swales model and the drainage study but the model was ended at the outlet of swale. So basically our concern would be from that point to the road. Our thought would be the modeling of that swale be continued to the road or to an outlet point to confirm that there is no. I don't see that as a big exercise. It was kind of an odd stopping point from the modeling. D. MacGuire inquired how would you suggest modeling it, I modeled the defined shaped swale until it stopped. B. Rouff said well to the end of it. D. MacGuire said right, and then after that, are you saying you just want to do a reach of that water. B. Rouff said I think if you have a catch basin directly downstream of that, so basically what's going in there, does it back up to a...once that's thrown into the study, I think that's fine. C. St. Peter commented I have to interject here. The water leaving the site, as I said, is less at that point then it is now so we model it up the right of way and it's less and then we're going to prove that that less water has...it's like what's the purpose of doing that, it's taking engineering time. D. MacGuire replied let me just, I'm not going to belabor this point but this was the exhibit that was added into our design set regarding drainage. We didn't have this in our initial set. But basically we're quantifying not in an elaborate analysis, but just in a sizing...there's 8.24 acres going to this existing system on Old Candia Road, in the current condition. With our proposed condition, we only have 6.07 acres. The reason why it's less is we're having our blasting operation and we're containing that water into itself, which was analyzed as part of the project. I think what Craig's getting at and it's my standpoint as well, is that there's no need for me to analyze the actual quantity of water going to Old Candia Road because we know the actual area contributing to that is less. And significantly less. So we know that there's going to be less water, we don't have to model it to show that. What we did have to model, by request of Stantec, was the swale that we were putting in, that was going to collect that water and divert it. Could that handle it, was it sized appropriately? I think we've shown that. I'm not sure what the benefit would be to show that water coming down. Again, in the pre-development condition, there's a natural, actually a man made swale, for the same reason, that was built to divert the water around. So all the water has been coming down, hitting that swale, it's not as well of a defined swale, which Bryan noted, but the water comes down, hits the swale and goes to here. We're putting it in the same spot, and it's just less of it. So if the swale works, I don't see how much more analysis we really need. C. Robie agreed. T. Giffen agreed.

C. St. Peter #36 there was a comment regarding the *excavation and phasing plan* and there was a suggestion we add a note, we did add the note so I'm confused it says, "*The following note has been added.*"



And then it says, however, instead of that note we would like this note. I've read this five times and the words seem to be exactly the same so I'm at a loss. B. Rouff said did you skip #30. C. St. Peter said I'll go back to that. B. Rouff commented I apologize; it's a typo on my part. The only thing I was really looking to be added was approved. Submitted and approved by the Town. Submitted to the Town and approved. C. St. Peter said that's what the Board is approving tonight. D. MacGuire replied I don't have a problem adding that. I think that provides more clarity.

C. St. Peter said okay back to #30. Again, when the Severino's were here, we're not doing any maintenance or washing of the vehicles on site. I know Bryan says that seems unrealistic but that's the plan. Their operation is down the street; they're not doing maintenance or washing on the site. Tom said we're not doing that, we're going to take it to our office, which is down the street. So I don't know why that's unrealistic. C. Robie commented yes, they're going to service it, that's irrelevant to this. J. Sobol said yes, if they were traveling 50 miles away, then that would be impractical, but they're right in town. B. Rouff said verity that note.

C. St. Peter said that takes us to #40. S. James said we already covered; we're good on #40. C. St. James said #42, it says, it's the exact same thing; we're repeating ourselves, maintenance. It's the same comment as #30. We're not washing we're not doing maintenance, we just talked about that. S. James replied I think #46 we kind of covered as well. It's a little different but same general idea. C. St. Peter responded yes, #46 we talked about following the AOT. J. Sobol commented #46, I addressed in the first meeting and again Andrea took very good notes on my testimony, and I do have to compliment you. And again, we're following AOT as Craig said. S. James said ok #48. C. Robie commented that's already been addressed. C. St. Peter said #48 was back to that curb cut and second curb cut. C. Robie said double lanes. It's already been added. C. St. Peter agreed. We talked about that already. The last comment is #49 and we agreed with that, that if there's conditional approval tonight we recommend or suggest that the Board base it on a an AOT application be approved by the State and if there are any changes required to the plan, that we would make them. And that seems to make good sense. S. James asked anything else we didn't cover.

R. Cartier asked on sheet 6 and 9, you have a temporary construction exit specification but you don't have a temporary exit or do you. D. MacGuire replied yes, our construction exit, I'm sure everyone familiar with the site, which is probably everyone here, knows that there's basically a throat that comes in and dead ends because it was intended to be further developed in the future. We are proposing that as the exit point and we will have a construction exit at that location which would need to be maintained. That's more for the tracking of dirt to try to keep the roadways clean. Basically you put a large area of stone down so that you drive over that area first and it gets the dirt off the wheels. R. Cartier asked how will they get to that section if that's going uphill and you're blasting around the outside. D. MacGuire responded what we're going to do and actually that comes back to a few Stantec comments of which Bryan did not, felt satisfied in some of his original comments; that we're going to be preparing a sequencing plan, with Severino construction. I can't tell them "hey, you're staging area's going to be here. This is where you're going to park your crusher" they need to tell me that because they're the ones doing the job. If they get a different contractor, then they would tell me that. We're going to have a Storm Water Pollution Prevention Plan, a SWPPP, which is going to detail a lot of that information, which would have a lot of the construction sequencing in it. That's usually done once you pick your contractor officially, but what's going to happen, it's a little fluid right now, but they're going to tell us. What Tom initially said is that they're going to...you can access that area up through there, so they'll probably set a staging area more to the back and work their way back but that will still always be the entrance and exit, that location.

R. Cartier commented ok I still can't see...I probably would see if you had sequencing how it would go but that's an uphill area. D. MacGuire responded right now, this is graded so that you, you couldn't drive through the vertical face right here but you could actually drive all the way back up here. It's drivable. So when they first start, they're going to have to prepare an area that's not blasted and clear it out, and that will be their temporary staging area, they'll being their operations to clear the areas, prepare for blasting and this access will be maintained. As the blasting gets brought back they'll obviously move that staging area to a

different area, it will be a fluid process in that way. I don't know exactly how they're going to do that because that's up to them but obviously they'll have to be...they're limited to the limits of excavation. They're limited to...we have construction fencing, there are a lot of things that have been added to the plans that we haven't even touched on tonight because we only talked about the comments that hadn't been fully addressed. We now have construction fencing around the perimeter of the site, a definitive separation barrier between the excavation operation and the convenience store. I can say there is an access point there right now and it will provide access to the excavation area immediately. How they transition that as they do their blasting, that's what the plan will show.

R. Cartier asked will that be an area where they will put the crusher or will it be down in, basically in the parking lot area. D. MacGuire replied nothing will be.... C. St. Peter said no, nothing goes in the existing operation. D. MacGuire continued that it will all be fenced in and closed off. You aren't going to have the crusher parked on the road or something like that. Everything's going to have to be in there. And if this whole area, before we started the blasting operation was cleared and flattened, they're going to strip the topsoil, strip the stumps and everything and from that, you are going to have a large area of production that you can set up. Room for stockpiling, you're going to have a lot of room up there and as they blast, pieces will be morphed around as they go.

R. Cartier said you talked about the fact that hopefully that area will be used to get some of the mud and dirt off before it gets into the roadway. But if they don't go up that way and they come down, is there a plan...D. MacGuire reiterated the only way they are going to enter and exit the site, is from that stub. That's the only way and that's where the construction exit is going to be so they will enter there and exit there. Wherever the crusher is or wherever their stockpiles are, that may change as the operation continues but that entrance and exit is going to remain the same.

J. Sobol commented that we would anticipate the first month of this excavation to not involve any blasting. There's 5 to 10 feet overburden soils they have to move offsite first. So they will be creating their access roads through that process.

K. Kustra asked if they would be using any of the present facilities, Severino and their trucks, would they be pulling into the gas station, diesel. C. St. Peter said yes, I would say. K. Kustra asked if that would interrupt any other traffic. S. Komisarek said there were two trucks there tonight went I was there. J. Sobol said we hope they do. For their excavation work, no, we don't want them there, when their fully loaded and headed to another site, they'll be bypassing the gas station facility. S. James said I think we're ready to do conditional approval. To keep it simpler, there were a handful comments that were responses to, Doug will add some things to the plans or address that are will be well documented in the minutes. J. Sobol replied yes they will. S. James continued I think that would be one condition to address or complete what was agreed upon tonight and the other would be review and approval of the surety. So once we get that amount and the actual bond in, then we have to have it approved by Town Counsel. Those are the two I can think of.

#### MOTION:

T. Giffen said I would **move** that we grant conditional approval with the two waivers as requested subject to the bond preparation and subject to addressing the comments discussed tonight as documented in the minutes. C. Robie said and approval that they are waiting for from AOT. T. Giffen said yes and subject to the AOT. D. MacGuire said and that is a comment on the letter, which we agreed to. C. Robie **seconded. All were in favor. (7-0-0) Motion passed with conditions.**

#### Other Business:

##### Continuation of 16-011 Minor Site Plan Review:

S. James mentioned that the **Continuation of 16-011 Minor Site Plan Review Application:** Applicant: 304 Raymond, LLC 679 1<sup>st</sup> NH Turnpike, Northwood, NH 03261; Owner: same; Property location: 304 Raymond Road, Candia NH 03034; Map 409 Lot 116.1; Intent: To add drive up self storage units to

existing building in the L1 District; has been continued to the October 19<sup>th</sup> meeting. That will be our next meeting. S. James said there was a little bit of a problem, they just started erecting them and Dave went down and discussed you can't just start building stuff so they didn't quite realize that so they came in through the process. R. Cartier said I'm sure it will be fine. S. James said you start building stuff, ripping apart sites, you're supposed to come in here.

Master Plan Updates, Budge, Impact Fees and Southern NH Planning:

S. James commented regarding Master Plan Updates, we have a meeting next Tuesday, the 11<sup>th</sup>. We had a meeting scheduled for last week, it got postponed. So we're working on the Master Plan Update with Southern NH, they'll get that completed by the end of the year. We've been talking about some of the things that have come up with the Zoning Review Committee and one question that came up in the Committee is if we were going to have any funding for next year. As far as the Master Plan Update, that will be done. The Master Plan will be updated and complete.

S. James said Boyd asked me when I put the budget together if we were going to have anything and at the time I was thinking we're done, why would we need more but the line item was left in there as a dollar. I wanted to poll the Board on what they thought about putting some money in our budget for future planning. One thing Boyd did mention, it's in one of the committees...we've talked about it, our impact fees. The issue Dennis has brought up a couple of times is we get impact fees, they can only be used in certain quadrants of the Town, we don't have a capital improvement project and they go back. Southern NH Planning has a proposal to the Select Board, not a formal one, a budget estimate, that they could change that so that they could be used Town wide and that would be about \$1,800. So far \$1,800 dollars they could amend all that and then that money could be used on any capital improvement anywhere in the Town.

C. Robie replied that's a lot of money to spend to change something that works. S. James said it doesn't work. C. Robie disagreed and said I think it does. S. Komisarek replied but we end up refunding the money. C. Robie said I've never gotten refunded money, so I don't think anybody else has either. S. Komisarek said I actually sat in on that meeting with Dennis and Boyd and Jack and it seemed like the discussion we were having....

D. Lewis commented it would just make is so if we have a small amount of money come in from one part of Town that we could pool that with money from another part of Town. Now it's in different sections of Town. If there's only \$1,000 or \$1,500 in that section of Town; there aren't many capital improvements that you can do with that small amount of money but if you were to combine that with the rest of the money. C. Robie stated it's so minimal as it is Dennis; it's probably not \$2,000 total. S. Komisarek said no I think they sent back \$6,000. D. Lewis confirmed it was \$6,000, it was \$1,500 here...C. Robie asked who? D. Lewis continued whoever put it in, I don't know their names. C. Robie said I've put in two impact fees in and we never got it back before. D. Lewis said you should be getting it back. It's hard to find something for that small amount of money. When you read through it, what a capital improvement needs to be spent on. So we just thought if it was Town wide, it might make it easier to use it. C. Robie said but \$1,800 to change something that is minimal to begin with is a lot of money. Doesn't the transfer station fee go away once that bond's paid off? S. James said it does. C. Robie continued that's coming up in a couple of years here. D. Lewis said I think that's paid off next year. C. Robie said so that's going to be half the impact fee gone, which on a \$400,000 dollar house last month was \$1,200 bucks so.

T. Giffen said we're talking really piddly numbers here. C. Robie agreed. T. Giffen continued capital improvement, the average municipality, doesn't bother to capitalize anything if it's less than \$5,000. S. James said if we have a capital improvement project and its \$200,000 and we get \$2,000, \$6,000, \$12,000 whatever it is, it will help. We're not suggesting capital improvement projects. C. Robie said it certainly wouldn't be \$1,800 to re-write that to say if we're going collect impact fees, they can be stuck on any capital improvement in the community. That's like 2 cents. Go to vote, end of story. S. Komisarek commented well there's more to it than that. That was Boyd's reaction too. But Jack explained what you'd have to do, Boyd said maybe I won't try to write it, we tried to get SNH down and Jack came back with \$1,800 but what I saw was yes we

have to spend \$1,800 but the Town will net out more money in the long run. We'll get that back and then some. C. Robie said we've never given any impact fees that have been collected. D. Lewis said as far as I know, there going back Carleton. Because we have to hold them for 6 years. We can leave it the way it is. C. Robie if we're not going to spend the money and give it back, then let's stop collecting it.

R. Cartier said we do have a precedent set up because we developed the capital reserve fund for water supply and the water supply capital reserve fund doesn't have any geographic location of where the water supply would go. It can be anywhere in Town. It would be the same thing basically, we take those impact fees and use them wherever we need them in Town because everyone is going to benefit with whatever capital improvement we do, no matter where it is. D. Lewis said it's up to the Board we were just thinking it could be a way to combine smaller amounts of money. C. Robie said it's probably a good idea but to spend \$1,800 to do it. T. Giffen commented it sounds like a simple amendment with boiler plate language, the fact that they want to charge \$1,800, I'm with Carleton, it sounds high. I'm thinking \$500 is a high number for it.

S. James well we can certainly budget \$1,800 but that was only one part of it. We've talked about other the four corners, doing a Village District, other planning ideas, Exit 3, do we want to put money into that budget to do some of that. Our current budget is \$1,676, next year a change is being made, assuming everything gets approved, SNH Planning is around \$2,400, those always came to the Planning Board to be asked to be approved and I couldn't approve it, it's not in our budget, and it went back to the Select Board and that's been changed to be put into our budget. T. Giffen commented it's the same money moving a line from one department to another. S. James continued so that brings it up to \$4,100. So my thought on planning, we put money aside, we might need \$5,000-\$10,000. But I don't have a set number. Looking for input. C. Robie said 2 years ago the Select Board proposed a \$5,000 warrant article to start first phase of Master Plan. Last year the Selectmen put \$10,000 in their operating budget to complete the 2<sup>nd</sup> phase of the Master Plan. This year they did a budget and nobody added anything. Now it's 2, 3 weeks, a month after the budget meeting and we're discussing that as a Planning Board. Last Monday night at the Selectmen's meeting, they discussed it at length also. I think a good number; projects that could be worked on, you don't have to spend it, if the Board decides they don't want to do anything, but to put \$10,000 in a budget for future planning, along with Mr. Komisarek, someone offered up a grant for \$5,000 last week, at our Planning Board meeting, we talked about, what was that about Scott, did you speak to that gentleman? S. Komisarek said yes, that was George Reagan, I was going to talk about that when we finish this.

T. Giffen suggested so we can set up a capital reserve fund for future planning. C. Robie said well if it's in the budget, and something comes along that seems like a worthy cause, to plan for, then we have some funding to plan that, instead of kicking it out for another whole year and then "oh gee we want to do a plan on that" but we have to budget for that. I don't understand why money wasn't put in the budget either from the Selectmen or the Planning Board for planning.

S. James said well it wasn't so that's why we're talking about it. C. Robie said I would recommend to the Selectmen and the Budget Committee that we put in \$10,000 for planning. R. Cartier commented I would put it in, that's pretty cheap to get planning done and we need to get planning done by someone who knows how to do it. \$10,000 is a hell of a lot cheaper than what we're paying a lawyer to get legal advice and he's professional. I think we could get some good advice for \$10,000. T. Giffen said I say we put it in the budget. S. James said I'm for that, but to play devil's advocate, why not \$15,000, why not \$5,000, why \$8,000, why \$10,000. C. Robie said it was \$10,000 last year. S. James said but \$10,000 was based on a specific proposal to do specific work. C. Robie said not necessarily. S. James said it was, it was based on Southern NH and the \$5,000 was based on the same thing. I'm for it. \$10,000 sounds like a good number to me, I'm for it. T. Giffen said I would submit that based on quotes that we've received in the past that we feel it is realistic for similar projects, sized projects we're contemplating we should be able to get some reasonable progress towards our long term goals. It's a modest amount within the grand scheme of the Town's budget; it will benefit the Town in the long run.

S. James said we put \$2,500 to SNH, the last zoning and updates, was based on money that came from I-93 and DOT made it available. Consensus of the board to change the \$1 to \$10,000.

\$5,000 Mini-Grant:

S. Komisarek said I talked with George Reagan regarding a mini-grant. I think this is a great opportunity, their flexible, I thought we should touch on the essence of what Ben Frost said to us at the Master Plan Committee Meeting and why we might want to use this money to how are we going to come into compliance. But we can also use this money to educate people, do a charette, fiscal impact analysis, build-out analysis, I think we should be really detailed, ultimately if SNH Planning is going to do the work, they would get the money. Do you want to pull NH Housing and Finance Authority have them get together with SNH Planning and communicate. We have \$5,000...As a Planning Board what do we hope to achieve and give them direction rather than let SNH decide which study. What's important to us; we should detail or give some guidance as to where that money would go. What are we looking to achieve with that money.

T. Giffen said I'm looking at this and the first sentence "*This grant assists community leaders in efforts to promote an adequate and balanced housing supply.*" So that's the purpose of the grant. So if you're writing a grant request, that's the first thing, you have to address. This is what the money is being given out for, we have this program that conforms to, therefore it's justified, give us the money, right. "*To promote an adequate and balanced housing supply.*" Recent information has surfaced that we have compliance with work force housing under the state regulations that currently exist based on our existing housing stock. If you look at median income and affordability as the parameters by which you would judge, we are there. What do we hope to do?

S. James commented Ben Frost came in to one of our Master Plan Steering Committee projects and talked about that. It's not quite as simple. As far as housing, generally, I would agree with you, based on numbers, we comply. We are way off in rental property. There's not a lot in Town. We don't comply with rental. Work to do there. The other part was they had to put some numbers to it. The intent of the law and are you meeting it. His opinion was no. From a numbers basis, we appear to meet it on the housing side, not the rental, but the intent he doesn't feel we do.

C. Robie said we don't build affordable housing. For average person, he can't come to Candia to buy a home. S. James said the numbers they're talking about is existing stock but I agree with you.

S. Komisarek said you can look at numbers all day long. Look at the spirit of it, I think it was RSA 974:58 and why it became a law, it codifies Britton vs. Chester. What the State is saying to Candia all communities in NH is we can't put a moat around Candia and pull up the drawer bridge. So when Ben Frost, who's an attorney, looked at our ordinances and what we've done over the last 30 years, no you guys aren't getting it done. This \$5,000 helps us to look at it. I think for single family, we meet the requirement but are we trying to get starter homes, Capes. Right now we have the 3 acres and you have to have a \$389,000 house or anything new that's going to get built on 3 acres, we know the cost of the road. Something we've grappled with for the last four or five years. When you look at every Master Plan for every town in NH, our goal is to have a balanced affordable housing in our Town. No matter how rich we are, or elite we are, the State's mandating it. We're foolish not to at least have the dialogue and have the State recognize "hey these guys are making an effort to address what is obviously a deficiency." That's the essence of it.

S. James if we are going to go ahead with this, the Board needs to have someone come up with a detailed proposal or an outline. We come up with an outline, here's what we want, get it to SNH and have them write the grant for us.

S. Komisarek said let's get everyone's input. T. Giffen said if you look at the existing housing stock vs. new construction, with our current zoning, new construction cannot be built economically in the Town. The price of a lot dictates by and large what type of a house you can afford to put on it and still make money on the project. \$389,000, probably not too far off. That says to me if you're looking at affordable housing in Town, you're not looking at new construction. You look at existing housing but there isn't that much turnover. You're limited there. What are you going to do? You're not going to bring more existing houses to the market, so do you address the new construction side, given the economics of new home construction to try to do it with 3 acre zoning, isn't going to cut it. If you had some sort of limited area in the Town that was zoned for more compact development, the way things used to be on Langford Road, East Candia that was a village.

Those lots were big but long and deep, you had little houses, next to the Aunt Mary trail. You had small houses, small lots. C. Robie said we had 5 villages, High Street, Village, Main Street, East Candia, everyone lived in a neighborhood. There are no neighborhoods. T. Giffen said we have 3 acres uniformly across the Town, treating every district as the same as far as residential goes and I don't think its long term. Jane Drive is one acre.

R. Cartier mentioned at the last Master Planning Committee Meeting I went to a lot of this was discussed. Lots of ideas of what we needed to look at to change things. One was research. Looking at what places in Candia could support less than 3 acres. Master Planning Committee, we understand it's a problem, there's not enough affordable housing and our young people can't stay in Candia and go to Manchester to rent an apartment. Maybe we can get some ideas from the Master Planning Committee; \$5,000 would go a long way to get something done. T. Giffen said yes we submit a grant for research on what parts of Town would support compact zoning. R. Cartier said some areas won't support it, they don't have the water. Some areas have plenty of water.

S. Komisarek said let's tune into what Ben was saying; as it is right now, if a developer came into Candia and bought a piece of land and looked at our ordinance, they would get relief. At which point, the Planning Board would lose all control of that project. So we have an opportunity now to plan. The State is mandating, you have to do your fair share. We have done nothing to address that ever since it became law in 2008. We have an opportunity to plan. If we don't, we leave ourselves open to a lawsuit and we lose control.

S. James suggested we think about it. C. Robie disagreed. Let's get somebody working on it. Scott did his homework.

T. Giffen said do we have a consensus to apply for a grant for research to see what areas of Town could support more compact zoning to foster the development of more affordable housing. Should we bring it back to the Master Plan Committee?

S. James said the issue with the Master Plan Committee is that we're in a circle and that's what Scott's trying to get us out of. I threw out a suggestion of closer zoning to go right down out of Town here, on a main road, could support higher density. Several people were adamant the other way, no we don't want to do that, that's the rural, Charmingfare part of Town. It's hard, everyone has their opinion. The research isn't that hard. You find the map with the water. You find the roads that connect to it. You zone it out that way. C. Robie said you hire someone that is a professional to tell us what the most usable place is. S. Komisarek said for that \$5,000 we would want them to research where we should do it but write the ordinance, we'd also want them to do a fiscal impact analysis, all of that done for the \$5,000. So we can come back with tools and we can look at it and say okay, if you took this area by the gravel pit or whatever, we look at it, this is the number of units you'd end up with and this is the impact we think it would have on the community. Then as planners we can look at that data, we need information such as what impact will it have on the school. S. James said I don't know if we need them to write the ordinance. There are several really good examples from the Office of Energy and Planning. It depends on how you want to do it. Conservation Subdivision, Agricultural Subdivision, and Overlays so maybe they could recommend one of those to do. \$5,000 goes pretty quick, it's a lot of money but if it's \$80-100 bucks an hour, it's 50 hours, it's a week worth of work.

R. Cartier said if we get the technical portion of where we can and can't do it, that's a major step. We do have to take into account what the people in Town want to have in different parts of Town. Do you want to have a rural area, a village area? As of right now, if you look at village district and things like that we don't know if it can be supported with the current infrastructure that's in place in these areas. Maybe a village district around here just would not work because it doesn't have any water, enough percolation in soil for septic systems, maybe somewhere down the road it would be. We'd have solid information to work with.

S. James commented that sounds like a proposal. C. Robie said we need to focus on our village district where we are down here. We're not going to move the village district. We had five of them at one time and they all ended up here at Candia 4 corners. The village district is here. R. Cartier commented and there might be a good reason as to why it's here and we'll have the actual data. C. Robie said East Candia was a village, Main Street was a village. They're not going to sustain any more than what they have. They are built out. But

this right around here could sustain a built out to become a village. R. Cartier said I think we have a water problem here. We'll find that out.

S. James said so back to my original question, sounds like that's a proposal is anyone going to take the lead on it. S. Komisarek said at some point as we get further down the line I'm playing two roles, public and private, and I've been criticized for that and at some point I'll have to recuse myself but I think this is something I'm interested in and I could do some work on. The NH Housing and Finance Authority, they have money and technical assistance and they have their targets. They can help give us some guidelines too. It makes it easier for us if somebody can look at this, their planners, this is what they do and this is the responsible thing to do, this is the best thing for your community, and then we can debate that. It's always easier if somebody presents something to us and then we can kick it around. S. James said you'll work with Rudy to talk to SNH this is what we're looking for, help us. S. Komisarek said let's maximize bang for the buck with what we get. I don't want to spend all the money for obvious questions. We want to make sure we get the most bang for that buck out of SNH Planning. S. James said you have the support of the Board to do that. Once you get something, bring it back, we'll talk.

D. Young asked a question. Obviously there is background work that needs to go on. If there's a change in the zoning it has to be voted on by the Town down the road for villages etc. Is the time frame probably not this March to vote on it but next March, so there's something to shoot for? Time just keeps clicking away, clicking away and Scott said we've been going since...S. Komisarek said that was 2008 but we've had our Master Plan since 2004. We pretty much know what we have to do. I think we should strive and get some type of ordinance done this year. D. Young said so realistically this March. You're not going to ask for this money until March so realistically you're going to work on it but won't to the Townspeople for a change in the zoning to the following March. That's a year and a half for now. Is that correct. S. Komisarek said well if we get this money, now we've got the money to get the work done we need to get done, and then we have the money in there if we want to do an analysis at exit 3 or we want to put a plan together. D. Young commented but for a major zoning change, like reducing the size of a lot, which is going to be a huge issue with this Town. I'm just playing devil's advocate, a lot of know it should happen but it's going to be huge, whether it will get passed or not. Are you looking at this March or a year from March? Am I correct, is it a vote of the Town, I'm just trying to get a feel for a time frame.

C. Robie replied the goal was, I think, to get something before the voters if we want to have a village district and where it would be. D. Young said this March Carleton. C. Robie said I would think. We keep kicking things down the road, two weeks out, two weeks out; it's not going to happen.

R. Cartier commented I think Dean brings up a really good point; we're talking a tight time frame, basically 5 months. I don't think that's a realistic thing to do. I think if we can get this grant and do the basic foundation work that needs to get done, and find out where we could do this stuff. Then if you went to the Town and said, no we're not proposing a one acre lot everywhere, but the way the Town is set up, we could do it here, maybe even see if the concept of a village district is still active. I know a lot of people would like to see that done. I think Dean's right; I think a zoning change would be a year from this March. It will take a lot of publicity and education. T. Giffen agreed you need a lot more time for that to take place and for the buy in to occur if you want it to pass. If you throw it at them stone cold, it will be the same for when we asked for money to buy the property that the Fitz had, it was a shock, many weren't informed and when they aren't informed, they will say no. C. Robie said two weeks ago Mrs. Richter was in here, with her grandson looking to get a house lot on the 7 acres that she owns. Her brother owns some land over there, another 7 acres. In what would be proposed as the village district. And the Moore school, there's 11 acres or 9 acres that's just there. It's decent land. If we could get a village district then that would make Mrs. Richter's property have some value and the Moore School property have some value for our community. A private investor's property would have some value and jump across the street and the piece that Mr. Purington just subdivided off, if he had known we had a plan in place for a village district, his property might have been worth a whole lot more money than what he's going to get for it. Mrs. Richter, I'm thinking of her and watching this Board that evening and nobody really wants to tell her that she can't have a house for her grandson back there because of

the zoning. But if we had a Master Plan and a village district and her land was included, whether she wanted to sell it or get in on it, that's irrelevant, but if there's an opportunity for people, with a 60 foot right of way, that she might give to somebody, the Town to get to the back of Moore School, who knows how that would come together and maybe that kid could build a house back there for \$220,000 and live in our community for 40 years. And then six other young people could also on those 7 acres. That's what I see happening.

S. Komisarek said I think what we should do. Is talk to SNH Planning Rudy and say look "we know we have a Master Plan from 2004 and we're running 12 years behind"? If you look at the goals and objectives, they were putting things of high priority, 1-3 years. I do agree with Carleton to an extent. There is a sense of urgency but let's get it right. Let's talk to SNH Planning, "Jack is it feasible can we do the public education, can we put together a very good, thoughtful ordinance, can we get it done or are we rushing it?" If he says you guys are rushing it, put it off to the following year, fine, so be it, that's the time that it takes. If they look at it and say we'll get this money, we can do this, it's still only October. But let's talk to our planner and get some advice from them, is it feasible or not feasible, and whatever they say, I'm fine with. I see both arguments but because we are so far behind, we do have to say the time is here, we aren't in compliance with the law, there should be some sense of urgency but if there's not time to get it right then we won't force it. Does that make sense?

S. James said Dean your question was on the timing of this. We have some other things we are looking to do, in particular the accessory dwellings to change for the zoning coming up. They will be looking for a draft of those articles in December. That's two months from now. I don't think there's any way and I think what I've learned recently in Town, when the Board went to the voters for two years in a row to do Master Planning it was voted down and I think the reason was that we did a terrible job, I'm at fault, explaining it to people and promoting it. When you look at Pinkerton, whether you are for or against it, you couldn't go around in Town and not know about it and not have all the information you needed. They did a tremendous job with that and that's what we need to do if we're going to have any type of change and that takes time. And to go and think we're going to come up with, we keep saying we need to do this, who's the we, we aren't going to write an ordinance in 2 months, it's not feasible. You have to write this, submit it, then it has to be approved, then you get the money; that will be December. S. Komisarek said George said it's a two week process. It's a one page. When you talk about where Pinkerton was in October, I was in the first organizational meeting for Pinkerton, and you look at the ground that was covered when we had the informational at the Mason Hall and how much got done from October, November, December, January, into March. So it's like this isn't so complex and so complicated that it can't be done if we focus on it. So let's show some urgency, let's talk to the planners, "are we crazy", if they say we're crazy, we'll put it off. If it's something we can do professionally and we can get moving on it, we'll sit down and talk with Jack and do something responsible.

R. Cartier said as Dean said, you don't get anything sold in a couple of months. It takes a lot of work to get things sold in the Town so that's one aspect of it. The other is I'd hate to rush into it and start doing spot zoning without having a good solid plan for what everything is going to be and what we can afford. Sis Richter's land, trying to get something done, I think it's a great idea, but it's not allowed. We talked last time, we can't do spot zoning on this but we should come up with something that can be used in certain parts of Town or maybe the entire parts of Town. Just like the accessory dwelling thing. That was thought about by legislators 3 or 4 years before it actually go into there. I just want to make sure we do it right. I don't want to rush into something.

K. Kustra replied let's do the application and get the money, first. S. Komisarek reiterated and consult with SNH Planning is this realistic or is this a poor way to approach it. If they say no, you have this huge education piece, take your time, then fine. There was a lot of ground covered by the Pinkerton people that were motivated to do so and it ended up winning 10:1. So what do we do as a Planning Board from March to March that's going to educate people? How are we going to engage the people, what work are we actually going to do to educate people. T. Giffen replied you need to know what you're going to give them first. And then you can go about making people aware and informing people.



R. Cartier commented the people from Pinkerton did a great job; they were doing mailings, not meetings but presentations and all kinds of outreach activities.

S. James said they went door to door. J. Lindsey said they had a lot of people from a lot of different sections of life, if you're talking about what we're talking about, it's always the same people doing the same jobs, and we ought to have multi levels of everything. So Pinkerton had a wide range of support and I think that's the big difference. T. Giffen said they drew in a lot of people that were otherwise not involved. J. Lindsey agreed, exactly.

S. Komisarek reiterated let's get them to weigh in. I think they should weigh in and tell us these are the things you should do, this is how long it should take and whatever they say we should go with. And they may say, it's a 16, 17 month process.

S. James asked Scott to bring a draft to the next meeting? S. Komisarek replied there's no draft. I talked to George and he said you want to explain what your challenges are and explain what you're trying to achieve.

S. James commented that the Board should see it before its submitted, that's all. R. Cartier said so our task is to come up with a draft for the next meeting.

C. Robie suggested somebody on the Planning Board; we should coordinate with the school and the CYAA and see what they plan because I've heard that they may be spending money on planning for our community also. So if the Moore School is spending money on architects to design sidewalks around the 4 corners of the CYAA, maybe we all ought to be involved in that instead of spending money over there and spending it together, jointly. Maybe it's a rumor?

S. James said Gene Matt's on the Steering Committee. I can check with Matt.

C. Robie suggested a gym, if we had a village district with a new gymnasium, we might get a whole bunch of people to vote for it that wouldn't otherwise.

S. Komisarek said and what SNH is working on as part of the Transportation Committee is the solution we came up with to address the intersection and I think that's going to be very important for the Planning Board to see too. We made some good progress there and they are working on a plan right now. We should coordinate with the school because I heard that, they have study that they're doing over there, looking at where the buses are going in. C. Robie commented maybe that 60 foot right of way for Sis Richter might go in to the back of the school. Amazing how that would all work. It would be frontage.

MOTION:

T. Giffen **motioned** to adjourn at 8:57 pm. J. Lindsey **seconded**. **All were in favor. Motioned carried (7-0-0).**

Respectfully submitted,  
Andrea Bickum  
Land Use Secretary  
cc file