

CANDIA PLANNING BOARD
MEETING MINUTES OF
November 3, 2021
APPROVED

PB Members Present: Rudy Cartier, Chair; Brien Brock, BOS Rep.; Josh Pouliot; Scott Komisarek; Judi Lindsey; Mark Chalbeck, V-Chair; Robert Jones, Alt. (sitting in for J. Bedard)

PB Members Absent: Mike Santa, Alt.; Joyce Bedard

Audience Present: Eric Mitchell (DAR applicant Engineer), Jeff Wuebbolt (Road Agent), Dean Young (FD Chief), Bryan Ruoff (Stantec), Sylvia Von Aulock (SNHPC) and many town residents.

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

Minutes -October 20, 2021:

B. Brock made a **motion** to approve the minutes as presented. J. Lindsey **seconded**. M. Chalbeck & R. Jones **abstained**. **Motion passed.**

Other Business:

• **Candia Crossing (Bond Review):**

- The Board briefly discusses the Reclamation Bond for this project. B. Brock states that after speaking with the LUO and the Building Inspector regarding the release of this bond. He notes that the Road Agent and Stantec have plans to inspect the project prior to the release. He goes on to say that during the process of the Bond, it was discussed specifically what the bond would cover and the fact that the Town would never be accepting the road as a Town road because it would never be to Town specifications. He states that he would like to direct that there is no inspection that is required for the Town to reduce that Bond. If the BI has been up there, the houses are being built and the CO's are being completed, that is what the Town was concerned about and why the Reclamation Bond was in place. He recommends that there be no inspections required and if the BI is satisfied, then the BOS will vote to release the Bond at Monday's meeting.

R. Cartier asks if there are any questions/comments from the Board and S. Komisarek notes that there will be paving being done on the 8th and wants to know if the Board would like to wait until after that. R. Cartier states to B. Brock's point, normally in a subdivision an inspection would be required on the road(s), but in this particular case, the PB did not require a Road Bond for this project but a Reclamation Bond in case the property needed to be reclaimed. He states that from the PB's standpoint, it would now be deferred to the BOS to make their decision on the Bond and B. Brock agrees. R. Cartier notes that because it's a private road, it's the Homeowner's Association's full responsibility for anything on that road and the Town has a waiver as well a noted on the plans that it can never be a public road.

J. Pouliot asks if the BI has already inspected the project and B. Brock notes that Kevin (BI) does periodic inspections at the site and then he asks what the streets are, and it is noted they are Ridgeview & Pineview Drive.

• **Stantec -GIS Mapping System update:**

- R. Cartier asks B. Ruoff where they are with the system, and he states that they have all the information needed at this point and are on schedule to pull the system together.
 - J. Pouliot notes that he was at the Town Hall this week and noticed their computers are out of date as well as their software and capabilities; is that going to cause an issue with using the GIS software. B. Ruoff states that it shouldn't because it's a web based system and can log into it from anywhere. R. Jones notes that this may likely be more about the web browser than the system the Town works with. He will look into that in more detail and update the Board with any new information.
 - R. Cartier asks about the 2 admin. licenses and B. Ruoff notes that those were paid up front and can discuss those details in more detail once the system is up and running.

R. Cartier opened the meeting and explained to the audience the process that the Board will be taking with respect to this hearing. The Board will be reviewing associated documents pertaining to the case, taking input from the Board, the applicant/representatives of applicant, Town consultants such as Stantec, PD & FD Chiefs, the Road Agent, SNHPC and Town abutters, residents and others that choose to comment tonight. The purpose of this Preliminary Hearing is not for approval or denial of the application, only acceptance of completion or not by the Board. If after review, the application is not accepted, the meeting will be adjourned. If the application is accepted as complete, the hearing will go forward and after the presentation of information has finalized, the Board will provide the applicant with a letter outlining their concerns. At that point, it will be up to the applicant and their engineer to determine if they will move forward with the final application or not, which will be due 90 days after this meeting date.

Case #21-012 (Preliminary):

Applicant(s): DAR Builders, LLC, 305 Massabesic Street, Manchester, NH 03103; Owner: same; Property Location: Crowley Road, Candia, NH 03034; Map 414 Lot(s) 152 & 152-10.

Intent: *Major Subdivision. Lot 152 will be a residential lot and its remainder along with lot 152-10 will be deeded to the Town of Chester for Right of Way purposes.*

R. Cartier starts by confirming that the applicant is present, and they are, through representation by E. Mitchell (applicant Engineer).

R. Cartier states that the Board has the application and there was a checklist meeting done on 10/20/21 with the applicant. There were only 2 outstanding items on the checklist that needed to be addressed which included a letter from the Conservation Commission, which has been received, and the second being a written waiver submitted to the PB for Section 12.04: requires all new lot corners be marked with granite bounds and adjacent iron detection pins. The waiver request is noted on the plans, but it still needs to be submitted in writing to the Board.

R. Cartier asks if the Board has any questions or comments and there are none.

J. Pouliot made a **motion** to accept the Preliminary application as complete. S. Komisarek **seconded**. **All were in favor.**
Motion passed.

*R. Cartier opens the public hearing at 7:08pm.

R. Jones asks for clarification as to why the Board is proceeding with the Preliminary process again since they already did it back in May 2021. R. Cartier states that under the RSAs, once an application comes before the Board, it must either be approved or denied. In this particular case that has not been done yet because no Final application has been submitted and voted upon. The last Preliminary application that was submitted and heard by the Board on 5/19/21 was accepted but the applicant missed the 90d deadline date to submit the final, which made the Preliminary null and void and therefore they had to start the process again from the beginning. That is why we are here again tonight in review of the Preliminary application, and it could happen again or as many times as necessary until the applicant submits their Final application.

E. Mitchell starts his presentation by introducing himself and noting that there was another Preliminary in May but did not meet the 90d deadline. He notes that the plan itself is similar to the plan reviewed back in May, but the differences are that they met with Stantec after May and addressed some of the outstanding items on their list. Most of their list wasn't relative to the Preliminary hearing but what would be required to submit with the Final application. A lot of the changes we did make. We submitted a set of plans and a letter of responses to the Stantec review. In the review letter they received this week from Stantec, a lot of the comments indicate that the comment has not been addressed but they feel the comment was not addressed satisfactorily to Stantec. He notes they did address the comments and gave reasons as to why they were doing what they were doing, but he understands if it isn't what Stantec is looking for, they would say it was not addressed.

E. Mitchell reviews the project info. and states the property map/lot(s) are 414-152 & 152-10, on Crowley Road. The proposal is to reduce the size of lot 152 to a 3 acre building lot, as a lot line adjustment, and have the remainder portion of that be a ROW for the Shannon Road project, which will be deeded to the Town of Chester so they would ultimately own and maintain the road even though technically it is in Candia. The entire portion of lot 152-10 is part of the ROW and is not part of anyone's lot, but the access way is still a 24' road going down through that. We are not creating any lots with this. The major concern of the Town of Candia is not so much the subdivision of the lot, it's the Crowley Road improvements. Both the access points go to land in Chester, which is a conditionally approved 60 lot subdivision by the Chester PB. The main reason this application is considered a Major is because of the road improvements that are proposed to be done. They intend to improve 5900' of Crowley Road with 1" shims where the pavement is cracked and 1 1/2" of wear coarse down over the 5900'. He goes over the width of having 20' of pavement with the current being 19-20'. This proposal also includes the cutting of trees,

mostly dead, because they are right up against the pavement. Crowley Road is a scenic road and therefore if they require removing any live trees, they will be required to go before the PB for approval beforehand. As far as clear space, the trees would be cut back so there is room for larger vehicles to a certain height. He states they have talked to Chester and that Town had agreed to accept Shannon Road and will get that information in writing to the Candia PB. He notes there is a cistern on Shannon Road a ways from Crowley Road but can be used in a mutual aid situation. He notes that the posted speed on Crowley Road is 25mph.

R. Cartier asks if the Board has any questions or comments and there are none.

R. Cartier asks B. Ruoff from Stantec to address his letter that has approx. 64 outstanding items and B. Ruoff notes that some have either been addressed, are clerical items or final application requirements but there are a few he would like to point out to the Board for discussion (applicant/engineer received this letter but no response yet because it was just submitted 2 days before the meeting). He notes that though some have comments, they have not been addressed. He reviews certain item numbers (1, 20, 22, 30, 35, 44, 51, 56 & 64 *see attachment). J. Pouliot asks B. Ruoff if AASHTO is a guideline, and he says it is a guideline and not a standard. J. Lindsey asks is the Town votes to put a road into scenic status, can someone start the tree cutting before it's voted by the Town to change the road and R. Cartier states that it would need to come before the PB in a public hearing. R. Cartier notes that stone wall boundaries are protected by RSA and are not supposed to be changed.

The Road Agent reads his letter into the record (*see attachment) and notes the improvements that will be needed if the project is to move forward. He has spoken with the Town Engineer as well as the FD and PD and all agree on the necessary improvements.

The FD Chief has no concerns about the project itself and currently can get emergency vehicles down to the property owners so unless there are significant traffic issues (he will not determine that himself and defers to the engineers, etc. for more guidance), he sees no problem at this time. There is a cistern that can be used if mutual aid is necessary and answers R. Jones' questions about who he thinks will be 1st responder to any large fire or event in that development would be by stating he does foresee the Town of Candia being a 1st responder to a major incident in the development. R. Cartier asks the Chief about the Mutual Aid agreement they have with other towns and if there are any contracts that he knows of that may state what the terms are. The Chief was not certain as to those details but will look into it and get back to the PB with an update.

R. Cartier reads the PD letter into the record (*see attachment) and notes the traffic impact on the road site distance issues and danger of increased vehicle and pedestrian traffic.

R. Cartier reads the Conservation Commission letter into the record (*see attachment) and J. Lindsey states that after the review of the plans by the Commission for these lots, they did not find any specific drainage or wetland issues but the bigger issues surrounding the property are that the Fordway Brook across from the proposed project, a big area of conservation land as well as wildlife corridors that the Board may want to address if the project moves forward.

Sylvia Von Aulock from SNHPC sent in a letter for review and asked that the letters from the Road Agent, Conservation Commission, PD, FD & Stantec are all sent to their office for review. They work with Candia and other surrounding town including Chester, Auburn, Manchester and Deerfield and she agrees with what has been said tonight from the Road Agent as well as Stantec. She noted a few items from her letter including how important it was that if the project moved forward, to include a pre-well as well as a Pre & Post-blasting study, expand the traffic study beyond Crowley Road because many side road will be affected by this development that are not noted, make site distance, seasonal issues including plowing, tree cutting & wetlands all priorities so they don't fall by the wayside.

R. Cartier asks if the Board has any questions or comments and there are none.

R. Cartier starts by reminding the audience and Board to focus on technical concerns regarding the project and not personal feelings towards it.

Many residents come forth to speak (*audio for more details) regarding the project and the concerns about the impact it will have on Crowley Road itself, many other surrounding roads, the water, well, septic issues, drainage, noise and light pollution, culverts currently in the road, tree cutting, stone wall boundaries being moved, the posted speed limit vs. the actual speed cars currently travel on the road (possible natural speed limit features?), blasting concerns and the fact that the road is currently categorized as a scenic road and that any changes to that must go before Town vote.

R. Cartier asks if there are any questions/comments from the Board, abutters or audience and there are none.

*R. Cartier closes the public hearing at 8:51pm.

R. Cartier states that the Board will review the information obtained tonight and put together a list of items for the applicant to address for their final application submittal. The Board briefly reviews the last letter dated 6/2/21, that was sent to the applicant from the Preliminary Hearing in May 2021 and agree to add a pre & post-blasting study and again address Stantec Review items. This letter will be written up for the Chair to sign and sent out to the applicant/engineer, at which time they will determine to proceed or not.

MOTION:

R. Jones **motioned** to adjourn the PB meeting at approximately 9:09pm. J. Pouliot **seconded**. **All were in favor. Motion passed.**

Respectfully submitted,
Lisa Galica
Land Use Office Coordinator
cc: file