

**CANDIA PLANNING BOARD
MEETING MINUTES OF August 21st, 2024
APPROVED MINUTES**

PB Members Present: Tim D’Arcy, Chair; Brien Brock, BOS Representative; Rudy Cartier; Scott Komisarek; Judi Lindsey; Kevin Coughlin; L. Carroll, Alt. (sitting in for Mark Chalbeck)

PB Members Absent:

Mark Chalbeck, V-Chair
Mike Guay, Alt. (excused)
M. Santa, Alt.

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

Old Business:

- **Case #24-005 (Minor Subdivision):**

Applicant: 34 Lane Road, LLC, 63 Lane Road, Candia, NH 03034; Owner(s): 34 Lane Road, LLC, 63 Lane Road, Candia, NH 03034; Property Location: Lane Road, Candia, NH 03034; Map 414 Lot 146 **Intent:** *To create one residential lot.*

The Town was informed on August 5th that an abutter required special accommodation. This case was continued on August 7th to this meeting to give the Town time to provide the necessary accommodation. The abutter requesting and requiring accommodation did not attend.

T. D’Arcy: There were two items that were deficient. You can do a quick chat and then we can address those two deficiencies and then we can see if we can vote it complete and then open the public hearing.

Jason Franklin: Franklin Vera Associates: We are doing a single lot subdivision. We did receive state subdivision approval approximately two weeks ago. It’s pretty simple / straightforward. We meet all of the requirements for the town and the state. No wetland crossing permit will be required.

T. D’Arcy: At present, there is no building proposed for this lot, correct?

J. Franklin: Correct. In the future, there will obviously be a house on here but currently, there is not.

T. D’Arcy: Let’s go through the two items that were missing.

J. Franklin: One was the locus on the plan which I have added that shows the proximity of the lot. The other one was the current use letter that we have received.

Motion to accept the application as complete: B. Brock. **Second:** K. Coughlin. All were in favor. **Motion passed.**

T. D’Arcy: It is now accepted as complete, and it is 6:36PM and we will now open the hearing to the public if there is any public comment.

No comment from those in physical attendance or online/Zoom

T. D’Arcy: Okay, I will take that as a resounding no.

R. Cartier: When you were talking about the access to where the upland land would actually be built am I correct in saying that it was probably going to be just down from where the proposed septic area is on the map?

J. Franklin: The access for the driveway is going to come in up here and then kind of wind it’s way down. However, we haven’t really got to that part of the process yet. But this is probably the best spot for access where we can avoid all of the wetlands. It makes the most sense to put it there.

R. Cartier: So, looking at what you have on the map, it looks like there might be a culvert of something that runs up in that area?

J. Franklin: Yes, there is a small swale. We did have that looked at. It is not a wetland. The wetland scientist looked at it twice and determined that it is not a wetland.

6:38 Public Hearing is closed.

Motion to accept and approve the plan as proposed. R. Cartier. **Second:** B. Brock. All were in favor. **Motion passed.**

New Business:

- **Case #24-007 (Lot Line Adjustment):**

Applicant: James Logan, London Bridge South, Inc., 273 Currier Road, Candia, NH 03034; **Owner(s):** London Bridge South, Inc., 273 Currier Road, Candia, NH 03034; **Property Location:** 438 & 476 High Street, Candia, NH 03034; Map 405 Lot(s) 28 & 30 **Intent:** *To move boundary line, creating a 154.927-acre lot and a 3.00-acre lot.*

Jonathan G. Lefebvre – Fieldstone Land Consultants – Here tonight on behalf of the applicant, James Logan. What we are doing is something very simple. We have two parcels. One is approximately 100 acres. One is approximately 50 acres. We are going to move a lot line so that we have a three-acre lot with the existing house and we are going to have the remaining lot at roughly 147 acres.

What we would be proposing is just a three-acre lot that would leave the rest of this land as one lot. It’s pretty straightforward. We meet all of the requirements as far as setbacks, frontage, lot sizing.

T. D’Arcy: The buildings that are on this map are already existing.

J. Lefebvre: Yes, currently there is an existing house and outbuildings on the lot. Those will all meet the setback requirements. And there is outbuildings on the other lot. Everything we are proposing here will meet the requirements.

Motion to approve as presented. R. Cartier. K. Coughlin: **Second**. All were in favor. **Motion passed.**

A question was asked about future plans for the bigger lot, by an abutter who did not identify themselves.

J. Lefebvre: The bigger lot, later down the road if we do something with it, obviously it will be through the planning board, and we will have to notify the abutters for that project. Right now, as it stands, there is an existing building. We are just looking to do the lot line adjustment.

Old Business:

- **Case #24-006 (Minor Subdivision):**

Applicant: Summit View of Hooksett, P.O. Box 299, Candia, NH 03034; **Owner(s):** Summit View of Hooksett, P.O. Box 299, Candia, NH 03034; **Property Location:** 113 Crowley Road, Candia, NH 03034; **Map 414 Lot 2 Intent:** *To subdivide the subject parcel (Candia Tax Map 414 Lot 2 & Chester Tax Map 11 Lot 28) as one lot, into three single-family, residential lots, each having area on both sides of the Candia/Chester Town line.*

T. D'Arcy: Let me summarize where we left this. This was accepted as complete at the last meeting. We had a lot of neighbor input at the last meeting about road and construction traffic and the road being in rough shape. We continued it to this meeting so that the applicant, Jeff, our Road Agent, and the Town Engineer could meet to discuss options and costs in terms of doing some road improvements from Chester Road to the development to look at mitigation of the construction traffic.

J. Wuebbolt: Me and the Town Engineer talked. He wrote up a letter, so we have some numbers to work with. He came up with a number for the total for what essentially would be a grind and repave, from Chester Road to the lot which would be \$235,374 (\$67.25/LF). What we did with that number, we broke it down into a linear foot. And then we multiplied that by the amount of frontage on the lot, which is 552.22 feet. $X's \$67.25 = \$37,136.66$. That is the number that we would be looking for offsite improvements. I was not involved when other houses went in on Crowley Road, but Bryan was, and he said that this is right in line with what was done the last time houses were put on Crowley Road. So, it's not like it's a new thing that we are doing. It's pretty similar to what we did before. He also reinforced the fact that we had talked about last meeting, trying to recoup our portion of the impact fees from Chester.

T. D'Arcy: If this gets approved, that will be what I recommend as a condition of approval. That we get some mutual aid and some remuneration from Chester. From what I can see in the minutes, they said a similar thing, that they need to work with us on it. But I saw that they went into a nonpublic session right after this, so I am not sure what they discussed, whether it was this or not. We are going to have to come up with some stuff there with Chester.

B. Brock: I did talk to the Town Administrator and asked if she would call over there to make some inquiries on that and I haven't heard back if she got anywhere.

J. Wuebbolt: I don't think she has heard back from them yet.

T. D'Arcy: I think we need to put a condition on it. Even though it looks like it's already been approved by Chester that we say it has to be approved by Chester and Chester says it has to be approved by Candia so that we are all synced up. I agree that we need to get some impact fees back from Chester.

K. Martel: Can I just clarify? You are suggesting a condition of approval that's just conditioned on Chester approving it or on me getting impact fees back from them as a condition. I don't think I can influence that.

T. D'Arcy: Yeah, I don't think you can either.

B. Brock: I don't think you can make that a condition of approval. In a perfect world, it would be nice but. His cost for offsite is around \$37,000. What are you proposing for the rest of it? To your proposed budget for next year or pushing it out further?

J. Wuebbolt: It would most likely be coming out of asphalt maintenance. Maybe not necessarily next year but it's something that needs to get done in the near future.

B. Brock: Because part of the concern of those neighbors that live in that $\frac{3}{4}$ of a mile section there. The road is just getting worse and worse all the time.

J. Wuebbolt: That's true but I am not going to put any money into it until the houses are done. It doesn't make sense. I don't want to rebuild the road before the construction. I don't think that makes sense.

B. Brock: It could be milled and black packed. Temporarily, until you paved it.

J. Wuebbolt: Or we could just do more patching. I think if we are going to put money into the road, we should do it after the fact. That's essentially money that in reality you really don't have to spend.

B. Brock: That's basically why we base coat all of our developments and then top coat when it's done. You do that to stabilize the road while it's under construction.

J. Wuebbolt: But those roads are also in a lot better shape.

B. Brock: Is that something that you are amenable to? That \$37,000 offsite improvement?

K. Martel: I am confused about the methodology because I understand transitioning it to linear foot, but each linear foot serves two sides of the road. So, is that something that everybody pays? Why would one side get tagged for it? And then we are only creating an impact of two new lots, not the entire frontage coming off of it. So, it seems like if I am offsetting an impact with some sort of supporting natural nexus to it that it would be off of those. So, some clarification. I am not saying that I am not amenable to the number, but can you clarify the thought process?

J. Wuebbolt: Well both sides do share it, yes.

K. Martel: But one side is being tagged for the whole cost.

J. Wuebbolt: Well, that's not necessarily true. The footage that we put in here is not both sides of the road. It's just the road, not lane miles. Lane miles obviously would be more.

K. Martel: You are putting the burden all on that side of the road. Usually, we see that there is x number of vehicles per day travelling that road and we are going to increase the number of vehicles by this percentage of it and our cost is to do that. I have never seen it the way that you got there.

J. Wuebbolt: I think what you are thinking of is a normal traffic study. This is based on traffic but also on construction traffic. So, it's different in that respect. A lot of what is going into this is the traffic going to and from the site but it's also a lot of the traffic to and from the site during construction. That is what it would cost us to rebuild that road and that's where that impact fee essentially came from.

K. Martel: So, you, at the last meeting, represented that you had traffic info. Have you looked at the increase of two additional house lots and backed into it by a traffic methodology?

J. Wuebbolt: I have not done a traffic study.

K. Martel: No, it's not a traffic study, you said you had traffic counts for the road.

J. Wuebbolt: We do have traffic counts.

K. Martel: So, did you look at it that way or just by linear feet.

J. Wuebbolt: We looked at it by linear feet. In my opinion, that is the best way to look at it based on numbers and based on what you have as far as road frontage.

K. Coughlin: Pardon my ignorance. This is kind of surprising to me. If for instance there was two houses being put on Diamond Hill Road, it's a town road, in good condition, are we charging that money up there?

B. Brock: If in fact there are areas on that road that need improvement. If there is nothing that needs to be taken care of. If there is nothing that needs to be done on that road, offsite improvements don't get charged.

J. Wuebbolt: This is not necessarily an impact fee; this is more of an offsite improvement. It is something that we require for any development that goes into town.

K. Coughlin: So, if you are going to build a house, you should build it on a good road. So, the fact that the road is in disrepair before he gets there, he is being penalized for the lack of repair status of the road.

B. Brock: It's figured out that his additional impact to the road. That's the crux of it, that's the bottom line.

K. Martel: But the way we would do that is looking at the traffic using the road and showing how much we are increasing it, not how many feet of frontage.

B. Brock: So, you are saying there is a house already in one lot. So, you're saying, I am only impacting two lots really. So, you would be better off with 2/3rds of that \$37,000?

K. Martel: I'm not trying to be difficult.

B. Brock: No, I know you're not.

K. Martel: I guess there is a resident harping in the back of my head. I think in the very near future you guys are faced with needing to support a decision for some more limited form of development coming off of Tanglewood/Crowley Woods. And so, while it's not my primary concern, how would that work? They have no frontage, so they don't pay?

T. D'Arcy: That's an entirely different thing because the traffic study that they provide shows traffic levels that are not compatible with Crowley Road. As it exists or as even it could be built out because of rights-of-ways and so on and so forth.

K. Martel: I believe their belief based off of some Chester planning board minutes is a more limited number of lots stays within your arterial geometry or below the threshold. So, I guess what doesn't seem fair to me is I can see them more aggressively sitting here with you saying that my 15 lots equals this amount of traffic on that road and when I divide out the math, I think they get taxed less and that doesn't seem fair. It's always been traffic.

R. Cartier: I have a few questions. One of them was, Jeff you had talked about the payments for the last development, wasn't that eight or nine houses?

J. Wuebbolt: Yes. They did pay offsite improvements.

R. Cartier: What was done with that money?

J. Wuebbolt: So, when that happened Dennis did a little bit of work and then he did pave it with that money that he got from them.

R. Cartier: Down in front of those houses. So, is that road in good shape now? That part of the road?

J. Wuebbolt: Not really.

R. Cartier: There were eight lots done and we don't know how much money was required. We don't have any indication of what was put for those other eight lots. It seems to me that you are going to add two lots. You are going to add \$19,000 to each one of the lots costs. And by doing that, agreeing with the applicant that paving that section of road is going to benefit both sides of the road. It's also going to benefit people down the road from this particular one and that road is falling apart again, so it was really nothing that lasted very long. And to go to Kevin's comment, we do require impact fees for any house that's basically built in Candia. Whether it's a good road or it's a bad road. On my time on the Board, I have never seen anything where we've required impact fees that were specifically going to be put...I should say offsite improvements, that were only going to be taken care of a small section of road. Usually what we would do is when we talked about the whole Crowley Woods Development, we said that whole road needs to be updated, upgraded to arterial standards, which is the way that it actually should be done. We have in place, in Candia, impact fees to put into road that you can use that money for here if you want or you can combine it with other ones and use it over this whole year, because the other thing is, I would take it that you are going to rebuild that road to town standards, so you would have a small section of road on Crowley Road that was built to town standards and knowing that leading up to that road, you can't build it to town standards. So, it almost seems to me that you are penalizing this particular gentleman for putting in two new lots for a section of road that's still going to be substandard and always going to be substandard from Chester Road up to where his is. That section is going to be built to town standards and then you go back to having a road that's substandard again. It just

doesn't make sense to me to have him pay for that one small section of road. I don't think it is appropriate for something this small to be charged that much money for offsite improvements.

T. D'Arcy: The concern that we are dealing with on this is that the road is in really bad shape. For all intent and purposes impossible to bring that road up to town specs without a massive amount of investment in it and the concern is really not so much the concern that was voiced at the last meeting was not so much about the traffic generated from two additional houses but from the construction traffic. So, what we are looking to do is take some town money, get some kind of offsite improvements from the applicant to help offset some of that cost. Right now, I have been on a lot of dirt roads that are smoother and easier to traverse than that road so I understand the concerns. I understand your point. We are in a unique space here because of that road and the nature of the road.

K. Martel: And my position is not adverse to contributing something. It's having a methodology that ties in and is supportable by something versus you have this much frontage and you chose to build. But the other lot that is across the street, when they tear down their house, they had that same frontage, and I am accustomed to seeing traffic. I actually believe that there might be some basis for that state law. Which I am not saying that heavy handedly, I just don't want to do something wrong.

R. Cartier: We also set a precedence on Currier Road. That road was in terrible condition. Worse than Crowley Road because you couldn't get up the road in the Spring. We didn't do that for them so it seems to me this is setting something that the Board has never done before to have someone pay for the road when they are just putting in two lots.

B. Brock: That was, I think, our mistake, that we didn't institute an offsite improvement. I do agree with him that charging for the three lots might be excessive because one does exist.

K. Martel: There just needs to be some logical or statute-based methodology to get there. This happens all the time, so I am not adverse to something there but making it up as I go is hard for me.

J. Wuebbolt: Someday I really want to do the entire road. It's not on the CIP. That doesn't mean that it's not going to happen. I think we could definitely do it within five years. We can definitely do extra projects. We normally do because things pop up all the time. There are quite a few avenues that we could use now, especially with the grant. That is a big tool that the highway department can use to knock out some serious road mileage.

R. Cartier: When you and Bryan did the cost estimates did you base it on full town standards for rebuilding that section?

B. Brock: We can't. That road cannot be built to town standards.

J. W. Wuebbolt.: That section is where the narrowest part of the right-of-way and the narrowest pavement on that road is right there in the swamp. So that part, you are never going to, unless you buy right-of-way from somebody which, as an engineer or a construction person like myself and an engineer like Bryan Ruoff, yes that makes tons of sense. As a town resident, I don't think I would support that. Nobody wants to see that.

K. Martel: My question is, taking that and dividing it out by the frontage rather than assessing the impact of usage of that road to our project. So, if you had, if there are 100 cars a day that drive down that road and we put in two new house lots and those two new house lots add two new cars,

just to do simple math. That's a two percent increase of traffic. The way that I have always seen offsite improvements done in a case like that is that it's proportional sharing and it's just supported. Anyone can use it the same way, anybody subdivides something down there, they are not individual backroom deals based off how it is and I just feel more comfortable with that. It's not that I am adverse to having a conversation, it was just a question.

T. D'Arcy: My question is can we also figure out an assessment for the construction piece?

R. Cartier: I don't know if you can do that.

S. Komisarek: Would it be a good idea to take two weeks?

B. Brock: Your future impact is going to be a lot less than it is right now.

Case continued to September 4th.

Old Business:

- InvestNH HOP Updates – Steering Committee – Cam Prolman
- Nate Miller – Impact Fees

Nate Miller – SNHPC: I guess the one thing that I would note, whatever the Board is talking about with this particular development is not an impact fee.

I gave the draft to all of you last time.

I do have the public safety impact fee draft. This is dense and there is a lot of math. I want to give you some time to digest it. I do want to note, with any impact fee, the purpose of an impact fee is to reflect...public safety in this context is police and fire. Ambulance is included. \$597.00 for a single-family house. It's not the lowest in the state but it is lower than other communities. The first big item to tackle was the police station. The new police station. We know that the cost of that is 2.5 million dollars in the CIP.

B. Brock: In my mind, the duplex and multi-family would be more.

N. Miller: The way that it is calculated is per person and then we multiply that per dwelling unit.

71% to bring it up to current standards versus 29% for new development.

A fraction of the improvements to the fire department. I ended up with the fire department, 91% with the renovation being attributed to today's needs.

I did a similar analysis with the existing apparatus and the rolling stock and ended up with 13% being able to accommodate future growth.

L. Carroll: Would ADU's be on there?

N. Miller: Good question. We look at an ADU as an extension of a single-family residential use. I have the assessing data; I crunched the numbers. .31 per square foot.

At this point, you have drafts of both.

You don't have to adopt these fees. You can adopt anything lower that you see fit.

R. Cartier: You've presented something defensible. You've based this all on solid data.

N. Miller: I tried every step of the way to be as conservative as possible.

T. D'Arcy: While you are here Nate, is there anything we want to add to it?

N. Miller: The four corners project is in there. We are in very good shape.

T. D'Arcy: Let's talk about Raymond. Regionally Impactful Development off of Green Road. It is 1.5 miles from the town line. 2.5 miles from exit 4. I called the Raymond Town Office. Can I get a traffic study? He emails me three hundred plus pages. I see this is a three-phase housing development with 249 units. The Westbound traffic out of this development heads towards Candia. We obviously have skin in this game.

N. Miller: We didn't get this one. Technically when we are notified, we get to provide comments on the project. Normally we would try to coordinate with Rockingham, but they are not going to provide comments. If the Board had significant concerns about this development,

R. Cartier: In actuality, what can Candia do? We can't stop it.

J. Wuebbolt: Patten Hill is our busiest road and it all comes from Raymond. I think this is another one that we need to talk to Raymond about getting some money from them.

N. Miller: That would be a conversation between the two towns.

Other Business:

- Regulations
- Town Planning

ADU Discussion.

T. D'Arcy: I made the few changes that we talked about last time.

K. Coughlin: We are going to be presenting this as a warrant article?

(Collective) Yes.

K. Coughlin: If it's really supposed to be an in-law apartment type of thing, you would hold the square footage for it to be uncomfortable for more than that.

R. Cartier: How close is this to what the state was trying to do? Why don't we just look at what the problem is and then do that. Personally, I agree that 750 square feet. You are crossing that line. So basically, what you are doing is allowing by right a doubling of the house size. The only other thing I would add is the first one is allowed by right.

Some continued discussion about accessory dwelling units.

- Any other matter to come before the Board.
- Approval of Minutes, 7.17.24

Motion to approve the minutes of 7.17.24 as presented. R. Cartier. **Second:** L. Carroll. J. Lindsey and K. Coughlin abstain. Remaining members all in favor. **Motion passed.**

Approval of Minutes for 8.7.24, postponed until the next meeting.

Motion to adjourn K. Coughlin. **Second:** L Carroll. All were in favor. **Motion passed.**

Meeting adjourned at 8:34PM.

Respectfully submitted,

Amy M. Spencer

Land Use Coordinator

cc: file