

**CANDIA PLANNING BOARD
MEETING MINUTES OF October 2nd, 2024
APPROVED MINUTES**

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

PB Members Absent:

Kevin Coughlin (excused)
Mark Chalbeck, V-Chair (excused)
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.

B. Brock had to excuse himself momentarily to handle some Board of Selectmen business.

New Business:

Zoning Ordinance Amendment for Accessory Dwelling Units: To consider a draft of amendments to the Candia Zoning Ordinance for the 2025 ballot. The full text of all proposed Zoning Amendments will be available for inspection on the town website as well as in the Land Use Office

The motivation for the new ordinance stems from recent legislative activity aimed at allowing two ADUs per lot, as well as a housing needs assessment indicating a demand for more affordable housing. The board decided to allow a maximum of two ADUs per house, with the first being permitted by right and the second requiring a special exception.

The first ADU can be either attached or detached, provided it meets specific requirements: a maximum size of 850 square feet or 75% of the primary dwelling's square footage, and it must resemble the main house. Additionally, one of the units must be occupied by the property owner, and detached units must be within 100 feet of the primary dwelling.

The public hearing on the accessory dwelling unit amendment to the zoning ordinance is officially opened at 6:35 PM.

Judith Szot expresses concern about the implications of allowing multiple units on a single property, particularly regarding water and septic system limitations. Highlighting that many areas in town have severe limitations for septic systems and emphasizes the importance of ensuring adequate water supply and waste disposal.

T. D'Arcy responds by stating that the ordinance requires adequate water supply and compliance with state regulations for waste disposal, indicating that if these conditions are not met, an ADU cannot be built.

The discussion continues with concerns about the potential for overburdening local water resources if multiple units are allowed on a single property. Tim D'Arcy reassures that the ordinance includes provisions to ensure adequate water supply and waste disposal, and they acknowledge the need to monitor the situation as the ordinance is implemented.

A participant questions the decision to allow two ADUs instead of just one, and the speaker explains that the state is pushing for two units, prompting the board to act proactively. Tim D'Arcy reiterates the need for more housing and rental options in the community, noting that new rental properties have not been built since the 1980s. Mentioning that the board will keep an eye on the situation, especially regarding short-term rentals, and may make adjustments to the ordinance in the future if necessary. Another participant points out a need for clarification in the language of the ordinance, specifically regarding the sharing of driveways and entrances.

Some continued discussion about the ordinance not requiring reporting for short-term rentals but requiring compliance with tax guidelines and insurance. The discussion shifts to the ambiguity in the current short-term rental regulations, with a suggestion to review and clarify these guidelines.

The public hearing is closed at 6:50 PM, and the board turns its attention to reviewing the legal counsel's work on the ordinance. Members discuss necessary amendments, including renumbering sections and ensuring consistent terminology throughout the document.

Members point out that the language in the ordinance should be consistent, particularly regarding the use of singular and plural terms for accessory dwelling units. The discussion emphasizes the importance of clarity and consistency in the zoning ordinance to avoid confusion in its application.

The board agrees to make the necessary adjustments to ensure that the language is consistent and clear throughout the ordinance. The meeting continues with further discussions on the implications of the new zoning regulations and the need for ongoing monitoring and potential future amendments. Discussion revolves around the language in the zoning regulations, particularly focusing on the definition and allowance of accessory dwelling units (ADUs). There is a need to clarify that only one detached accessory dwelling unit is permitted by right in residential and mixed zones, while a second unit would require a special exception.

The conversation shifts to the square footage definitions related to the primary dwelling and how it impacts the ADUs. There is a suggestion to define square footage based on tax maps, which show two separate numbers: the total building square footage and the livable square footage. The group discusses the implications of including or excluding certain spaces, such as basements and garages, from the square footage calculations. It is agreed that livable space should be the focus, and there is a consensus that the definition of living area should be consistent with tax card definitions to avoid confusion.

A motion is made to approve the amendments regarding accessory dwelling units, which includes passing the changes by legal counsel before placing them on the ballot. The motion receives unanimous support from the members present.

L. Carroll: **Motion** to approve the ordinance amendment for accessory dwelling units, as amended.
J. Lindsey: **Second**. All were in favor. **Motion passed**.

Old Business:

Other Business:

- Regulations
- Town Planning

The meeting transitions to other business, with a focus on reviewing zoning ordinances in light of the upcoming March ballot. There is a call for members to identify any additional changes or discussions needed regarding the zoning ordinances.

A member suggests reviewing the zoning ordinance related to housing, indicating that there may be ongoing issues that need addressing. The group acknowledges the importance of analyzing common exceptions and waivers that have been granted in the past. The discussion highlights the need for a comprehensive review of the zoning regulations, particularly focusing on low-hanging fruit that could be addressed without extensive delays. Members express a desire to streamline processes and eliminate unnecessary complications in the regulations.

The conversation shifts to the topic of minimum building lot sizes and the need for regulations that consider soil and water conditions rather than arbitrary acreage requirements. There is a recognition that higher density housing may be necessary to meet future community needs.

T. D'Arcy: Is there anything else in the ordinances that need to be changed?

J. Szot: The section of the zoning ordinance for elderly housing that prohibits a second floor.

The town engineer situation is discussed, with concerns raised about the lack of communication from the current engineering firm. Members express frustration over the delays and the need for a more responsive relationship with the engineering firm.

Suggestions are made to explore other engineering firms, with names provided for potential candidates. The importance of ensuring that any new firm does not have conflicts of interest is emphasized, particularly regarding ongoing projects in the town.

The group discusses the need for a formal request for qualifications from engineering firms to ensure a thorough selection process. There is a consensus that while the current firm has provided good service in the past, the current lack of communication necessitates exploring other options.

- Approval of Minutes: 9.18.24

The minutes from the September 18th meeting are discussed, and a motion is made to accept them with the proposed amendment to remove the last paragraph. The motion is seconded, and a roll call vote is conducted, resulting in approval from most members, with one abstention.

- J. Lindsey: **Motion** to approve the minutes of 9.18.24 as amended. **Second.** B. Brock. L. Carroll abstained. The rest were in favor. **Motion passed.**
- Any other matter to come before the Board.

T. D'Arcy: Mike Guay and Rudy Cartier have officially resigned.

B. Brock: **Motion** to accept both resignations with regrets. S. Komisarek: **Second.** All were in favor. **Motion passed.**

The group expresses gratitude for Rudy's long service and contributions to the board.

Judith Szot then takes the floor to express her appreciation for Rudy's service, highlighting his wisdom, guidance, and preparedness during meetings. Judith emphasizes the significant impact Rudy has had on the town and expresses heartfelt thanks for his dedication and knowledge. Rudy responds with gratitude, acknowledging the kind words and expressing that he will miss the group.

Motion to adjourn B. Brock. **Second:** J. Lindsey. All were in favor. **Motion passed.**

Meeting adjourned at 7:40PM.

Respectfully submitted,

Amy M. Spencer

Land Use Coordinator

cc: file