

CANDIA PLANNING BOARD
MEETING MINUTES OF November 20th, 2024
APPROVED MINUTES

PB Members Present: Tim D’Arcy, Chair; Mark Chalbeck; Vice-Chair; Brien Brock, BOS Representative; Kevin Coughlin Scott Komisarek; Judi Lindsey; Linda Carroll

Mike Santa, Alt.

PB Members Absent:

* Tim D’Arcy, Chair; called the PB meeting to order at approximately 6:30PM, followed immediately by the Pledge of Allegiance. Following the pledge, the chairperson conducts a roll call, confirming the presence of all board members: Mark, Judi, Scott, Tim, Brien, Kevin, and Linda.

New Business:

- **Case #24-008 (Major Subdivision):**
Applicant: DAR Builders, LLC, 722 East Industrial Park Drive, Unit 17, Manchester, NH 03109; **Owner(s):** DAR Builders, LLC, 722 East Industrial Park Drive, Unit 17, Manchester, NH 03109; **Property Location:** Crowley Road, Candia, NH 03034; Map 414 Lot 152. **Intent:** *To create a right of way to a proposed 25 lot subdivision in Chester (24 buildable lots) and leave a 3.0- acre lot in Candia.*

Tim D’Arcy, Chairman, provides a public service announcement to clarify the meeting's process. Emphasizing the importance of public attendance and input, stating that tonight's meeting is a preliminary application where public comments will not be taken. The board will assess the completeness of the application and its impacts before moving forward.

The chairperson introduces the first agenda item, Case 24-008, a major subdivision application by D.A.R. Builders, LLC. The applicant intends to create a right-of-way for a proposed 25-lot subdivision in Chester, leaving a three-acre lot in Candia. The chairperson invites the applicant to present their case.

Eric Mitchell, representing D.A.R. Builders, begins his presentation. He clarifies that the project is a single-phase development, differing from a previous proposal that involved multiple phases. The current plan aims to reduce traffic impacts and comply with growth requirements. He explains that the project will include improvements to the road network, specifically addressing traffic flow and safety. He mentions the need for collaboration with local authorities to ensure proper infrastructure and traffic management.

M. Chalbeck makes a **Motion** to declare the project a development of regional impact. J. Lindsey: **Second**. The chairperson outlines the criteria for this designation, emphasizing its implications for surrounding towns and planning commissions.

Recognizing that some proposed developments may cause impacts beyond the boundaries of the communities in which they are proposed, the New Hampshire General Court in 1992 established RSA 36:54 - 58, Review of Developments of Regional Impact. This article reviews the law and its requirements, describes the role of New Hampshire's regional planning commissions in the proposal approval process, and suggests some limitations of the current law. The statute's intended results are found in its purposes section under RSA 36:54, which specifies the following:

- 1. Provide timely notice to potentially affected municipalities concerning proposed developments which are likely to have impacts beyond the boundaries of a single municipality.*
- 2. Provide opportunities for the regional planning commission and the potentially affected municipalities to furnish timely input to the municipality having jurisdiction.*
- 3. Encourage the municipality having jurisdiction to consider the interests of other potentially affected municipalities.*

Developments of Regional Impact are defined in [NHRSA 36:55](#) as any proposal before a local land use board which in the determination of such local land use board could reasonably be expected to impact on a neighboring municipality, because of factors such as, but not limited to, the following:

- I. Relative size or number of dwelling units as compared with existing stock.*
- II. Proximity to the borders of a neighboring community.*
- III. Transportation networks.*
- IV. Anticipated emissions such as light, noise, smoke, odors, or particles.*
- V. Proximity to aquifers or surface waters which transcend municipal boundaries.*
- VI. Shared facilities such as schools and solid waste disposal facilities.*

The Board reviews the checklist for determining a development of regional impact. They discuss various impacts of the proposed development, including traffic generation, emergency response, and water impacts. They conclude that the project meets the criteria for regional impact, with a unanimous vote in favor. **Motion** passed.

It is noted that the Land Use Office must notify neighboring towns and planning commissions within the required legal parameters.

The Board then shifts focus to the completeness of the application. They go through the review from the town engineer, outlining necessary information required for the application to be considered complete.

T. D'Arcy highlights that an abutter in Chester was not notified about the meeting, raising concerns about proper communication and notification. Several other individuals also express

that they were not officially notified. Residents from 185, 193, 211 Crowley Road, and 662 Candia Road were not notified.

The engineer's letter specifies that FEMA flood zones must be indicated on the plans, and the limits of floodways need to be shown. The plans must also include details about existing roads and proposed grading.

The plans must specify the locations of well and septic systems for each proposed lot, ensuring compliance with regulations. The chairperson notes that these details need to be corrected before the application can be accepted as complete.

The plans should also include fire suppression systems as required by the fire chief. The Board discusses the need for a new wetland delineation due to the age of previous studies.

T. D'Arcy emphasizes that all necessary state and local permits must be submitted before final approval. Waivers requested for the project must be formally submitted in writing.

The Board reviews the proposed drainage infrastructure, noting that typical construction details and stormwater calculations are required. The Chairman mentions that the drainage calculations must be provided to ensure compliance with local regulations.

A board member raises concerns about the details regarding the wetland scientist's involvement in the project. It is advised that this matter is more relevant to the final plan rather than the preliminary stage.

The discussion continues regarding the requirements for the application and the need for thorough review before moving forward.

A recommendation is made for a professional traffic engineer to evaluate Crowley Road to determine if it can support the additional traffic from the proposed development.

The plans must include detailed specifications for temporary and permanent erosion controls, which are currently lacking.

Eric Mitchell notes that the plans for Chester include monitoring and inspection of construction.

The plans should show that no water is directed towards the town of Candia, and all necessary information for erosion control is required. The discussion shifts to the construction of a road and a new house in Candia, with expectations for temporary erosion controls to be provided.

Plans must also include a schedule for anticipated start and completion dates for construction, which is confirmed to be a requirement for the final plan, not preliminary.

The plans include a typical road access cross-section, but additional details and notes are required to ensure compliance with town and state regulations. The Board indicates that the plan set needs more road construction details.

The Board discusses fire safety services provided by the town of Candia, noting that fire protection and suppression water sources must be included in the plans.

Documentation from the fire chief is required to clarify what will be needed for the project.

The absence of pedestrian walks, sidewalks, or crosswalks in the plans is noted, prompting a discussion on whether these improvements are necessary as per local regulations.

The board acknowledges that the current proposal does not meet local road specifications, leading to a discussion about the need for sidewalks and street lighting.

The lack of proposed street lighting is also addressed, with the board needing to determine if it is desired or required for the improvements.

The absence of waivers for sidewalks, streetlights, and other requirements is highlighted.

Test pits and percolation rates for the road and drainage infrastructure are mandated by regulations, emphasizing their importance.

The speaker clarifies that the comments are based on Chester's regulations, despite the road being in Candia.

Temporary and permanent erosion control measures must be specified in accordance with regulations.

Missing drainage infrastructure information for the proposed detention basin must be added to the plans.

Excavation and embankment notes are required to comply with regulations.

Details of proposed precast concrete drainage structures must be included in the plan set to ensure compliance. Scour protection is required for all covered outlets, adhering to the relevant regulations.

K. Coughlin: **Motion** that we do not accept the application as complete per our professional engineers' response and items outstanding:

- 1. The project area is required to be reviewed to the FEMA National Flood Insurance zone and the flood plain is required to be shown on the plans or a statement on the plans must be provided on the plan set as to whether the proposed project is within the Town observed areas of flooding and/or FEMA FIS flood plain, as specified in Regulation Section 2.12.*
- 2. The limits of the FEMA FIS and Town observed floodways are required to be shown on the plans, as specified in Regulation Section 10.06w.*
- 3. A letter from the Road Agent, Fire Chief and Police Chief, thirty days (30) prior to any public hearing regarding safety issues are required to be requested and obtained for the project, as specified in Regulation Section 10.06n.*

4. *Confirm the plans are required to specify the proposed horizontal roadway and right of way geometry, including bearing, distances, and radii, as specified in Regulation Section 10.06o.*
5. *The plans are required to specify proposed well and septic system locations for each of the proposed lots. The proposed septic system is located within the 75' well protective radius. This must be corrected to demonstrate that the proposed lots can be constructed, as specified in Regulation Section 10.06r.*
6. *The location of any fire suppression systems required by the Fire Chief are required to be shown and specified on the plans, as specified in Regulation Section 10.06s. Because the Candia Fire Department will likely respond first, we recommend that the fire cistern design be provided to the Candia Planning Board, for review and approval.*
7. *Confirm the plans are required to include a vehicle turning movement plan with truck turning movements into and out of the proposed road without potentially impacting other vehicles or pedestrian traffic, as specified in Regulation Section 10.06u.*
8. *The existing wetlands were delineated in 2015 and 2017. Wetland delineations are only acceptable for up to five years. The wetlands must be re-delineated by a Wetlands Scientist registered in the State of New Hampshire and the plans updated, as specified in Regulation Section 10.06v.*
9. *All waivers being requested for the project are required to be submitted to the Planning Board in writing, as specified in Regulation Section 10.06y. It should be noted that the waivers listed on the plans were not submitted with the application for the project.*
10. *Proposed drainage infrastructure is shown on the plans; however, typical construction details and a drainage analysis with storm water calculations are required to be submitted, in conformance with Article 15 of the Subdivision Regulations.*

Second: Brien Brock. All were in favor. **Motion passed.**

****It should be noted that hard copies of the drainage report were submitted. The electronic version was requested but has not yet been delivered. ****

It is indicated that the applicant will receive a certified letter detailing these points.

The hearing is continued, with the next available date set for December 18th.

A public service announcement is made regarding the venue for the meeting, indicating limited space and encouraging the use of Zoom for participation.

The Board discusses the importance of setting a firm date for the continuation of the hearing to avoid the need for a complete re-noticing process.

The board moves on to the approval of minutes from the November 6th meeting.

A motion is made to accept the minutes, and a vote is conducted with members indicating their approval or abstention.

A motion to adjourn is made and seconded, with the meeting concluding after a unanimous vote in favor of adjournment.

E. Mitchell – Applicant’s Engineer: We will be deeding that portion to the town of Chester. We understand that this process cannot be done in one night. We do have State Subdivision Approval. We understand that we need confirmation from Candia and from Chester.

Old Business:

Other Business:

- Regulations
- Town Planning
- Approval of Minutes: 11.6.24

L. Carroll: **Motion** to approve the minutes of 11.6.24 as presented. **Second.** S. Komisarek. J. Lindsey abstained. The rest of the Board were in favor. **Motion passed.**

- Any other matter to come before the Board.

Motion to adjourn: J. Lindsey. **Second:** K. Coughlin. All were in favor. **Motion passed.**

The meeting adjourned at 7:15M.

Respectfully submitted,

Amy M. Spencer

Land Use Coordinator

cc: file