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MINUTES OF THE MEETING  
OF THE  
CANTERBURY PLANNING BOARD

June 11, 2019

BOARD MEMBERS PRESENT: Jim Snyder (Chairman), Tyson Miller, (Vice-Chairman), Joshua Gordon, Kent Ruesswick, Lucy Nichols, Alternate, Cheryl Gordon, (BOS Representative)

ABSENT: Hillary Nelson, Scott Doherty, Alternate

**Review of May 28, 2019 Minutes:** Tyson Miller moved the Minutes, seconded by Kent Ruesswick. Discussion: None. Vote to approve Minutes: Unanimous – 5/28/19 Minutes approved.

**Request from Selectmen for PB Discussion: Request from Michael Mayo (43 Robin Shore Drive) to purchase Tax Map 102 Lot 118 from the Town (44 Robin Shore Drive):**

Jim Snyder informed the Board that we received a request from the Board of Selectmen to discuss Michael Mayo's interest in purchasing tax map 102, lot 118 from the Town. He reminded the Board that the Planning Board capacity is advisory in nature only, meaning we only let them know whether the Board feels the sale is favorable for the Town or not. Cheryl Gordon said the Selectmen are required to check with Planning and Conservation prior to approving the sale of a Town lot. The properties are on a private road, directly across the street from each other and the lot he'd like to purchase would not be a buildable lot. The portion Mayo currently owns is a family camp. The lots wouldn't be merged. Cheryl said the Selectmen may approve a septic system on the property but that was all. Jim suggested the Selectmen may want to look into the possibility of merging the lots.

After discussion it was agreed that as long as it is stated in the Deed that "no structures" are allowed on the property, this Board saw no problem.

**Board discussion: Noise Ordinance, Zoning Ordinance, and Table of Uses:**

Hillary Nelson is the member who was doing the research and creating proposed language for a possible noise ordinance and was unable to attend tonight's meeting. We will address this at a future meeting.

Tyson Miller discussed the previous campground ordinance the Board was considering and asked if we should revisit the issue. Art Rose reminded the Board that any new campground ordinance won't affect the campgrounds already approved by ZBA, but it would for future applicants, and they would have to comply with it. He also reminded

47 the Board that, regardless of an ordinance or not, the Board can set any conditions it  
 48 deems appropriate on any site plan application before the Board. The Board agreed to  
 49 review Tysons prior campground ordinance and revisit the language. Art referred back  
 50 to the Mourning Dove Campground land and reminded the Board that they only have a  
 51 document stating they can have a campground, that's all. They don't have site plan  
 52 approval for a campground through us.

53

54 Jim spoke to say that the Board has been looking to make changes to the Zoning  
 55 Ordinance for a couple of years, and we've done good work, but never quite get to the  
 56 point of finishing it. We need to decide which items are high priority, focus on those,  
 57 and not bite off too much. Kent said we agreed to focus on commercial and industrial  
 58 zones. Art said our original goal was to address the problems in the Table of Uses and  
 59 make it more user friendly, and we should stick to that. Jim agreed. Tyson felt we  
 60 should do a use at a time.

61

### 62 **Other Business:**

63

64 - Lucy Nichols attended the NH Municipal Association Spring Planning & Zoning  
 65 Conference. Cordell Johnson discussed short term rental laws in NH and  
 66 discussed how towns may want to handle them. Lucy gave documents from the  
 67 conference to Lori who will email them to the Board. According to Cordell, if we  
 68 have hotels and boarding house language, we may have all the language we  
 69 need.

70

71 - Joshua Gordon suggested we look to submit an article in the Town newsletter in  
 72 the September issue relative to the Table of Use/Zoning work we're doing.

73

74 - Cheryl Gordon discussed Adam Towne's building permit for property in both  
 75 Canterbury & Loudon. He has a driveway and septic permit from the State. The  
 76 issue is that he's encroaching on conservation land for the parcel he purchased.

77

78 Jim doesn't think the Canterbury Planning Board has any involvement here. He  
 79 referred to RSA 674:53 which states that a municipal boundary can act as a  
 80 property line, with some restrictions. If there was a subdivision or site plan, the  
 81 Planning Board's would be involved. Jim's opinion is that it's an issue for the  
 82 building inspector. Jim was happy Mandy Irving, Town Assessor, picked up on  
 83 this. He called the Loudon building inspector. They'll want to get an inquiry in  
 84 writing from our building inspector. Jim said he did have a previous discussion  
 85 with Adam Towne and said he believed the town line creates a boundary, but told  
 86 him he should look into that if he wants to move forward. If Adam took that as a  
 87 building permit approval, he was mistaken. It wasn't. There was concern from our  
 88 Town Office that an appeal would involve us. Jim doesn't see that. There is no  
 89 reason for us to deny him. Loudon would be the only one to deny him, which  
 90 would be an appeal to the Loudon ZBA. Jim's opinion is we have no role here.

91

92 - Jim Snyder thought it would be helpful if we received all Agenda's from the  
93 Zoning Board. Lori will ask their secretary to add us to the list, either individually  
94 or as a Board. There's been a long standing problem with their Minutes where  
95 the Minutes say Joe explained what the application was about, but the Minutes  
96 themselves don't say what the application was for. It just goes into the  
97 substance of the meeting. Recently the owners of the Mourning Dove  
98 Campground went to the ZBA to get an extension of the permissions to go along  
99 with any sale of the land. (See ZBA Minutes of June 3, 2019) Typically they  
100 expire within 2 years and you have to come back. They did receive the extension  
101 from ZBA.

102  
103 - Air BNB: Art asked what our objection is to Air BNB's, or short term rentals,  
104 other than they should pay room/meals tax. Jim said it's more of a concern of  
105 where they could go and in hearing various problems around town.

106  
107 Joshua discussed the fact that short term rentals have run up local rents in  
108 Portsmouth, which affects the market. College kids come for a weekend and it's  
109 a ruckus, for example. It's more of a public concern. Art felt we could deal with  
110 that on a local level with ordinances. Tyson pointed out that people are buying  
111 up houses to rent rooms out for profit. Lucy felt the growth of Air BNB is more  
112 the commercial type.

113  
114 - Art was not at our last meeting but read the Minutes. In his strong opinion, if  
115 we're going to look at a noise ordinance, it has to have a decibel limit. If it  
116 doesn't, it will be very difficult to enforce.

117  
118 - Jim pointed out that the Loudon racetrack is posting what he believes is the first  
119 race on the flat track on June 15th. When the Loudon Planning Board approved  
120 the flat track, they said they'd do noise testing and monitor it. After discussion  
121 the Board agreed Lori would request information on the testing to be done and  
122 report back to the Board.

123  
124 Art moved to adjourn, second by Cheryl. Vote: Unanimous. Meeting adjourned.

125  
126 Submitted by Lori Gabriella, Secretary  
127 Canterbury Planning Board