

MINUTES OF THE MEETING
OF THE
CANTERBURY PLANNING BOARD

March 11, 2014

The Chair called the meeting to order at 7:00 p.m. It was determined that a quorum was present.

BOARD MEMBERS PRESENT: Art Rose, Chair, Jim Snyder, Assistant Chair, Doug McCallum, Chris Blair, Alice Veenstra, and Tyson Miller, BOS Representative.

BOARD MEMBERS ABSENT: Seth Cohn, Joshua Gordon

OTHER PARTIES PRESENT: Group: "Citizens of the Region"

Draft Minutes of February 25, 2014: Jim Snyder made a motion to approve the minutes. Tyson Miller seconded the motion.

Discussion of minutes: None.

Vote: Unanimous. Minutes of February 25, 2014 were approved.

Lot Merger of Map 101, Lots 46 and 47: The Board received a Notice of Lot Merger from James and Mickey Chandler of 21 Old Gilmanton Road. They requested merger of lots 101/46 and 101/47. The Board reviewed the Notice and felt the merger should have been done prior to the building, but saw no problem with the actual merger. All members signed the Notice.

Discussion of Recreational Vehicle Parks: Art began the discussion by informing the audience members, which was made up of the Citizens of the Region, that this is only a meeting to discuss a possible ordinance relating to campgrounds in general. There was general discussion about the fact that there would be no discussion of any specific projects since the Board does not have a project currently before them, and have not received any applications relating to recreational vehicle parks.

Jim asked the group if they have an attorney they are working with. No attorney's name was mentioned. The group advised that they would be attending every meeting relating to discussion of zoning changes relating to campgrounds, or campgrounds themselves.

40 Jim assured the group that there will be no discussing of any project that is not before
41 the Board. All understood.

42
43 The Board felt they should look into establishing an ordinance addressing
44 campgrounds. Tyson did research to see what surrounding towns have as ordinances.
45 He looked at the City of Concord's recreational vehicle park code. His thought was that
46 the Board would go through the code as far as water, sewer, electrical, refuse, insects
47 etc. Some items would not be applicable to Canterbury, but there are quite a few items
48 that would have to be included in park projects. He mentioned regional impact and the
49 need to notify surrounding towns to discuss things like fire and law enforcement.
50 Concord's code requires a list of all residents of the park.

51
52 An audience member asked if environmental impact is in Canterbury's code. Tyson
53 said it should have been done at the Zoning level. Art pointed out that Canterbury has
54 no ordinance that addressed campgrounds now. Jim pointed out that it would have to
55 be an allowed use in the area, or they would have to try to get a special exception.

56
57 Art explained that the Board would be looking at the overall site plans as far as
58 emergency services, noise, traffic, water supply, and how it affects the neighborhood.
59 We don't get involved with the procedural things involved in the parks. That is where an
60 ordinance would come in. The Planning Board as a rule does not impose those rules.
61 We look at permitting, site plan and traffic.

62
63 A question was asked if the Board's goal is to initiate an ordinance, and if so, will it
64 happen before the proposed campground comes before the Board? Art said we don't
65 know that. Based on timing, an ordinance would not come into play prior to something
66 coming before the Board. The benefit of the Board looking at a possible ordinance is
67 that it educates the Board prior to any application coming in.

68
69 Question: Is a city ordinance initiated by the Planning Board? Art stated the Board
70 would initiate a zoning change. Tyson said the Board handles anything to do with land
71 use. Jim stated an ordinance could be initiated by the public but he is not sure of that
72 procedure.

73
74 Question: Is the procedure that the Board would propose an ordinance and then it
75 would get voted on? Art confirmed that yes, it gets put on the ballot and is voted on.

76
77 Question: Is the Board working on coming up with an ordinance about campgrounds?
78 Art said yes.

80 Question: Who oversees environmental impact? Art stated the Planning Board does.
81 Tyson said if they had a special exception, the Planning Board would require those
82 issues to be included in the approval. Art reminded the audience that the State weighs
83 in on these projects and the applicants need to meet the State's criteria. They need all
84 their permits. The State has a higher technical level to review for environmental impact.

85
86 Question: Does the State trump the Town? Art said in most cases, yes, but the State is
87 there to establish guidelines, the local Boards work with the State to get to the end
88 result. Tyson pointed out that the Board has site plan review procedures.

89
90 Question: Would an ordinance trump a special exception? Art said it depends on the
91 timing.

92
93 There was discussion about a project that gets a special exception and how the
94 Planning Board handles that. The audience was reminded that the Planning Board has
95 a site plan application and procedures that need to be followed. The Board can give an
96 approval with conditions as well.

97
98 Jim gave an example of a nuclear power plant coming into town. A nuclear power plant
99 is not in Canterbury's Table of Uses. They would have to go to the ZBA to get a special
100 exception or variance. Once the use is approved, they come to the Planning Board and
101 we would get up to speed immediately on nuclear power plants and what the Board
102 would recommend. The use could be approved with conditions. The Planning Board
103 balances the rights of the developer against the benefits to the Town.

104
105 Question: What is the Town's history with campgrounds? Jim said a long time ago,
106 probably more than 17 years ago, he recalls a campground being discussed but thought
107 it was tent camping.

108
109 Question: If a development gets approvals, can they put anything ancillary on an
110 adjacent piece of land?

111
112 Jim stated they would have some serious restrictions, but they could do two things.
113 They can go to the ZBA for a variance or special exception, or come to the Planning
114 Board first and we can send them for a variance or special exception. We could have a
115 public hearing and still say they may need further ZBA approval.

116
117 A member of the group spoke to say he mostly came to listen to what the Board's idea
118 of a satisfactory ordinance may be. They are preparing to understand the possible
119 ordinance when it comes around and is interested in the requirements of an ordinance.

He thought it was good for the Board to be educating themselves to be aware of restrictions or requirements that work. Art pointed out that the Board always considers how projects affect neighbors. By the time a project gets to the Board, a lot of homework has been done by the applicant to help the process along. A lot of consideration goes into projects on both sides.

Question: Does the Planning Board come up with procedural issues like times the waste truck would come for example?

Jim reminded them that you can't have an ordinance that covers every possible imagined use that comes around. Hopefully the public will trust the Board to do its job. He conveyed that he thought it was great that this many people are doing their homework. Jim spoke briefly about the Town recently having a project that had a lot of resistance from neighbors. The owner and neighbors worked together and came up with a list of conditions and wanted the Board to approve the project based on those conditions.

At this point Art stated he is not prepared to discuss the ordinance issue without more information. It would be discussed at another meeting.

There was general discussion about how the public is notified of agenda issues and public hearings.

Art also explained the regional impact issue and how it is determined. Tyson told the audience that the general rule is if there is any doubt, we assume it has regional impact.

The question was asked if applications that come to the Board are public and anyone can see the file. Art stated yes and explained how applications are submitted to the Board. Jim stated that anything submitted is subject to freedom of information.

Art suggested if the time comes, it would be helpful if the group had one representative who could collect the information and share it with their group.

Jim encouraged anyone from the group who may be a Canterbury resident to get involved in local government. He thought their comments and questions were thoughtful and appreciated their interest.

Art then explained that if an application comes to the Board, it is first presented to the Board to consider if the application is complete only. No merits of the application will be discussed until the public hearing.

Master Plan Discussion: Art stated they would put the Master Plan discussion on a future agenda.

Other Business

Jim looked up the Town of Freedom's zoning article relating to recreational parks and will forward it to Lori to provide the Board for future discussions.

There was a short discussion about the solar house at 367 Shaker Road possibly not being part of the site plan that came before the Board. This was not further discussion about the Board's position, it was a general discussion about the solar house being considered a multi-family or single family dwelling years ago.

Art reminded the Board that both attorneys for that project need to be satisfied. He wondered if Joe Halla should come to the Board's next meeting to see the plan that was presented to the ZBA. Lori will get the plan from the ZBA to look at the solar house issue.

Jim said the Town can enforce the building as a single family dwelling because it was the result of a subdivision.

Right now Art wants to be sure the plan from the ZBA is the same plan that this Board reviewed. Jim said the solar house is part of the site plan. Art felt if they didn't want it to be part of the site plan, they shouldn't have considered it. There are two issues: 1) conditions on the site plan; and 2) use of the solar house being single or multi family.

Art assured the Board if Attorney Manzelli does not give her approval for the neighbors, the plan is not getting signed.

Alice made a motion to adjourn. Chris seconded the motion.

Vote: approved.

Meeting adjourned at 8:40 p.m.

Lori Venie, Secretary

Next meeting: March 25, 2014, 7:00 p.m.