

1 **Planning Board – Final Minutes**

2 **April 25, 2023, Meeting House**

3 **Members present**

4 Greg Meeh (Chair), Kent Ruesswick (BOS rep), John Schneider, Rich Marcou, Anne
5 Dowling, Joshua Gordon, Logan Snyder

6 Ben Stonebraker (alternate)

7 **Others present**

8 Jim Snyder

9 **Agenda**

10 **1. Call to Order**

11 Greg Meeh called the meeting to order at 7 pm.

12 **2. Previous Minutes of April 11, 2023**

13 Kent Ruesswick moved the Minutes and Rich Marcou seconded. John Schneider
14 pointed to 2 typos on line 60 and line 74 (lost should be lot). Kent made a motion
15 to accept the Minutes as amended and John seconded. All voted in favor except
16 Joshua Gordon who had not been present.

17 **3. Jim Snyder – preconceptual subdivision at 115, Asby Road, Rural zone**

18 Jim introduced his idea to subdivide a small lot of his property on the Mudgett Hill
19 side. He was looking for some suggestions and what he might expect before
20 having the full survey work done. He had several issues and questions to raise.

21 (i) Recusals: The Board consisted of friends and one relative. Logan Snyder is
22 both relative and abutter so would have to be recused. One of the
23 alternates could attend the hearing when that is scheduled. No member
24 who would be voting on the subdivision application has a financial interest
25 in it.

26 (ii) Waiver for surveying the perimeter line: Jim had a lot map to share with a
27 blue line for the 48 acre property as it now is. The small part to be
28 subdivided and sold will be just less than 5 acres. It is shown in red. Some of
29 the tax map numbers need updating. But his lot is essentially on tax map

lots 27 and 28. Some parts of the property have already been surveyed (such as the Loudon town line and the property sold to Logan and the Mudgett Hill part has a TLM, and the line that was established after a lawsuit. There are two unbuildable lots in triangles in the corner and he does not own them. So, he was asking not to do a whole perimeter line for the survey as most of it has been done in the past – but just the small piece for the subdivision. Jim had looked but not been able to find precedents for this kind of waiver.

(iii) Wetlands: Jim also asked not to have to delineate the wetlands on what will be the remaining 44 acres of wetlands, but just delineate the wetlands on the smaller 4+acres to be subdivided. There are lots of wetlands on the whole property and to delineate all of them would be prohibitively expensive.

(iv) Contour lines: Jim asked about contour lines required – surveyors can use ‘Lidar’ now and make 2-foot contours. The regulations say 20 ft is needed but he could have 10-foot contour lines shown. There is an intermittent stream running through the middle of the lot to be subdivided but there is plenty of space on either side of it to build a house.

(v) Driveway Access: it was stated that this was more an issue for the Building Permit, not the Planning Board’s consideration, so long as it does not conflict with wetlands requirements.

(vi) Width to depth ratio cited in the Zoning ordinance: members thought in a case like this it was not necessary to ask for a waiver since this was a provision designed to prevent long thin lots and extremely irregularly shaped lots and that was not an issue with this subdivision

(vii) Monuments – they want to put in granite monuments for the interior vertices but iron bars on the stone walls

(viii) Minimum lot size standards – cited on page 18 of the zoning ordinance – in order to get the required minimum 3 acres in the rural zone, sometimes there are pieces of the lot “between the front boundary line and the line from which the front setback is measured” that “shall not be included”, meaning you would need more than 3 acres. It was established this was not likely given the shape of the lot in question because it had straight lines and was not bowed.

(ix) The State of NH approval would be needed because it is under 5 acres as well as soil tests.

Jim said that they were unlikely to have the surveying done until the summer. So, it would be a while before he was back for the subdivision hearing. He thanked the Board for their time and consideration.

4. Road Waiver Request – Rangeway and Asby Roads

Jan Stout had sent a Road Waiver request regarding a lot on Rangeway and Asby Roads, on behalf of Michael Kay and Catherine Zarakotas. Greg had asked members to look at the road and lots there. At one time this was maintained by the town but for at least 5 years or more it has not been. It used to be paved and plowed by the town when Phil Stone was the road agent. There was no place to turn around, so they stopped plowing. There has been a house further up the road since the 1800s. Rich noted he had seen a cemetery from the early 1800s up there and people had lived into their 90s.

This request had likely come in because of a plan to build, the need for a building permit and the creation of a driveway. It is a crumbly dirt road currently though there is another property further up.

There was lengthy discussion regarding the state of the road, issues to do with snow plowing, access, impact on others, maintenance agreement between residents, the different classification of the two roads, and ultimately whether the Board felt it was their business and whether they should impose conditions or take any opinion about this request to respond to the Select Board.

Logan Snyder made a motion that the Board had no objection to the road waiver request, which was then amended to a motion that the Board had no position to take upon the request. Joshua Gordon seconded. All members voted in favor. Secretary to let Jan Stout know.

5. Old Business

- (i) Harold French – subdivision application: Greg shared an update to explain that the application had not been complete, and it had been inappropriate to try to push it through – it was a learning experience for everyone. Harold French has been asked by Kent, Mandy and Ken

Folsom at the town office to resubmit the application because there were too many problems with it.

(ii) Manchester multi-use zoning form: Joshua reported that he could not find such a form that Art Rose had talked about for multi-use commercial buildings. It was supposedly designed for tenants and landlords to fill in and give to the Planning Board. **Logan offered to talk to a contact she has running for alderman in the city.** CNHRPC might be a resource too.

(iii) Speeding Data on Shaker Road – tabled until Matt B is in attendance again.

(iv) Mckerley update – Greg has not heard back from either Katie Mckerley or Michael Malone since he reached out and offered a simplified site plan review.

(v) Alternates – **Ben Stonebraker will get sworn in this week.** As of now the Board has 2 alternates and it was agreed to put a notice in the town newsletter and email to ask if anyone is interested in becoming an alternate. **Secretary to do that.**

(vi) Flagpole and flags on Hall Road for Patriot Holdings? – Greg noted that another subcontractor for Patriot Holdings had been in touch with the Building Inspector to ask about a 50-60 ft high flagpole that would fly the US flag as well as their company flag, to be visible from the highway. Greg read parts of Article 2.6, about signs, in the zoning ordinance. There are height and size limits and prohibitions on windblown devices. There is no rule that mentions a maximum height of a flagpole but currently in town there is nothing over 25 ft. Greg mentioned a case in Tilton where a judge had allowed the town to prohibit a high pole, stating there was discretion. The Canterbury ordinance also allows for consistency with practice in town. Such a high pole would not be consistent with what is currently found in town either in business or residential sites. And it would be a

130 difference from the site plan originally agreed so they would need to
131 come to the Planning Board for a site plan amendment review.

132 **Secretary to inform Building Inspector and Patriot Holdings of this**
133 **decision.**

134
135 **6. New business?**

136
137 Joshua asked if Greg could make a list of the ideas and issues that are being
138 considered for ordinance change. Greg noted that at present Mike Tardiff is
139 waiting to meet with Ken Folsom about all that work and the guidance
140 provided by the Invest NH grant that would fund it (broadly speaking, it all
141 has to have an impact on housing provision in town). It is also hoped that
142 the grant will fund the work on the website to make it more accessible and
143 searchable.

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145 **7. Adjournment**

146 Joshua made a motion to adjourn and Kent seconded. All were in favor. It was
147 8.25 pm.

148 **Action Items**

- 149 • **Secretary to let Jan Stout know of road waiver: send blurb to town**
150 **newsletter/email for alternates: let Joel French and Patriot Holdings know**
151 **about amended site plan review needed**
152 • **Logan Snyder to approach a contact re: Manchester mixed use**
153 **applications**
154 • **Ben Stonebraker – get sworn in with Sam Papps**

155
156 **Action Items from meeting**

157 Respectfully submitted,

158 Lois Scribner, secretary