

44 the title. Those are the only options. Ken pointed out that the town did try to clear it up.
45 Eric agreed but said it took over a month and it cost him a sale. Bob Steenson,
46 Chairman of the Board of Selectmen, thinks we should subdivide it and figure out the
47 deed later. Eric is in favor of that.

48
49 Art said we may have to revisit the voluntary or involuntary situation as far as the
50 merger was concerned. The State statute on lot mergers allows certain things to
51 happen if it's voluntary and certain things to happen if it's involuntary. He agreed that
52 since the Town took it for taxes, Eric should have received clean title so there'd be no
53 issue. That didn't happen. Bob said title companies today are particularly nervous and
54 also pointed out that you can't create a non-conforming lot that could be developed, but
55 if you put a restriction saying it can't be developed, it will be fine. Eric asked the
56 timeline and Bob said the Board can vote tonight and the Deed can be drawn up
57 tomorrow. Art asked Eric Walsh if he could live with a couple of weeks. He said at the
58 most. Art said it looks like they'll lean toward the subdivision with the recommended
59 condition. Art wanted a plot plan for the Board to review and vote on. Bob said he can
60 draw it and get it to us. Hillary asked if we could look at the tax maps right now and
61 take care of this for Eric and felt he's waited long enough. Hillary and Kent reviewed the
62 maps with Mr. Walsh.

63
64 Hillary made a motion that the Planning Board allow the unmerging of the lots
65 previously listed as 39 Blue Boar Lane, Tax Map 101, Lot 62, and 42 Blue Boar Lane,
66 Tax Map 102, Lot 12 in the Town of Canterbury NH. Said merger of lots took place on
67 August 12, 2013. George seconded.

68
69 Discussion: Eric asked when the town will take it back. Ken said they will handle that
70 part.

71
72 Vote: Unanimous. The lots may be unmerged. The rest will be up to the Selectmen.

73
74 **Public hearing on Application for Lot Line Adjustment from John Redden for**
75 **property at Baptist Road, Tax Map/Lots 245-1 and 246-12:**

76
77 Art introduced the project as a lot line adjustment application and informed the Board
78 that Web Stout has permission from applicant to present it to the Board. Waivers were
79 provided.

80
81 Web introduced the project and described the property on Baptist Road. There are 2
82 properties that consist today of 27 acres and 19 acres. There are easements. A piece
83 of property was deeded to the Town when a subdivision went through in 1978. The
84 town picked up a parcel with a 200 foot wide access. There are conservation
85 easements along Crane Neck Pond. It's pretty explicit in the easements as to what can
86 happen within that property. Mr. Redden and The Johnston Trust want to create a new
87 lot line where the 27 acres will become 12.3 acres, and the 19 acres will go to almost 34
88 acres. It's in the natural resource reserve (10 acres, 300 feet of frontage). All
89 easements stay intact. They have asked for waivers on soils, topography, and

90 wetlands. No new lots will be created, just an adjustment of the line. George moved to
91 grant the waivers. Hillary seconded. Vote: unanimous. Waivers granted.

92

93 George moved to grant the lot line adjustment. Kent seconded. Discussion: None.
94 Vote: unanimous. Lot line granted.

95

96 Ken Stearn with the Conservation Commission just wanted to state that he has no
97 problem with this but the Commission didn't receive notice of this. Lori reviewed the
98 abutter list. The notice went to the Town, but not to the Conservation Commission since
99 they were not on the list provided by the applicant. Lori will be sure to notify the
100 Commission in the future.

101

102 **Public hearing on Application for Site Plan Review of Matthew McKerley**
103 **(McKerley Properties, LLC) at intersection of Oxbow Pond and Riverland Roads,**
104 **Tax Map 267-45. Commercial Development of landscape business:**

105

106 Art introduced the project and informed the Board that Tim Bernier had permission to
107 present for the applicant. Matt McKerley was also here. The project is located on the
108 corner of Oxbow Pond and Riverland Road which is zoned commercial. They will
109 construct 4,000 sq. ft. 50x80 building. MDM Property Management is a landscape
110 company with 7 employees doing lawn care maintenance off site. Employees show up
111 at the facility and 2 crews pick up their vehicles and leave to make their rounds. It's a
112 pretty basic operation, very low intensity use. They are proposing landscaping around
113 the road. It's all a big field that was leveled and is grassy. Matt purchased the property
114 from the abutter. They have a State approved septic system and all permits. It will be a
115 single story stick built with vinyl siding and a shingle roof. There will be 4 garage doors
116 in the back for the vehicles. Garage doors will be four 20' x 50' bays with 14' tall doors.
117 He said there will be a space for an office in the front if they need that. Tim explained
118 that they have a well proposed on one end of building. Kent asked if they'll be washing
119 vehicles. Matt said they will and he may pave the back and wash them there. He
120 hasn't gotten an estimate for paving so that's not decided yet. Kent confirmed no
121 customers will show up. Matt said no, they go to the customer's houses. He doesn't
122 want to be a retail yard. He's just looking to store his own materials. He has two crews,
123 two trucks/trailers. Art asked if there would be fuel or pesticide storage on site. Matt
124 said no. There are 2 one ton dump trucks and 2 enclosed trailers. They dump at the
125 compost place in Pembroke, the Dirt Doctors. Nothing will be coming back to the
126 garage. He doesn't do fertilizing, he hires that out.

127

128 Abutter discussion: David Day lives on Oxbow Pond Road. He's not against the
129 proposal, but said between Old Boyce, Riverland and Oxbow, there's a significant
130 amount of traffic. Tonight we have 2 proposed businesses in that area on our agenda.
131 He's not aware if anyone really knows the growing amount of traffic on the road. He
132 and his wife don't feel safe walking on the road anymore. He's had to call the police
133 due to racing on the roads. There's a significant amount of difficulty getting out of
134 Boyce Road. The increase in traffic is something to make you all aware of. It is a

135 challenge for them. There are currently 5 businesses and adding this one and more
136 tonight possibly.

137

138 Joanne Terino and Jonathan Elwell have lived there since 2007. Mr. Thomson has a
139 landscaping business across the road. She's had to go the Selectmen with a noise
140 issue. They use payloaders, trailers, etc. and all of it rattles down the road at 6 in the
141 morning and 11 or 12 at night. The Selectmen limited the noise to 9 or 10:00 p.m.
142 There's only so much that can be done because there's no noise ordinance. This was a
143 cottage industry. The quality of the area is starting to get a little crazy. They have
144 tractor trailers, spotlights day and night. She has a site plan when Mr. Thomson got his
145 project approved had some concerns about that as well. She asked what happens after
146 a project is approved. Who follows up. She brought pictures of the area to show the
147 Board. She wants to know how it will be screened so the aesthetics and noise are
148 addressed as it is supposed to be. It's a neighborhood, not an industrial park. They are
149 not impacted by the in home businesses in the area that have been screened in.
150 JoAnne is not opposed to the business going in, her problem is that it's not screened to
151 lessen the impact.

152

153 Tim said it's going to be a commercial building but they did try to keep a lot of
154 greenspace near the road and they're proposing trees in front. They proposed some
155 screening on the other side of the building as well. Joanne said when you're coming in
156 Oxbow Pond you're coming in pretty much right across from her property. It was asked
157 if they could use Riverland instead. Matt said if it's going to be in the morning they can
158 do that. Hillary mentioned that the property we are discussing tonight is zoned
159 commercial and it looks like they have houses built in commercial zones. Ken Stearns
160 said he was on the Planning Board when some of the properties were developed. The
161 Booth's had a vision unique to Canterbury. The idea was to have people be able to
162 have a house and business on the same lot. He believes it was unique to Canterbury.

163

164 Hillary said the Selectboard would have to enforce the screening issue. She also
165 understands there have been incremental changes on the road that impact the people
166 with homes. Joanne said there is also the beach area at the end so in the summer
167 there are 50-60 cars per day that come and go. That's where the speeding comes in
168 typically. Hillary let the applicant know she is reluctant to say yes to waivers when
169 neighbors are complaining about noise, traffic and lighting.

170

171 Doug Thomson said you are hearing complaints, but not sure it's justified. He has 6
172 loads of mulch delivered per year, that's all. Hillary said if he feels he's being unjustly
173 targeted, a traffic study would really help everyone. Doug said it may appear that he's
174 going against everything they planned to do, but that's not the case. He's willing to work
175 with owners to limit the light. The last thing he wants to do is upset people, but we have
176 to keep in mind it is a commercial area. If you're looking for no noise you live in a
177 neighborhood. He admits they work crazy hours. Doug didn't want the Board to think
178 he got his approval and now does whatever he wants. That's not the case. Joanne
179 said her biggest issue is the light. Doug thinks they should get together as neighbors
180 and try to work it out since it has nothing to do with Matt's project

181 .
182 Hillary felt the important thing is to figure out how to make it work for everyone. Tim
183 wanted to point out that everyone's complaints tonight don't relate to this project. Art
184 said Tim is representing the applicant and he understands that, but the neighbors are
185 talking about noise, traffic and lighting problems. The chances of getting a waiver are
186 slim to none. Art suggested Tim talk about the problems, listen to the abutters, and see
187 how he can resolve some of those things so this applicant doesn't contribute to the
188 issues.

189
190 Tim said they did their own traffic study and determined the amount of traffic. It is
191 incredibly small. Tim said we haven't even talked about the hours of operation. Art
192 feels for him with the traffic study, but based on the concerns of the abutters, this Board
193 wouldn't be very responsible if we didn't ask for information on the traffic, noise and
194 lighting. Tim discussed the lighting which is all on the building. They're cut off fixtures
195 so the light is cast down. Joanne's husband asked how big the trees are. Tim said
196 they're landscape trees, they'll take a while. They're proposing 2" caliber, 8-10 foot
197 trees. They are sugar maples, white oaks, river birches and a blue spruce. JoAnne
198 said there is some good screening now and if you add to it, it would help. Art said it will
199 be 50 years before those trees become full size. Tim said this is landscaped as a
200 business in a commercial zone, they weren't trying to screen it.

201
202 Matt discussed working hours. He works 7-5 Monday through Friday in summer. He
203 does plowing so guys would go in early in the morning to get a truck or two in the winter.
204 If they leave out the front exit their lights won't shine on Joanne's house. Matt said one
205 side could be an entrance and one an exit, so the trailers can come in, park, and leave
206 on the other side. Tim will show something on the plan that shows the flow of traffic.
207 Art wanted to hear about the noise. Matt said during the summer it will be leaving at 7
208 and back by 5 generally. Tim said we should say 6-6 Monday through Friday in the
209 summer time. The winter time could be any time based on snow. He has a sand and
210 salt place he rents down in Concord.

211
212 JoAnne said she would love it if it was 7-5. Art said we're not looking to limit the time of
213 business but at controlling the flow of traffic, lighting and noise. Matt said he's willing to
214 work with everyone. Tim asked if they want a traffic study then it's going to be hard
215 now, especially since the beach is used more in the summer. Art said with regard to
216 traffic this particular area it is a hot subject. It's hot with the City of Concord and boiled
217 over to Canterbury. Tim said he can't control speeding. Art said provide some info on
218 traffic. Tim asked if he was aware of anyone doing counts on Riverland. Art said the
219 kennel may have had to do something.

220
221 David Day said wanted to confirm his comments weren't against the projects, he simply
222 wanted to bring the traffic to everyone's attention. Joanne said her point is not a
223 problem with businesses in the area, what happens is you come to the Board, they
224 make a good commitment and then later it doesn't meet up with the intention of what
225 the Board wanted. Tim gave Joanne a plan to take with her and to contact him with any

226 questions. Art let Joanne know that this site plan review will probably get continued and
227 they'll be back again.

228

229 Joanne said again, she wishes him the best and isn't against the business. Matt asked
230 Joanne what she didn't like about the plan. She said there's nothing she doesn't like,
231 it's just that now everything is cut down and nothing blocks it. There's nothing to buffer
232 it. Joanne said when the Selectmen did talk to Doug, he worked really hard to contain
233 things. She's not against him coming in there but it has to be cohesive to the
234 neighborhood. It's a little bit of a mix of properties. She just wants them to do what they
235 say they're going to do.

236

237 Kent made a motion that we continue this public hearing until our next regular meeting
238 and the applicant be prepared to talk about the building, landscaping, lighting, traffic,
239 and noise. Hillary seconded.

240

241 Discussion: Matt asked about the traffic, noise and lighting. Tim was a bit frustrated
242 and Hillary understood. She wants the neighbors to know things will be addressed. Art
243 said at the end of the day you want to be able to state what impact your business will
244 have on the current situation of traffic. You want to be able to show it. Tim understood
245 and suggested they take a look at the neighborhood. Tim said Concord wants
246 Canterbury to adopt an impact fee. Art said they levied the gas station, took the impact
247 fee and didn't use the money for what they took it for.

248

249 Vote on motion to continue: Unanimous. They will come to our next meeting.

250

251 **Public hearing on Application for Site Plan Review of Lucy Nichols for property at**
252 **32 Oxbow Pond Road, Tax Map 267-82. Bed and Breakfast**

253

254 Art introduced the project. Alden Beauchemin spoke on behalf of the applicant. Lucy
255 Nichols purchased the property about a month ago. She wants to change the existing
256 house to a bed and breakfast. Lucy is planning to live there to run the B&B. This is in
257 an agricultural zone but surrounded by residential neighbors. The Board reviewed the
258 plan. Everything on the plan is existing. The house was constructed some time ago
259 and will mostly remain the same. The buffers that are there now will remain. Lucy
260 spoke to say they have a sheep farm on this property and have another one in
261 Greenfield. They are mostly expanding the sheep farm. The B&B will be 4 bedrooms.
262 The farm stand will be used as a yarn shop selling sheep products. As far as noise is
263 concerned, there basically is none compared to what is going on already in the
264 neighborhood. The only lighting will be on the sign and one on the house. She cannot
265 imagine the traffic will be much more than the previous owners who had 4 teenagers
266 who were all running cars.

267

268 Hillary asked about number of guests. Lucy said she has 4 bedrooms she is likely to
269 have 8 people maximum in 4 cars. Kent asked where the access to the Riverland
270 property was. Lucy pointed it out on the map. He asked about the 50' easement. Lucy
271 said that's the path to the beach. Lucy will plan on fencing in the back piece for the

272 sheep. She spoke with Ken Stearn and they walked the path the other day. The
273 challenge is that there's an old fence that needs to come out and it's infested with
274 invasive species (Asian bittersweet, multiflorals, etc.). She can't use pesticides. She will
275 work over many years with the Conservation Commission but that has nothing to do
276 with the Planning Board.

277
278 Lucy would like to make a woodland retreat and the property would be more screened
279 than less. Alden said they're waiting on approval for a septic change. It's a state
280 approved design but since they're changing it, they need new approval. The state rates
281 how much flow you have to have per day based on the employee and guests. It's lower
282 than a family. This is probably going to be weekends in the peak months.

283
284 Lucy said traffic to the property may be a knitting group on a Thursday night, maybe 5
285 cars. If she had more than 5 people in the shop on a Saturday, she'd be surprised.
286 David asked if she'd do some meat and agricultural products and she said she'd sell her
287 own lamb. She may sell pasture raised eggs if the neighborhood wanted it. The eagles
288 in the area may be a problem.

289
290 Lucy said her target market will be a few people off the highway, visitors from the
291 veterans cemetery, crafters, birders, painters, photographers. Hillary confirmed there
292 would be no weddings there, Lucy said no. No big outdoor parties either. Kent said he
293 thinks her problem is going to be the people going down the river. She thinks the
294 answer is a fence, which she's addressing with the Conservation Commission.

295
296 The waiver requests are landscaping since this is an existing building, they're not
297 proposing to take away existing landscaping. Another waiver for lighting plan and a
298 traffic study, and a waiver for a noise study.

299
300 Art wanted to look at landscaping and the waiver. They don't have an actual
301 landscaping plan, but do have an existing property with an existing home. They will be
302 leaving what's there. Kent made a motion to allow waiver on landscaping study. Hillary
303 seconded. No further discussion. Vote: Unanimous.

304
305 Waiver on lighting plan. Art said to bear in mind we just listened to a presentation in the
306 same general area. Hillary asked if they're adding lights. Art said they're adding
307 parking and it will need a light. Lucy explained they would have a split rail fence with a
308 foot path that has solar lights in the ground. Art wants that shown on the plan
309 (where, height, kind, etc.) Hillary wants to see the fence at the drop off too. We would
310 not grant a waiver for lighting plan right now.

311
312 Traffic study waiver: Art said here again, there is a definite issue in this area over
313 traffic. He said to consider showing us what the impact of the proposal will be. Alden
314 said he has an engineer in his office who can show the existing house compared with
315 what they expect. Alden will provide a letter. We would not grant a waiver for traffic
316 study.

317

318 Noise study: Art said Canterbury has a noise ordinance in such that if you are creating
319 noise that causes neighbors to be upset they will come tell you to cease the noise.
320 Alden asked if he can reference the ordinance on the plan. Art said yes. We wouldn't
321 grant the waiver for that.

322
323 Art said somewhere on the site plan, just show where the snow will be plowed to.

324
325 Art asked if it's mentioned on the plan where the sheep will go and if not, we need to
326 see that as well. Alden can show it as a future pasture.

327
328 Kent made a motion to continue the discussion on this plan until the next regular
329 meeting and applicant will call out lighting, pasture area, snow removal and provide
330 information on traffic, sign and fence on parking lot. Hillary seconded. Vote:
331 Unanimous

332
333 **Other Business:**

334
335 Lori read an email from Adrienne Hutchinson who wanted to schedule a representative
336 from Central NH Regional Planning Commission to make a presentation to the Board
337 about the impervious mapping project that deals with the watershed. Art said at the
338 next meeting we will talk to Tyson and he can connect with her.

339
340 Lori also told the Board that Steve Henninger is wondering when the Board would like
341 him to come back to discuss his drafts. Art said the second meeting in March will be
342 elections and Steve should come back for our first meeting in April. The Board will
343 discuss the proposals at our second meeting in March.

344
345 Kent made a motion to adjourn. Hillary seconded.

346 Vote: Unanimous

347
348 Meeting adjourned at 9:15 p.m.

349
350 Lori Gabriella, Secretary

Next meeting: February 23, 2016 at 7:00 p.m.