

1                                    **Planning Board Meeting- Final Minutes**

2                                    **January 10, 2023, Meeting House**

3    **Members Present**

4    Greg Meeh, (Chair), Kent Ruesswick (BOS rep), John Schneider, Anne Dowling,  
5    Joshua Gordon, Lucy Nichols, Scott Doherty (Vice Chair), Logan Snyder (alternate)

6    **Members absent**

7    Hillary Nelson (alternate)

8    **Others Present**

9    Stephen Mayer, Senior Project Engineer, Allen and Major Associates; Courtney  
10   Caron, assistant to Paula Benard, owner of Station Meadow LLC

11   **Agenda**

12        1. **Call to Order**

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

14        2. **Minutes of December 13, 2022, Work Session**

15   Scott Doherty moved the Minutes of December 13, 2022. Kent Ruesswick  
16   seconded.

17   Lucy Nichols requested corrections and deletions to be made in the economic  
18   development section to make it clear it was about commercial zoning only. Lucy  
19   had notes of these changes. All members voted in favor of approving the Minutes  
20   with these amendments.

21        3. **Site Plan Application Review Hearing for Station Meadow LLC, Hall Road,**  
22        **Tax Map 251, Lots 18**

23   Stephen Mayer, senior project engineer presented the application. Courtney  
24   Caron explained she was the assistant to the owner and there to represent Paula  
25   Benard, who was out of town.

26   Greg noted this was a new application but not the first time the Board had  
27   approved the project. That was back in 2021 (June 8, 2021, hearing) but the

proposed lot line adjustment with abutters had not gone through so they had to adjust their site plan. Greg said the Board would first vote on completeness and regional impact.

John Schneider asked if the prior decision had a bearing on this current one. Greg confirmed that it did because the buildings and use are the same. The change is that there will be no lot line adjustment as originally presented.

Stephen Mayer summarized the changes they had made to the project. There were still 2 high bay buildings, but the truck maneuvering area had been moved as had the septic system, and there were minor adjustments to the drainage and swales. There was a reduction in the impervious area. Storm water would be directed into an infiltration basin away from the buildings. The well was not close to the septic.

In terms of waivers, the noise waiver was granted back in 2021. They did not anticipate any change to noise with the same proposed use of the business, so they were asking for the noise waiver again. They had supplied a traffic memo with estimates of vehicle use, estimating 57 goings in and out each day. Although there are residents living nearby this was thought to be a reasonable total for the Industrial zone. The vehicles would likely be of tractor trailer size, or be construction equipment, excavator size. The tractor trailer size vehicles would be part of the second phase. Stephen showed where the truck turning space would now be, further up on the lot, with room to pull in and then back into bays.

**Joshua Gordon moved to approve the application as complete. Scott Doherty seconded. All members voted in favor, with the exception of Kent Ruesswick who was recused as an abutter.**

**Anne Dowling moved that the application was not of regional impact. Joshua Gordon seconded, and all members voted in favor, except for Kent Ruesswick.**

**A site visit was not thought to be required.**

Members returned to the merits of the application. Kent asked about drainage, which was thought to be reduced with the measures they would be taking. Building may start later this year.

**Joshua Gordon moved to approve the application and Scott Doherty seconded. All members voted in favor and wished the applicants well.**

**4. Subdivision and deeded access discussion**

Greg introduced the issue. He had been looking into deeded access with Matt Taylor of CNHRPC. It would be legal for the Board to require deeded access to be in place prior to a subdivision.

There is a long history of conflicts between property owners because of the lack of deeded access on land locked property lots where building is currently not allowed. The selectmen are often involved in these disputes. Requiring deeded access could be one way to address this problem. Development would be easier if there was deeded access. As of now the zoning ordinance does not require this.

There are two kinds of easements broadly – one is personal so there is an agreement between neighbors to allow access. But it only applies to those individuals. The other kind is attached to the land and survives successive owners. It is important to record the deed both for the person acquiring the access as well as the person giving that access.

There could be opposition from landowners that this is a complication if they just wanted to subdivide a lot to sell. Sometimes lots that abut properties are purchased so that building a neighboring house is not possible. This is not uncommon in towns like Canterbury. The hope is that this requirement would reduce further conflicts.

**It was decided to add this to the agenda for January 24 when staff from CNHRPC return.**

**5. New Map layers – mapping from CNHRPC**

Greg had shared two maps from Matt Baronas at CNHRPC. One showed Current Use in town, and one showed the Discontinued Roads.

It was acknowledged that the Current Use map could not be wholly accurate. Mandy Irving had communicated that CU changes all the time, and often it is a part of a property that is in CU, not the whole. One has to have over 10 acres of contiguous land to be eligible to put any land into CU. There are tax

89 advantages to this for the property owner. When the land is taken out of CU it  
90 is subject to the Land Use Change tax at 10% of the commercial value and this  
91 sum goes to the Conservation Commission in Canterbury. Overall, in the town  
92 there are roughly 1600 properties, of which 500 have some Current Use  
93 portion in them. This translates to approximately 27,000 acres with just over  
94 20,000 being in Current Use. Such a map cannot therefore get into the  
95 granular detail of Current Use, and it is hard to reflect a particular date in time.  
96 If such a map is going to be published and used by the public then there should  
97 be a disclaimer attached.

98 The Discontinued Roads map posed similar issues. It is not known if it is  
99 correct. There was discussion about the different kinds of roads such as Class  
100 6, Discontinued, Class 5, complications like 'gates and bars', private roads like  
101 old logging and maple syrup roads, and what should be shown on a map  
102 available to the public on the internet. There was no consensus about the  
103 relative responsibility of owners and purchasers to prove the status of a road  
104 versus the responsibility of the town, or the board, to work to create updated,  
105 correct mapping. Often the issue arises because of conflicts over road  
106 maintenance costs. Owners who have received a road waiver will have to  
107 upgrade their road to Class 5 standard but the town does not maintain them.  
108 There has been an increase in requests for road waivers in recent years and  
109 that is the responsibility of the selectmen, with a recommendation from the  
110 Planning Board. Kent noted that he has received pushback for his idea of a  
111 committee to update the roads map.

112 **It was agreed to table these issues, Current Use and Discontinued Roads and**  
113 **disclaimers, until the next meeting on January 24 with CNHRPC.**

114 **6. Old Business – (i) Burial and the Friends Meeting House**

115 Joshua had reviewed the law. It would allow the Planning Board to regulate a  
116 few things such as setbacks and height of a building. There was no relief in the  
117 new statute from that process, so an applicant wanting to put a church on a lot  
118 in the commercial zone would have to go to ZBA for a Special Exception. Or  
119 appeal to the Board of Selectmen for relief. Lucy updated members on the  
120 issue with the Friends Meeting House – the property had already been sold to  
121 another party who could move more rapidly.

122 (ii) Site Visit to 114 West Road property?

123 Members considered this suggestion from the owners as premature given current  
124 zoning. The land is not posted so individual members may walk the property to  
125 see what it is like. Some members will do that individually. **Secretary to let**  
126 **owners know.**

127 (iii) Second sign request by Patriot Holdings for All Purpose Storage  
128 Canterbury, Hall Road

129 An email request had been received initially by Mandy, forwarded to the  
130 secretary, and it was asking for a second sign close to the I93 and how to go about  
131 obtaining that. The secretary had sent the link for Article 2.6 from the ordinance  
132 regarding signs to the subcontractor (Justin Woodward of Complete Signs in  
133 Dothan, Alabama – a different contractor from the previous one for the initial  
134 sign). Board members felt strongly that this should be discouraged, they were not  
135 receptive, and at the least, would need more details. **Secretary to convey that in**  
136 **email.**

137 (iv) Trails and right to privacy for landowners

138 Greg noted that property owners should have the right to approve trails shown  
139 on their land before it is mapped. There could be disclaimers with the map to say,  
140 for example, that the trail is for foot traffic only. Or it can be posted. It was  
141 decided after discussion that it would be best to take out the trails map from the  
142 Master Plan, which will be available online and thereby making that information  
143 freely available on the internet. It was also noted that the various maps produced  
144 by CNHRPC had initially been requested by the Conservation Commission. **This is**  
145 **also an issue for January 24 with CNHRPC.**

146 7. Candidates and Alternates

147 Lucy and Scott are the two members whose terms are expiring. Board members  
148 were pleased to hear that Lucy would run again. Scott is running for Select Board.  
149 The filing period is quite short – candidates have from Wednesday January 25 to  
150 Friday February 3 to go to the Town Clerk's office.

Members were also pleased to hear Logan will run for the seat Scott is vacating. Members asked to think of others who could be approached to think about being alternates. The Board can take two more in addition to Hillary Nelson.

(v) Town Report material

Greg is working on this report, due on January 15 to Jan Stout. It will review the past year's work and can also mention ideas for zoning amendments for 2024.

John asked about building permits. Joshua mentioned having tried to obtain data on these from the town. It would be interesting for the Board to have the figures and see trends since they are a recognized indicator of pressure for growth. Having the figures on a regular basis would be helpful. **Secretary to draft letter, run by Greg and Joshua**, requesting this again from Ken Folsom.

(vi) Lucy asked about flood management. The Fire Department oversees this. Can it be in the climate resilience section of the Master Plan? Or have the Fire Dept provide a synopsis of their work on flood management? There was further discussion about mapping and images that could be available on the internet, for example, from assessor records.

8. Adjournment

Kent made a motion to adjourn. Scott seconded. It was 8.44 pm.

**ACTION ITEMS**

- **Chair to contact Matt B re trails map**
- **Secretary to contact owners 114 West Road, subcontractor All Purpose Storage and town administrator re building permits**
- **Chair/Secretary to contact Mike Tardiff re agenda for January 24 – to include Master Plan update; deeded access and subdivision; mapping issues; disclaimers for maps**

Respectfully submitted,  
Lois Scribner, secretary