

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

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

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

Other Business:

- Lucy Nichols attended the NH Municipal Association Spring Planning & Zoning Conference. Cordell Johnson discussed short term rental laws in NH and discussed how towns may want to handle them. Lucy gave documents from the conference to Lori who will email them to the Board. According to Cordell, if we have hotels and boarding house language, we may have all the language we need.
- Joshua Gordon suggested we look to submit an article in the Town newsletter in the September issue relative to the Table of Use/Zoning work we're doing.
- Cheryl Gordon discussed Adam Towne's building permit for property in both Canterbury & Loudon. He has a driveway and septic permit from the State. The issue is that he's encroaching on conservation land for the parcel he purchased.

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

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

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

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

- Art was not at our last meeting but read the Minutes. In his strong opinion, if we're going to look at a noise ordinance, it has to have a decibel limit. If it doesn't, it will be very difficult to enforce.
- Jim pointed out that the Loudon racetrack is posting what he believes is the first race on the flat track on June 15th. When the Loudon Planning Board approved the flat track, they said they'd do noise testing and monitor it. After discussion the Board agreed Lori would request information on the testing to be done and report back to the Board.

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

Submitted by Lori Gabriella, Secretary
Canterbury Planning Board