

MINUTES OF THE MEETING
OF THE
CANTERBURY PLANNING BOARD

November 12, 2019

BOARD MEMBERS PRESENT: Jim Snyder, (Chairman), Tyson Miller, (Vice-Chairman), Joshua Gordon, Kent Ruesswick, Lucy Nichols, (Alternate), Scott Doherty (Alternate), Cheryl Gordon (BOS Representative)

ABSENT: Art Rose, Hillary Nelson, Brendan O'Donnell

OTHERS: Ginny Dow, Ken Dow, Eileen Wickey

Review of 10/22/19 Minutes: Kent Ruesswick moved the Minutes, second by Tyson Miller. Discussion: None. Vote to approve Minutes: Unanimous – 10/22/19 Minutes approved.

Ginny Dow, VLAP Coordinator/New Pond, to discuss lot mergers on shorelines:

Ginny and Ken Dow have a home on Canterbury Shore Drive. Eileen Wickey is a neighbor. On 10/4/19 neighbors were dismayed to find out that one of the property owners was selling a piece of property on the shoreline that they believed could not be subdivided. Ginny called the Town Office and spoke with Sam Papp and Scott Lacroix, who referred her to Mandy Irving, our Town Assessor. Mandy discussed RSA 674:39aa which refers to Restoration of Involuntarily Merged Lots. There was a law passed in NH in 2012 that made subdividing possible. There was a question in this instance as to whether the lot was voluntarily or involuntarily merged.

Ginny explained that Sherwood Forest was developed in 1965 and was described as quarter acre seasonal lots with a community well. She gave background to include the fact that as VLAP Coordinator for the pond, she's been having the water tested for 20 years by a biologist. She discussed frontage and setback requirements back then, and now. A big concern now is that there are multiple illegal trailers on properties around the pond that are not allowed by the Town. The owners are removing ground cover and trees on the land and ignoring the shoreline protection requirements. Ginny doesn't believe the lot currently for sale is buildable, but is very concerned that if someone buys it, they'll likely add a trailer. Eileen Wickey stated that trailers are allowed for one year while people build, but then must be removed.

The Board discussed the concerns outlined to include setbacks, conforming lots, changes in septic design, subdivisions, trailers, and enforcement. Also discussed were historical zoning variances that were once obtained by owners on the pond, that then resulted in changes to the setback requirements by the Planning Board. Joshua Gordon, Jim, and Cheryl Gordon discussed the new law relative to voluntary and involuntary mergers.

Jim told Ginny that he's not sure of the Town's current building inspector status, but when he was building inspector, once he had a good understanding of the Shoreline Protection Act, his direction to people near a pond was if your excavating with anything bigger than a shovel, you need to follow the Act within 250' of shore. He enforced that without exception. Ginny will have to look into that with the current building inspector.

By the end of the meeting, Ginny, Ken, and Eileen understood that they'll need to find out if the lot being sold was voluntarily or involuntarily merged. Any enforcement of the topics discussed tonight will all need to be handled thru the Selectmen. Jim suggested when they go to the Selectmen they ask that he make the new building inspector aware that the Shoreline Protection Act needs to be followed when issuing building permits.

Jim thanked them all for coming and said he wished we could have been more help, but it's just not something this particular board handles. Their business is really with the Board of Selectmen.

Board discussion: Review PB Budget: The Board reviewed the budget that showed we underspent in every category in 2019. There was \$1,000 in the budget for equipment to replace the 6-year-old laptop which has now been replaced. The Board agreed to lower the equipment portion to \$500. The Board agreed it is important to keep the professional services budget in the event we need to access attorneys or the Central NH Regional Planning Commission for example.

Board discussion: Update on Table of Use project: Kent suggested that over the long term the Planning Board should be coming up with rule changes on a regular basis rather than taking it on in one big issue. He suggested we take a piece of the Table of Use and work to get that passed this year. Jim agreed. Tyson disagreed. Joshua didn't have a strong preference as long as we make progress.

Other Business:

- Joshua: There have been pretty significant changes to current use rules that include very detailed definitions. He suggested people review them.

Motion to adjourn by Kent, second by Joshua. Vote: Unanimous.

Submitted by Lori Gabriella, Secretary
Canterbury Planning Board