

MINUTES OF THE MEETING
O F THE
CANTERBURY PLANNING BOARD

SEPTEMBER 8, 2020

Due to the COVID-19 crisis and in accordance with Governor Sununu's Emergency Order #12 and Executive Order 2020-04 this meeting was conducted telephonically for residents. Board members and applicants were present at the Meeting House.

BOARD MEMBERS PRESENT: Tyson Miller (Chairman), Hillary Nelson, Lucy Nichols, Scott Doherty (by phone)

ABSENT: Kent Ruesswick (Vice Chairman), Joshua Gordon, Brendan O'Donnell (Alternate), Cheryl Gordon, (BOS Representative)

OTHERS PRESENT: Ron Boisvert, Paula Boisvert, John Weinceke, Joshua Isabelle for Contoocook Investments (Abutter)

Tyson Miller read Executive Order 2020-04 relative to holding meetings telephonically.

Review of 8/25/20 Minutes: Hillary Nelson moved the Minutes, second by Lucy Nichols. Amendments or Discussion: None. Vote to approve Minutes: Unanimous – Minutes approved.

Public hearing of Ronald & Paula Boisvert for Lot Line Adjustment at 282 and 256 Intervale Road, Canterbury, NH, Map/lot 234-2 and 234-1:

The Board reviewed the application documents and plan submitted. Tyson asked the secretary whether the application was complete as far as documents submitted. She confirmed it was. Ron and Paula Boisvert were present, along with their neighbor, Joshua Isabelle, who owns the property next to him, and whose portion of land would be transferred to the Boisvert's property.

Waivers were submitted for soil types, wetlands, permeable/impermeable surfaces, and topography as they are not applicable to this application.

Ron Boisvert explained that he and Paula befriended Joshua Isabelle and eventually talked about a little peninsula of property that was technically on Joshua's land, but more a part of the Boisvert's property. There is a steep slope and wetlands on Joshua's side of that peninsula, so it is not accessible from his land. He has to come over to the Boisvert's property to access the peninsula. It makes more sense for it to be part of the Boisvert's property and he's in support of the lot line adjustment.

Tyson and the Board discussed the requirements of not having a grossly irregular shaped lot and read from Subdivision Regulation Section III B(15). They also noted what looks to be a mistake on the plan since it shows their frontage as 277 feet. It appears there are two markers on the property and they should be using the second one, which would correct that issue. Paula will speak with their surveyor, Henry Amsden, to straighten that out. The Board also pointed out that the way they have the lot line on this version creates an irregular lot. Discussion continued about moving the lot line so it went straight down to the road, which would likely correct the problem.

Ron questioned the Board's view that the lot was non-confirming stating that they were issued a building permit and the house is only one year old. If the lot is non-confirming, it was like that before they bought it. Tyson explained that if the plan does in fact need to be corrected to move the pin to the second one, they would have the correct frontage and it would be all set. That is just something that has to be questioned with the surveyor.

Paula Boisvert informed the Board that a wetlands guy was at the property today and that information will be added for their property.

The Board had a discussion around wetlands and explained the requirements. Joshua believed he may be close on the wetlands requirements on his property. After discussion Joshua said he would look into that. If he needs the portion of peninsula to meet the wetland requirements on his lot, the Board wouldn't be able to approve the plan. Joshua is going to check with Mandy Irving (Assessor) to see if there is a prior plan for his property to show wetlands.

The Board discussed the additional waivers required: 300x300 rectangle, 200-foot setback from the river and showing additional wetlands. Scott Doherty was attending via phone and was in agreement, he didn't see the value in making them show wetlands.

Tyson made motion to continue meeting to 9/22/20, Hillary Second. Vote Unanimous. The applicants will return to our 9/22/20 meeting with the above items.

Other business:

- Barbie Tilton will be coming in for a site plan for the campground issue she's having before she goes to her ZBA hearing for a special exception. Tyson asked that the Board refresh themselves on the RSAs. There was disagreement as to whether she should come to the Planning Board prior to receiving her special exception since that is not how we handle things, and if she doesn't receive her special exception, she wouldn't have to come to this Board at all. Hillary moved to vote on whether or not the Board hears Barbie Tilton's application prior to receiving a special exception. Lucy seconded. Scott, no comment.

John Weinceke was in attendance via telephone and has been monitoring the meeting. He supports Hillary's opinion on this. You have to have a vote and can't be cherry picking on procedures for these matters. This is a campground that could have an affect on abutters. He wasn't sure if Ms. Tilton may have some pull in the town, but for the sake of transparency there should be a vote. After discussion the Board took a vote.

Hillary advised the Board if they vote yay, you want to hear the Site Plan Application prior to her attending the ZBA hearing for a special exception. If you vote nay, you do not want the Planning Board to hear the application prior to the ZBA hearing.

Polled vote:

Lucy: Nay
 Hillary: Nay
 Scott: Nay
 Tyson: Yay.

102 The motion passed. The Planning Board will not hear Barbie's application prior to the ZBA
103 hearing.
104

105 The secretary will tell her that her meeting is not 9/22/20 but will be held 10/12/20 if she
106 receives her special exception.
107

108 John Weinceke spoke about transparencies and taking votes. He thanked the Board for being
109 considerate of the residents in Town to trying to work thru very intricate legal problems in a
110 commonsense way to achieve a common goal. It's commendable.
111

112 Tyson wanted to be clear he brought up the idea about having her meeting before the ZBA
113 hearing, but that he doesn't know Barbie from anyone else in town. There was no special
114 favors being offered. He was just trying to help move her project along. The Board appreciated
115 his idea, but felt firm that we follow procedures.
116

117 There was a brief discussion about the Right to Know Law as far as holding off discussions for
118 the two meetings per month we have and talking to applicants and residents outside of a
119 meeting setting.
120

121 Hillary Nelson made a motion to adjourn with a second by Lucy Nichols. Vote unanimous.
122 Meeting Adjourned.
123

124 Submitted by Lori Gabriella, Secretary
125 Canterbury Planning Board