

1 **Canterbury Planning Board**
2 **Public Meeting**
3 **December 8, 2020**
4 **Meeting House and by telephone**
5

6 Board members present in person: Chairman Tyson Miller, Vice-Chair Kent
7 Ruesswick, Cheryl Gordon (BOS representative),
8

9 Board members joining by phone: Hillary Nelson, Lucy Nichols, Brendan
10 O'Donnell (appointed a voting member tonight in Scott Doherty's place).
11

12 Others present: Mr. Robert Wolfe, Canterbury resident, Attorney Peter
13 Imse of Sulloway and Hollis PLLC and Engineer JoAnn Fryer of Fuss and
14 O'Neill Inc.
15

16 Others participating on the phone: Rodney Phillips, Planning Board chair of
17 Loudon
18
19

20 **Agenda**

21 Chairman Tyson Miller opened the meeting at 7 pm.
22 Due to the COVID-19 crisis and in accordance with Governor Sununu's
23 Emergency Order #12 and Executive Order 2020-04 this meeting was
24 conducted telephonically for residents. Board members and applicants
25 were present at the Meeting House. The number to call to participate is
26 1866 678 6823, access code 8863361#.
27
28

29 **1. Minutes of November 24**

30 Kent moved to accept the minutes. Cheryl seconded. Josh had a comment.
31 Line 286, Joshua meant the basis of concern was for one Canterbury
32 citizen rather than putting it in the negative of no concern. There were no
33 other comments. Members voted to approve the minutes as amended (with
34 the exception of Brendan who served as an alternate that night).
35

36 **2. Loudon Lot Line Adjustment MCRD 201900023430**

37 Chairman Tyson Miller had requested this item be put onto the agenda to
38 assist the Loudon Planning Board Chairman, Mr. Rodney Phillips and Land
39 Surveyor Mr. Joe Wickert, LLS with a minor issue.
40

41 Mr Wickert thanked the Planning Board for putting them on agenda at short
42 notice. He explained that after a Lot Adjustment was agreed last year by
43 both Loudon and Canterbury, further annexing of property in Loudon now
44 necessitated a statement from Canterbury before the Site Plan could be
45 registered. It had no impact on anything in Canterbury. The Registry
46 demanded a statement that stated there was no change to any land in
47 Canterbury. They were asking for a note they can put on the plan that will
48 be recorded above Chairman Phillip's stamp that there will be no change in
49 Canterbury.

50
51 Joshua Gordon asked what kind of change was being noted? It was noted
52 that the Loudon Lots 59-3 and 59-1 did not change the land in Canterbury.
53 Hillary said she remembered this coming to them before. A tiny triangle
54 was annexed. It does not change anything and she was amenable to it.
55 Tyson pointed out it was all in Loudon's property. None of it was in
56 Canterbury - they were all set. Brendan looked at one of the Mylars and
57 asked about a proposed lot line. The answer was that there was an
58 approval in 2019, Mr Wickert replied. Both Planning boards had signed that
59 agreement.

60
61 Tyson asked if they all agreed that they could put this agreement on their
62 plan. All members voted yes to this notification. Mr Wickert thanked PB as
63 did Chairman Phillips for doing this. It would be covered in the minutes so
64 no letter was needed.

65 66 **3. Discussion of roundabout at Exit 17 on behalf of resident Mr Wolfe**

67
68 Mr. Wolfe attended with Attorney Peter Imse of Sulloway and Hollis and
69 Engineer JoAnn Fryer of Fuss and O'Neill. Peter Imse introduced their case
70 by saying they had talked to the Planning Board a couple of months ago.
71 There were concerns for access to the Wolfe property and since then they
72 had discussions with the State and retained JoAnn's firm to improve access
73 rights. They wanted to show the current status of where they were in the
74 project. They would love to have the support of the Planning Board as they
75 did the Board of Selectmen and be able to tell Concord that Canterbury
76 supports them. It does affect Canterbury citizens. Copies of the proposed
77 plans were handed out.

78
79 JoAnn Fryer spoke further. The photographs showed the proposed
80 roundabout at Old Boyce Road.

81 The original proposed roundabout made it hard to provide a left turn into Mr
82 Wolfe's driveway. The risk was of queuing up that would affect the
83 roundabout operations. The change they were proposing was as people
84 come off the roundabout towards Old Boyce Road there would be a stop
85 sign and painted stop bar. People coming out of the site will have a stop
86 sign and bar as well. It is typical to do this when there are driveways near a
87 roundabout. This is all proposed for vehicles coming off the roundabout.
88 For someone coming off Old Boyce Road it won't make people slower
89 because the traffic volumes are low there in comparison to other parts of
90 the project.

91
92 Joshua asked about stopping before the driveway. The only change is right
93 at the driveway itself. They had not changed the position of the roundabout.
94 Concord would have to purchase more land if so. There will be islands
95 painted.

96
97 Kent asked about plowing. JoAnn said it was a raised island. This
98 information has been given to City of Concord and it needs to be approved
99 by both City and DOT as it is a DOT right of way. It is not in Canterbury but
100 it affects access into Canterbury.

101
102 Kent asked if the road would cross Concord or state property. The access
103 road is within both. The driveway at minimum would go to the limits of the
104 property line.

105
106 Joshua asked whether there might be other plans that might work equally
107 well? JoAnn said they had looked at other options and this was the only
108 one that worked. The only other access point was off Rt 4 and it was a
109 limited access right of way and access was not allowed. Peter Imse added
110 they were always open to better ideas and they would come talk to the
111 Planning Board if one came out.

112
113 Hillary said from the history of this, Shoestring road was moved and the
114 driveway there became accessible. She thought Concord should cooperate
115 with them on this. Peter said they were working with them.

116
117 Lucy stated she was a daily user of this intersection. She was a little
118 concerned about the traffic coming out of the Canterbury commercial
119 district having to stop at a stop sign. At present the volume of traffic was

120 small but would it be a problem in the future? Depending on the flow round
121 the rotary it might be hard to get into a gap to join that traffic.

122
123 JoAnn replied the only traffic you would yield to is traffic coming into the
124 site going into the site driveway. This is less than in the roundabout. Lucy
125 said if Mr. Wolfe can develop this site into high use, all the rest of the
126 commercial traffic would be second place after that property has first place
127 in priority. She asked about a spur going into a Park and Ride?

128
129 Josh asked where is that? Lucy said it would be in between Bob's place
130 and Rt 4. She had not been able to blow up the maps. There were 2 exits
131 coming out of the rotary in Canterbury. Bob Wolfe said there is no Park and
132 Ride. He had checked with the Regional Planning Commission and was
133 told that there was nothing in the 10 year plan for a Park and Ride. The
134 State has no discussions going on with that. It was surprising. Joshua
135 asked if there was to be a Park and Ride where would the entrance be?
136 JoAnn said off Rt 4. Tyson has spoken to an engineer who said it was to be
137 a Park and Ride. Who knows?

138
139 Tyson had a question similar to Lucy's concern. If he wanted to make a left
140 into Mr. Wolfe's property could he whip right across or would he have to
141 stop? Could someone get across safely? He was concerned about the
142 speed of vehicles coming off the roundabout. JoAnn said the roundabout
143 was designed for low speeds, with islands funneling the traffic. They could
144 consider yield signs. In this proposal they wanted safe exit of the
145 roundabout without impacting the other directions. Old Boyce Road traffic
146 would continue to have low volume. Tyson said he would see the stop sign,
147 look left and see how fast cars were coming? He could be T bombed by
148 what comes out. Lucy said that happens now!

149
150 Hillary commented this was based on an average of traffic but when
151 Riverland was active was it much higher? People going to the beach,
152 maybe drinking and dealing with kids, would that involve backing up into
153 the roundabout, could there be multiple stop signs, like 3 way stops? Lucy
154 said there was a brewery and a landscaping business and there is already
155 real traffic coming and going from Old Boyce Road. What is the relative
156 frequency of retail and commercial property versus residential? Hillary said
157 they should support Mr. Wolfe, but also Lucy, as this was one of the very
158 few commercial districts in Canterbury. Lucy said she liked the yield sign
159 idea more. Hillary asked could there be a plan for the future? Lucy asked

about possible scenarios? Tyson asked about a lane on the left to allow stacking?

JoAnn said they did look - you could have vehicles pull in but only one vehicle stacking. More than one stacking would impact the rotary flow. They don't have a potential use for traffic volumes for the Wolfe property. The volumes themselves today don't show the future. There is expectation of the Wolfe property being developed. But even at its maximum this road would be less than Hoit Road. This traffic will have to yield to Hoit Road. The whole purpose of a rotary is to have gaps. Most cases will have to yield to wait for a gap to get in. There will be some stacking of people even if there was no driveway there. The gaps in the traffic will be greater than the gaps in the traffic on the roundabout itself. She understood the concern for relative traffic volumes for the build out. Drivers would stop at a stop sign and also a yield sign.

Tyson was concerned about cars not signaling intent. Hillary said people drive foolishly but people do learn to manage configurations. Hillary said it was acceptable for now. Lucy disagreed. People were already sitting 7-8 minutes trying to get onto Hoit Road - the wait time was frustrating. A stop sign and a yield sign would slow it down further. Plus people drive way too fast on Hoit Road. Hillary pointed out the rotary in Boscawen slows people down effectively. Lucy said she did not know about the uses of the Wolfe property.

Tyson said people were repeating themselves. Kent suggested they would have to accept this as it is and move along. You cannot worry about being sued in 10 years' time. Tyson asked them to note the concerns of the Canterbury Planning Board and the lukewarm concerns both of Lucy and himself. Joshua said it was an overall improvement - its way better than what we have now. He moved to support the idea with the reservations noted, Kent seconded. Tyson added the reservations to be noted were 1) about backing up at the stop sign and 2) the other about misjudging cars coming to the stop sign. Members voted. All voted aye, including Lucy with reservations. Brendan abstained.

Peter Imse commented with regard to Lucy's concern about park and ride - there is nothing shown on these plans for that. There is only access to the Wolfe property.

Mr. Wolfe and his representatives left.

4) Work Session on Campground Ordinance

Tyson began the work session on the camp ground article. He asked to see if Bob Steenson was on the phone. Yes, he was.

Tyson had brought copies of his version made today, a version 4. No-one has it except Tyson.

Hillary said she was confused conceptually. The campgrounds so proposed are for home occupancy businesses where the homeowner lives on the premises and they cannot have more than 2 employees who are family members. Bob said no, they are not getting zoning exemptions for family businesses, it had nothing to do with home-based exceptions. Hillary asked how are they getting campgrounds? Tyson said they are allowed as a commercial campground in Rural and Agricultural zones. They are allowed now. Hillary clarified these are being allowed by special exceptions in the Rural and Agricultural zones and have to abide by State rules. They don't have to be allowed but they can be by special exception and have to meet State requirements.

Hillary then asked about the State rules. We don't understand if the State has to approve the sanitary resources. Barbie Tilton had come back and said the State was not responsible for that. Tyson said the applicant has to have a letter from the State to say they either meet the requirements under the RSAs for water and septic, or prove they don't need to. Hillary said she had thought it was home occupancy. What Tyson had written up was for large commercial campgrounds with shower facilities and accessory buildings and recreational buildings. She did not think anyone in town would envisage this in Canterbury, these big commercial operations. Before we even begin discussing this she wanted to understand what the State would take responsibility for, how much they would regulate water and so on?

Bob Steenson asked to clarify if there was still an ongoing Planning Board case for Barbie Tilton? No, she was approved conditionally if she got the letters from DES. It was not an ongoing open case.

Tyson mentioned there was a large campground approved on Rt 106 for sale - that approval was extended for 2 years.

240 Brendan said in the same districts for campgrounds home businesses were
241 also allowed by special exception. In the Zoning ordinance it now says
242 there is no limit and this is already allowed. If the town wants to limit the
243 maximum size of these campgrounds we have to do it.

244
245 There was discussion about possible limits on numbers of sites and how
246 this relates to water and sewage issues. Tyson said he had written that the
247 campground operator has to abide by the State RSA and he thought they
248 would enforce it. Brendan said the DES was the hardest to work with
249 because they have a number of bureaus, and they had to approve of the
250 disposal systems and water sources. It might take a bit of figuring out who
251 to talk to at DES. Joshua said whatever the maximum number is per
252 numbers, we should say there must be water and sewage to accommodate
253 the maximum people at the site. Tyson said the water people have a
254 formula they use for public water. Hillary asked if Porta-Potties were
255 allowed by the State?

256
257 Tyson repeated that all applicants would have to be approved by the
258 appropriate State agency and provide proof from the DES or provide proof
259 that none is required. It does not talk about Porta- potties. Hillary
260 questioned no permit being required. Brendan said it would be stronger
261 going forward if the Town does insist people get a permit from the DES and
262 enforce getting proof. Hillary said she would defer to Brendan or Bob on
263 that. Tyson said it has to be in writing, as with the conditional approval
264 given to Barbie Tilton, it had to be in writing. Brendan suggested some
265 language regarding the operator having to obtain all required approvals for
266 all water systems. Bob said for the governing body side, he liked Brendan's
267 language. If they tied themselves to the State laws they should not be
268 overly specific to a certain RSA because state laws can change — you
269 have to have what its required overall. Bob thinks we have an exposure as
270 a community because of the Rt 106 campground so this is an opportunity
271 to address the issues in detail. The Town needs its own rules too. Hillary
272 added the campground on 106 is advertised as having 400 sites. it was
273 never approved like that.

274
275 Joshua said the plan they were looking at allows too much development
276 and density that was not what people living there would expect in those
277 zones. He wanted something less impactful.

278

279 Tyson said what density do you suggest? — 3 sites per 100 acres with 6
280 people per site?

281 Hillary mentioned cluster zoning - what if we made this a parallel to that?
282 You get to have 75% of what is usual for a house? Otherwise this is
283 Agricultural and Rural zoning that has been protected in the past and this
284 would impact the community.

285
286 Brendan suggested there would be 2 types — one where the primary use
287 was commercial and the other would be as an accessory to a residential
288 property. Maybe they could allow different ratios for each? Tyson said it
289 could lead to large campgrounds? Brendan said you could allow
290 commercial campgrounds in the commercial zones.

291
292 Lucy said she liked this distinction about being commercial or accessory to
293 residence. Hillary agreed the latter keeps it small versus larger grounds on
294 commercial grounds.

295
296 Tyson said it was getting complicated. He suggested 3 sites per 10 acres.
297 But that could be 180 people $(3 \times 10 \times 6 = 180)$ Joshua said — it was more
298 dense than living on a dirt road. Hillary said this plan allows stores and
299 recreation grounds. Hillary wanted to see that it should be in the
300 commercial zone. Over by Riverland it would be ideal. Tyson pointed out
301 we don't have applications from there. Lucy said the better land has
302 easements on it over there and was unlikely to be allowed.

303
304 Joshua argued there is a difference between people who live there and
305 people who visit for a weekend. It could be a party like Air B&B. There is a
306 difference between living and camping - so density could be less.

307
308 Brendan suggested taking it off the Table of Uses. He said most
309 campgrounds in town so far seem to want low impact which would be in
310 line with Canterbury goals. Some campgrounds can get crazy. Tyson
311 asked again about density. We could allow accessory use campgrounds on
312 2 for 10 acres and cap at 6 max. Smaller lots would have up to 2. Hillary
313 agreed. 2 per 10 acres for a residence, home occupancy. Still with a
314 special exception. Tyson acknowledged that. He then asked what if
315 someone has 50 acres with no residence; do we say you cannot build a
316 campground if there is not a residence? Hillary responded they had to do
317 something as people have used the Agricultural exception to rent out
318 apartments and barns. Joshua said he liked Brendan's idea of barring

campgrounds as a use except for this with home occupancy. Hillary reminded it has to go through public hearing and Town Meeting. It was in the best interests of the Canterbury Master plan. Joshua pointed out many people would come on Race weekends.

Bob asked about the pending approvals? Hillary had asked about this last time. Brendan reiterated there was a specific body of law regarding the changing of regulations retroactively. They would have to get legal opinion with specific applications-. Joshua said they cannot do anything about it retroactively. He had to leave.

Tyson was going to rewrite the article somewhat and add what Brendan mentioned about home occupancy accessory. He pointed out there were other items in the document. Roads and fire prevention, and noise ordinance for instance. Lucy said she had read the ZBA minutes from 12/2 and there had been concern about noise. What about a maximum of 4 adults or children per site- might that keep noise down? Tyson asked who would enforce that? Brendan said people have to follow the law and requirements can be put in. Tyson said he was at that hearing — people had complained about hearing people talking on porches. But others were in favor - other neighbors were applauding it.

There was discussion about the role of the Planning Board in such developments. Hillary said it was not their job to discuss who spends money in town. We are here to enforce the town zoning ordinance and review site plans not boost money making in Canterbury. Tyson disagreed and said that view was not shared by others on the board.

Kent commented it was 8:30. What was the time frame? Can we bring this to a halt and have Tyson work on the document? Kent wants this board to think about traffic. At the ZBA meeting a lot of abutters were complaining about traffic at Old Tilton and Boro Road if there were 12 sites. It did come up at the ZBA but there it was said that traffic was a Planning Board issue for site plan review. Brendan said he did not like that. One thing that will help is ~~allowing removing~~ campgrounds only as an accessory use. That should limit traffic concerns.

There was concern about getting this article done in time. The next meeting on December 22 already has one application for the commercial zone, for self-storage units and a food pantry storage. Tyson had talked with the

applicant. It is just site plan review. Brendan recommended talking about this next time. Hillary asked if there was anxiety about this and ask Town Counsel? Lucy suggested Kent could frame the traffic issues ahead of time for their discussion - should there be a traffic study? Bob said you can consult the Trip Generation Manual generically and see if that helps inform thoughts about traffic. Campgrounds, Brendan said, are like home occupancy and cited the example of his sister talking to the road agent about whether their road could support extra traffic for her proposal. Hillary said it was a huge deal with campgrounds.

Tyson said he was going to rewrite the article to take in Brendan's view. Brendan offered to work on it if Tyson sent him, also something to do with enforcement. Tyson said they could call a special meeting. Perhaps people could decide after seeing the next draft. Lucy said she was amenable to a special meeting for this.

5. New business

Hillary said her daughter was getting married next October and she would not be running again for Planning Board. She would be happy to be an alternate. Tyson said she would be missed. Hillary said Brendan's expertise would be welcome so she hoped he had time to run for the position. He appreciated the compliment. Bob said he would encourage that.

Tyson asked for a motion to adjourn at 8:45 pm. Kent seconded and all were in favor of adjourning.

Respectfully submitted,
Lois Scribner, secretary.