

MINUTES OF THE MEETING
OF THE
CANTERBURY PLANNING BOARD

October 24, 2017

BOARD MEMBERS PRESENT: Jim Snyder, Chairman, Hillary Nelson, Tyson Miller, Kent Ruesswick, George Glines – BOS Representative, Lucy Nichols (Alternate)

BOARD MEMBERS ABSENT: Art Rose, Vice-Chairman, Joshua Gordon, Alice Veenstra (Alternate)

OTHERS PRESENT: Charles Bassett, Dave Rauseo

Draft Minutes of October 10, 2017: Kent made a motion to approve the minutes. Hillary seconded. Discussion: Tyson was not at the last meeting but after reading the draft Minutes said the short-term rental Bill document he requested be circulated for him at last meeting was in fact signed, and a study committee was also created. He wanted the Minutes amended to note the correction. The Board explained that the Minutes reflected members' comments and their belief that the language he passed out was not actually the final version and was not passed. Jim asked that the subject be added to the next agenda as this was further discussion of the Bill and not an amendment to the Minutes. Vote on Minutes as presented: Unanimous. 10/10/17 Minutes were approved.

Since there were others present at the meeting for the discussion of Old Boyce Road and Route 4, Jim revised the order of discussion to hear Old Boyce Road first, and the Table of Use discussion second.

Update of Intersection at Old Boyce Road and Route 4: Lucy spoke with Allen Herschlag, a Concord City Counselor, and asked what was going on for the Whitney Road and Route 4 area. Concord is about to lift the covenants in that area so development would be more feasible. They are also about to delete impact fees. The reasons for the covenants years back was because they wanted a grocery store in Penacook. Instead of a grocery store, Penacook Family Health and a housing project were built where the grocery store would have gone. It is thought that a grocery store could be built at exit 17, which would trigger a traffic light. Wheelabrator Incinerator on Whitney Road is paying half the tax revenue that it used to, which has to do with long term energy contracts. Concord is interested in development in this area because they want tax base.

Lucy told Allen she felt the intersection at Dunkin Donuts, Route 4, and Old Boyce Road is a lethal intersection. Allen acknowledged that road improvements need to be made but didn't say what type of road improvements. His first plan was to get it on the 10 year State list of road improvements.

45 Dave Rauseo entered the meeting and Lucy thought it made sense to defer to him for
46 his understanding of the intersection. Dave said the intersection is controlled by the
47 State DOT. The City of Concord is responsible for receiving requests for impact studies
48 and they would determine whether a signal is warranted. The City has a driveway
49 permit for Whitney Road at that intersection. Whenever a development happens on that
50 road, they revise their permit accordingly. A traffic study is done, if it rises to the level of
51 a signal, the State tells the City to do a signal. The City in turn tells the developer to do
52 a signal. The traffic hasn't yet risen to the level of a signal yet. This is different from
53 Old Boyce Road. There is no driveway permit with the State for that road, which means
54 Canterbury or the City of Concord doesn't have to go to the State to revise a driveway
55 permit. There is going to be a signal when the significant traffic generator is put on
56 either side of the road. Someone will pay for that signal.

57
58 Dave said the Regional Planning Commission receives requests from towns or cities
59 who would like a project moved to the top of the list. That intersection was submitted,
60 but did not make the list. Lucy asked if he knew why and he said other areas were
61 higher priority. It's not entirely safety related, it could be aesthetics, or other things.
62 Dave said two weeks ago Concord voted to get rid of impact fees. Hillary asked about
63 the fees the recent developers have already paid. He said it all added up to about \$80k.
64 That money doesn't have to be spent on that intersection though. It can be spent
65 somewhere else in that district, which includes the Exit 16 round about for example. If a
66 development is proposed in the Whitney Drive neighborhood and it meets that signal
67 warrant, the State can say there's enough going on and it could say, let's partner up
68 with the City of Concord and the feds and get it done. Dave thinks the addition of a
69 supermarket could trigger that.

70
71 Dave added that the little stretch of Route 4 in Canterbury is the same as the interstate,
72 so there is no ability for the State to grant driveways on that area. The access to the
73 property for sale is on Old Boyce Road. A roundabout is also a possibility. There is no
74 such thing as a rotary warrant analysis so the state could build a rotary without an
75 analysis. Lucy asked if Dave's covenant restrictions were lifted for his development on
76 Whitney Road. Dave said, not yet. There was a public hearing last week that Dave's
77 wife, Laurie, attended and made a presentation for. The City Planning Board decided
78 there is no reason for the covenants anymore. They now need to go to the City Council
79 and present the City Planning Board's opinion. They will see the City Council the
80 middle of next month. Hillary asked if there were any new covenants added. Dave said
81 no. The State would look for the traffic study, and that would trigger the need for the
82 signal. Whatever development happened there, the City would try to get the developer
83 to pay for, and if they couldn't afford it, they would do it together.

84
85 Hillary's understanding is that Whitney Road and Sewalls Falls Road will eventually be
86 connected. Dave confirmed that will happen eventually.

87
88 Tyson stated that all the land in the Exit 17 area is commercial. There is a question as
89 to which project breaks that camel's back and whether that one project pays for the
90 signal. Dave said if a grocery store went in the Whitney Road area, it can't exit directly

on to Route 4. It would have to use Whitney Road and the State would not break the right of way. A project of that size would trigger a signal.

Lucy described the traffic patterns at the intersection and where it was coming from. Dave said it seems the situation has gotten worse since the rotary in Boscawen went in. Hillary asked if there was a way for Canterbury to partner with Concord to help make it happen. Dave said yes. The 10 year plan is not a done deal. It's a plan in flux. If enough people gather up, and businesses jump in, and go to DOT it would help. We want this put to the top of the list. Dave said it will have to be a large enough development to bear the cost of a traffic signal. It's probably a 2.5 million job. Jim felt the safety issues are the more important item to emphasize. Government has more of a role in safety. Hillary asked who to contact to get involved. Dave gave Hillary his business card and said he will help make connections to the right people. Kent asked if we should bring our executive council in on this. Dave said yes. He said Concord doesn't only have this project to look at, they have lots of others. There are actually about 22,000 cars passing through that area each day. The number they are using is 12,000. Dave believes there is still time for the Town to push this issue. Hillary asked the time frame, Dave believes it's in the next month or two. Lucy agreed to draft a letter regarding this issue. Lucy will be in touch with Dave to be connected with his wife, Laurie Rauseo, who can help direct her.

Kent thought the state legislators should be invited to the meetings to discuss this. Hillary suggested we invite the state senator.

Charles Bassett who owns land on the Canterbury side of the intersection said he's really glad he came to this meeting and that this discussion has been very helpful for him. He owns a piece of commercial land that has been for sale for 10 years with no offer. The feedback he gets is that it's a terrible intersection for traffic. Dave told Charles that he should contact the State as well.

The State right of way is about 300 feet. Whether a rotary can fit there is up to the engineers.

Continued Discussion of Table of Uses:

The Board reviewed the residential zone:

A: Residential: The Board reviewed the recommendations and felt it made sense.

B. Institution: The Board reviewed the recommendations and felt it made sense.

C. Entertain and Recreation: Jim is looking at how we differ from the rural zone since they are fairly closely related. After review, C6 (Commercial or non-profit events) will have to be addressed as we move forward.

D. Personal and Business Services: The Board reviewed the recommendations and felt it made sense.

E. Medical: The Board reviewed the recommendations and felt it made sense. E-4 (Dwelling facilities for disabled) needs additional attention and we will come back to that. Otherwise, all set.

F. Finance and Office: The Board reviewed the recommendations and felt it made sense.

G. Lodging and Meeting Places: We removed short term rentals and will defer to the State Law. We will review the law and make a final decision on this later.

H. Retail: The Board reviewed the recommendations and felt it made sense.

Restaurant/Eating places: The Board reviewed the recommendations and felt it made sense.

J. Transportation Communication: The Board reviewed the recommendations and felt it made sense.

K. Motor vehicle sales and service: The Board reviewed the recommendations and felt it made sense.

L. Manufacturing, Warehousing and Construction: Hillary reminded the Board this is as a primary use, not as an accessory use. Jim asked why we have CU in excavation for so many zones. Hillary said the town has excavation regulations we would want to be sure are followed. The zones are currently special exception, except Shaker Village, which is currently SPP (special permit planning board), which is basically CU. Jim looked at excavation regulations and doesn't see it spelled out as to what zones you can do things in. Jim felt we should not allow excavation in residential. The Board agreed.

M. Agricultural: Again, this is a primary use review, not as an accessory use. We need to define large confinement operation. The Board felt this was fine.

N. Accessory Uses to Principal Residential Use: Minor and Major we have to work on. Otherwise the recommendations were agreeable.

O. Accessory uses to Principal Non-Residential Use: The Board reviewed the recommendations and felt it made sense.

P. Accessory Uses to any principal use: The Board reviewed the recommendations and felt it made sense.

Note: The minutes do not contain each revision or specific line item discussed and is a general overview of the Board's ongoing work on this project.

Other Business: Hillary wanted to give the Board an update on the NH Motor Speedway decision from the Loudon Zoning Board. Jim recused himself and reminded the Board that strategy shouldn't be discussed as other business. It should be on the agenda if it is additional business. Hillary said this is really just an update. In the event this requires a Vice-Chair, Jim appointed Hillary as acting Vice-Chair and left the meeting.

Everything has been kicked back to the Board of Selectmen and Planning Board in Loudon. We, the Canterbury Planning Board, will ask for a rehearing at ZBA. It's not an appeal, it's a request for a rehearing. Tyson asked the purpose. Hillary said it is believed they made legal errors when making their decision and we'd just like to point them out. The Loudon Planning Board is meeting in November on this as a continued public hearing.

Kent made a motion to adjourn, Tyson seconded. Vote: Unanimous. Meeting adjourned at 8:30 pm.

Lori Gabriella, Secretary

Next meeting: November 14, 2017