

MINUTES OF THE MEETING
OF THE
CANTERBURY PLANNING BOARD

November 14, 2017

BOARD MEMBERS PRESENT: Jim Snyder, Chairman, Art Rose, Vice Chairman, Hillary Nelson, Tyson Miller, Kent Ruesswick, Joshua Gordon, Cheryl Gordon, Alternate BOS Representative, Lucy Nichols (Alternate)

BOARD MEMBERS ABSENT: George Glines Alice Veenstra (Alternate)

OTHERS PRESENT: Roy Hutchinson, Mary Ellen MacCoy, Greg Meeh, Tim Meeh, Kerry Clock, Debra Tomasek, Karen Docker-Gendron, George Gendron, Jr., Ken Stern

Draft Minutes of October 24, 2017: Kent made a motion to approve the minutes. Joshua seconded. Discussion: Lucy advised of one typo, otherwise no discussion. Vote: Unanimous. 10/24/17 Minutes were approved.

Public hearing for Meeh Lot Line Adjustment and Subdivision Applications at Shaker Road, Tax Map 212, Lots 11 and 15:

Hillary recused herself since Greg Meeh is her husband and one of the applicants. Lucy was appointed to stand in for Hillary. Jim disclosed that he has been friends with the applicant for a long time but had no issues hearing the applications. The Board was comfortable with that. Lori confirmed she reviewed the applications and felt they were complete. She advised the Board that Ben Bynum informed her that Teresa Ofner, an abutter who lived across Shaker Road from the area of the lot line adjustment, called. She didn't have a problem with the applications but wanted to understand what was going on since she could not attend. Lori spoke with her and confirmed there was no objection, she just wanted information. (Lori provided Tim Meeh's number for Teresa to call with any questions). Joshua moved applications complete, Kent seconded. Vote: Unanimous. The Applications for Lot Line Adjustment and Subdivisions were accepted as complete.

Application for Lot Line Adjustment: Abutters present: Kerry Clock, Debora Tomasek, George Gendron and Karen Docker- Gendron.

Tim Meeh began to say this is a lot he and his brother, Greg Meeh, own. They want to transfer a .299 acre triangular lot to the Gendrons. They approached the Gendron's to see if they'd like the piece of property to really just to square off the lots. They did a title search and nobody can determine why this little area was divided up the way it was. Jim said there were waiver requests for soils and topo since it is a only a lot line adjustment with existing structures. Art moved to approve waivers. Kent seconded.

Discussion on waivers: None. Vote: Unanimous. Jim also read a letter from abutters, David Booth and Melora Rush, who are in favor of the lot line adjustment.

Board discussion: No questions from the Board or abutters. Jim asked if both parties were in favor of the adjustment and they confirmed they were. Vote: Unanimous. Adjustment approved.

Application for Subdivision: Jim stated we have the same letter from David Booth and Melora Rush in favor of this application as well. Tim spoke to say they have a road waiver from the Selectmen and approval for subdivision from the State, and provided the Board with a copy for its file. Tim explained the Plan to the Board pointing out the area for the above lot line adjustment and the new area that would be subdivided. There is a house on the back side near Wyven road, which they own. They asked Web Stout, their surveyor, to see if they could get two buildable lots there. He was able to create a 4.5 acre lot and a 4.46 acre second lot. Tim referred the Board to Note #5 on the Plan regarding the Road Maintenance Agreement for Wyven Road that is currently in place. The houses on the other side of Wyven road were subdivided back in the 1980's. Whoever purchases the proposed new lots would have to be part of that Agreement and will be made aware of that fact. Wetlands were delineated and tope was included.

Discussion: Joshua asked about a State statue about building on private roads. (RSA 674:41-1-3) Greg read from the subdivision standards and then stated the road is already up to Class V standards. Jim asked Cheryl if there was any discussion when the road waiver was approved by the Board of Selectmen. She did not recall any requirement for upgrades. Joshua confirmed with the applicants that the road waiver was recorded. (June 2017) Tyson asked about a conservation easement. Tim said there is no conservation easement on this property. Jim asked if any abutters had any questions or concerns. There were none.

Joshua moved to approve the subdivision application. Kent seconded. No further discussion. Vote: Unanimous. Application for subdivision was approved.

Preconceptual Consultation Hutchinson/MacCoy for possible subdivision at Map 230, Lot 4, Hackleboro Road:

Hillary rejoined the meeting. Jim gave the applicants the parameters for this type of meeting.

Roy Hutchinson spoke to say his surveyor wants to do a point to point survey and he's looking to cut down on the cost. Roy has owned this property, which is over a hundred acres, for 58 years. A sugar house sits on this property, across the street from their son's house. They are trying to give their son a piece of their land. His son currently owns 11 acres of land. This is agricultural land which has to be 5 acres. They'd like to transfer 10 acres to the son. The frontage would be in excess of 300 feet and the

remaining lot will have more than 300 feet. There currently is a total of 1,200 feet as it stands now. The Board reviewed the town map of the lots in question.

Art explained the process for subdivisions and the steps the applicants would have to take. They understood Art's information. One of the problems they're having is that this isn't a buildable lot. There's too much water there. Jim recalled something about creating a lot that is not buildable, but doesn't have the language here. Mary Ellen MacCoy asked if they could subdivide and whether or not the lot is buildable could be dealt with later if someone wanted to build on it. Jim said it's not as simple as it sounds and that the lot would have to meet all the standards for a house. If a builder can make this a buildable lot, it's ok. If he can't, then it's more complicated as far as an accessory use. There was discussion about the required rectangle buildable area. There are many requirements to make a lot a conforming lot. Mary Ellen also doesn't think they'd be able to make any sort of access there. The sugar house across the street has access, but she doesn't know if it would constitute access to a buildable area on this side of the road. Any access to this lot would have to be further up the road. Jim said again that that this should be easy, but unfortunately it's not. Mary Ellen asked what the minimum acreage is for a conservation lot but the Board could not locate that information right then. There was discussion of whether a road creates a subdivision. It was agreed that a town line does, but the board wasn't sure about a road.

The Board suggested they talk with their surveyor about the issues brought up tonight and they are all welcome to come back to discuss it further before moving forward with any application.

Discussion of State RSA re: Short Term Rentals: This discussion is in follow up to a previous meeting that Tyson was not able to attend, but wanted to clarify a few points for the Board's information. Tyson summarized a handout of documents he provided the Board which included an article about short term rentals, and answers a lot of the concerns we have. The new changes to the RSA dealing with short term rentals only relates to the section that deals with housing standards. It doesn't say you can't have zoning. The study committee met and determined the laws are adequate, although there are 3 new bills coming up. One regulates disorderly houses, the second relates to taxing short term rentals by third parties, and the third is the power to license short term rentals and collect a fee. We'll have to wait to see what happens with those three bills.

Tyson informed the Board of another new law that states if you're adding an accessory dwelling and have no documentation on your current septic system, you'll have to construct a new one that meets the current standards.

Other Business:

- Hillary wanted to know if the Planning Board wanted to send a letter to Loudon for the racetrack hearing scheduled for Thursday night. Also, the Loudon ZBA has posted they they'll be discussing the rehearing requests they received. Hillary spoke with Danielle Bosco in Loudon and learned that the Loudon Board

of Selectmen would be meeting in private with counsel regarding deed restrictions. Joshua felt we could just ask that the recording of Thursday's meeting be made part of the record. If it was, Joshua thought we were all set. Jim recused himself and left the meeting for the night.

Hillary said the Loudon Planning Board is coming back with an answer this week. She felt a letter would get something in the record if this goes to court. The deed restrictions should apply to the entire property and not the little piece.

Cheryl asked that anything sent to Loudon should be copied to the Canterbury Board of Selectmen. Lori will forward the recent documents sent.

- Kent wanted to make suggestion that since we are a long way from finishing the Table of Uses, he feels we should delay it for a year so it will be ready for Town Meeting in 2019 rather than 2018. It will also allow us to bring in some town and resident input. Jim said it's looking inevitable that it would happen in 2019. Hillary would like to spend a meeting identifying specific areas to discuss who we should bring in for further discussion. Lori will put the discussion on the next agenda.
- Lucy asked if the Board's letter relating the route 4 intersection was sent to the Department of Transportation. Lori confirmed it was and will send the official copy to the Board members and Selectmen. Lucy also informed the Board that Sunday's Concord Monitor had an article in it about the Exit 17 project being back on the table.
- Art requested that the next time we get together we talk about budget. The budget committee needs numbers by the beginning of December. Art will bring last year's budget with him.

Kent made a motion to adjourn, Art seconded. Vote: Unanimous. Meeting adjourned at 8:15 pm.

Lori Gabriella, Secretary

Next meeting: November 28, 2017