

1 MINUTES OF THE MEETING
2 OF THE
3 CANTERBURY PLANNING BOARD

4
5 April 28, 2015
6

7 The Chair called the meeting to order at 7:00 p.m. It was determined that a quorum was
8 present.
9

10 BOARD MEMBERS PRESENT: Art Rose, Chair, Jim Snyder, Vice-Chair, Joshua
11 Gordon, Tyson Miller, Hillary Nelson and Cheryl Gordon, BOS representative, Kent
12 Ruesswick.
13

14 BOARD MEMBERS ABSENT: Chris Blair (arrived later in the meeting but did not join
15 the table)
16

17 OTHER PARTIES PRESENT: Web Stout, Eric Foster,
18
19 Kent Ruesswick was invited to sit as an alternate.
20

21 **Draft Minutes of April 14, 2015:** Jim made a motion to approve the minutes of April
22 14, 2015. Tyson seconded the motion.
23

24 Discussion: None.

25 Vote to approve April 14, 2015 minutes: Unanimous. Minutes were approved.

26 **Public hearing for Hugron Applications for Lot Line Adjustments, Map 263, Lots**
27 **15 and 16, Boyce Road:**
28

29 Web Stout presented the project. This is a two part application for parcels owned by
30 Don Hugron and Lori Nigl. Web discussed the involuntary merger of lot 15 that
31 previously took place. He then went on to explain their recent appearance, and
32 approval, at the Select Board to have the parcels unmerged back to appear as lots 15,
33 15-1, and 15-2. (See Board of Selectmen minutes dated October 27, 2014).
34

35 The first application discussed was for a lot line adjustment between lot 15 and 16 to
36 move a line that runs down the driveway. The relocation of the line results in an even
37 land swap and is agreed to by the parties. This application does not need State
38 subdivision approval because it is an even land swap. There was discussion about
39 when State approval is needed.
40

41 Jim moved for approval of the lot line adjustment. Kent seconded.

Discussion: None. Vote: Unanimous.

The second application was moving forward from the previous approval. There are 2 existing residential structures currently on the 3 lots (15, 15-1 and 15-2). They are now requesting a lot consolidation/lot line adjustment to create only two lots, resulting in lots 15 and 15-1. There was discussion as to how the structures came to be on the lots. Web confirmed the new lots meet zoning requirements except for frontage.

Jim moved for approval of the lot consolidation/lot line adjustment plan as proposed. Hilary seconded.

Discussion: None. Vote: Unanimous.

Review of Application for Completeness for Eric Foster for Lakes Region Tent & Event:

Art introduced the application for the Board to review. He pointed out that Kathleen Daniels, the landowner, submitted a letter with the application giving permission for Mr. Foster to present his plans to the Board.

The Board reviewed the checklist of required items per the Site Plan Review regulations. After review, it was determined that some items were not provided.

Jim reminded the Board that at the Preconceptual Consultation there was a question as to where this project fits in to the Table of Uses and whether there is a need for a variance. He wondered if tonight's meeting is when we discuss and decide that. After discussion it was decided that it would be addressed at the time of public hearing.

Jim suggested that once we've identified what the plan needs in order to consider it complete that we don't need to hold another meeting just to confirm its completeness. We can schedule a public hearing and finish it at that meeting prior to opening the public hearing.

Jim made a motion that we find the application incomplete and that the items that are missing will be provided the same day as the public hearing. Joshua Seconded.

Vote: Unanimous

List of items needed:

- General narrative of the project
- Waivers for light, traffic, and noise study;
- Description of parking, including a narrative of the parking;
- Snow storage plans
- Solid waste plans
- Signs – description

88
89 The public hearing will be held on May 12th.
90

91 Tyson asked if this is a regional impact project since it is so close to Concord. There
92 was disagreement.
93

94 Tyson made a motion to consider this project regional impact. Hillary seconded.
95

96 Vote: Four members voted "No" and three members voted "Yes."
97

98 Further discussion: Tyson argued that this should be regional impact and Concord
99 should be noticed. Other Board members disagreed. Art stated that he didn't vote on
100 the motion, but if he had, it would have been a No.
101

102 Tyson made a motion to revote. No second was made. The majority of the original
103 vote was that this project is not considered to have regional impact.
104

105 **Discussion of T Mobile's Application to Add Panels to Cell Tower on Intervale**

106 **Road:** T Mobile had previously contacted Jim as the Building Inspector asking if they
107 needed a permit. They also contacted Lori about the conditional use permit, which was
108 discussed at the meeting of April 14, 2015. T Mobile sent a packet to Jim containing
109 information about a federal law that was passed in late February, the Middle Class Tax
110 Relief and Job Creation Act of 2012. Section 6409 of the Act requests state and local
111 governments to approve applications for eligible facilities requests for modification of an
112 existing wireless facility that do not substantially change the physical dimensions of the
113 tower or base station. (See T Mobile file # 15-06)
114

115 Jim stated he looked through the documentation provided and is comfortable that their
116 project meets the standards under the federal law. His recommendation is that we
117 simply say "ok" to the work since it falls under the federal law. No action or input is
118 required by the Board.
119

120 Art said from a reasonable standpoint we wouldn't have an issue with this. The Board
121 was in agreement. Lori will advise T Mobile that the Board decided no action was
122 necessary.
123

124 **Election of Officers:** There was a review of the rules and procedures relative to the
125 voting of Planning Board Officers and the alternate's ability to vote. The Board decided
126 at that point to have Kent sit out and Chris would join the table to vote on officers. Kent
127 stepped out and Chris joined the table.
128

129 Jim nominated Art to serve as Chairman. Chris seconded. No other nominees and no
130 discussion. Vote: Unanimous.
131

132 Tyson nominated Jim Snyder to remain as Vice-Chairman. Joshua seconded. No other
133 nominees and no discussion. Vote: Unanimous.

Other Business:

- Hillary stated that after being invited to do so by Tim Bernier, a few members of the Board walked the Mourning Dove property, not as a group, and it did not constitute a meeting under the rules. Hillary noted logging and water issues. She feels the Conservation Commission should visit the property. There was discussion about reporting her findings to the Commission and who should do so. Art said a permit had to be applied for, and was given, by the Selectmen. If someone has seen something that is not in line with the permit, they can contact the Conservation Commission. Chris is on the Commission, he will notify them.
- Art said the Town Administrator has set up an all Boards meeting on May 6th. Cheryl said there may be two meetings since the numbers will be high. At this point, whoever would like to attend from the Planning Board, will attend.
- Tyson brought up a previous letter the Board received about the private road for the campground owners. Art said, what he heard, is the applicant said they were open to leaving these things open for emergency access. He felt that if necessary they would remain open for emergency use. The abutters would not like to see that. Tyson said his concern is forest fire problems and the road being blocked, regardless of what the owners or applicants want. Art said the decision should come from the Fire Chief. Hillary felt the Fire Chief and police are very helpful when called upon. Tyson doesn't want to downplay the possibility of a fire and proper access.
- Kent made a motion that the Planning Board "undertake a 5 year review of the 10 year Master Plan with an eye toward an update, including, but not limited to, a study of clustered building or pocket neighborhoods in agricultural, residential, and rural or other zones, setback requirements, and any other issues that may come up during that same review process. Also to restart the clock on that 10 year Master Plan, thus bringing the Board up to date."

Jim feels like this should be an agenda item. Chris pointed out that there are a lot of other goals and deadline dates to work through also, and we should create a list of items to look at. This will be added to the agenda in 2015.

Jim made a motion to adjourn. Cheryl seconded. Vote: Unanimous

Meeting adjourned at 8:45 p.m.

Lori Venie, Secretary

Next meeting: May 12, 2014, 7:00 p.m.