

MINUTES OF THE MEETING  
OF THE  
CANTERBURY PLANNING BOARD

MARCH 27, 2018

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

BOARD MEMBERS ABSENT: George Glines (BOS Rep.)

Others Present: Brian Salas

**Draft Minutes of February 27, 2018:** Art made a motion to approve the minutes. Kent seconded. Discussion: None. Vote: Unanimous, 2/27/18 Minutes were approved.

**Eversource tree maintenance:** Brian Salas, regional arborist for Eversource introduced himself and stated he took over for Bea Hebert who retired. Brian stated that Eversource is looking to perform trimming and brush maintenance on the circuit of Baptist Hill Road, Hackleboro Road, and Clough Pond. Brian spoke with Canterbury's Road Agent to see if this Board gave him authority to authorize hazardous tree removal, and he believed it had. Jim said he doesn't recall assigning authority to the road agent to make decisions. Tyson pointed out that the utility companies typically mark the trees they'd like to remove and one or more of the Board members goes out to look at them prior to authorizing removal. Kent asked if the trees were affecting the lines. Brian said he's only interested in the trees in the Town right of way that are affecting lines. Brush is not a huge issue because the town seems to do a great job at maintaining the brush. His concern is really the emerald ash bore issues, some at very beginning of Baptist Hill Road, but said those may even be out of his boundary area. Eversource is just trimming and removing any emerald ash damaged trees within that right of way, but if Canterbury had trees they would like removed, Brian would be happy to have those cut down while they're there. Any wood that is cut stays right there at the site since damaged trees can't be moved to prevent spreading. He went on to explain that the ash bore is a very small bug that is in the tree for 3-4 years before you see symptoms. Once you see evidence of ash bore, it's typically too late and three is going to die. Hillary thought it would be a good idea for the wood to be labeled so people don't come along and take it, which would also help prevent spreading.

Eversource doesn't have any intention of removing any trees in this cycle and confirmed this a minor trim on trees within the town right of way. All residents will be notified and approval will be gained from them.

Jim made motion that, having discussed with Brian from Eversource the plans to trim trees from the power lines on the three scenic roads in Canterbury, that we grant such permission as authorized. Joshua seconded. Discussion: Art received the postcard

from Eversource and wants to be sure they make the contact before work is started. Brian said they have landowners sign cards before removing any trees. No further discussion. Vote: Unanimous.

**Conditional Use Permits:** Tyson reviewed the draft language for an Article that he revised since the last meeting this was discussed at. His revisions were in red (copy located in file at Town office). Tyson defined what he felt “reasonable conditions” meant and read the proposed language aloud. Jim looked at items A-I at number 5 and felt it may be a lot. He questioned if we were looking to do the same thing the ZBA does with their short list near the end of each hearing, and whether we would go through this list and vote on each item as well. Tyson confirmed and said the questions and answers would be entered in to the Minutes, and any conditions would be spelled out in the decision given to each applicant. The idea is that each item or question would have to be proven by the applicant to obtain the permit. Although Conditional Use is a separate procedure, it would be done at the same time as the application for site plan. Art explained that the Conditional Use permit can help us, as a Board, work with applicants on projects that come before us, that don’t quite fit into a particular use, to create conditions to get a project approved. It doesn’t negate any site plan review, it just gives us a little more flexibility to have the use fit into our Table based on conditions.

There was further discussion about when it would be productive to invite the ZBA and Conservation Commission to a meeting to review what we’ve drafted and get their input. Jim said the ZBA’s job is to hold hearings using the Zoning Ordinance we provide them, they don’t create policy, so he’s not sure what their role would be. However, he felt the ZBA doesn’t actually have a venue to discuss these matters since the only time they meet is at hearings. Coming here to have a discussion would be a good thing. The Board agreed it would be helpful to hear thoughts and comments from both the ZBA and Commission.

The plan is to get the Table of Use in our preferred draft and invite the ZBA and Conservation commission in to separate meetings since they each have different interests. This Board will review the Table of Uses at the second meeting in April (4/24/18). We will invite the ZBA to the May 22<sup>nd</sup> meeting and the Conservation Commission will be invited at a later date. After additional discussion, the Board also felt that the Shaker Village people should come in as well.

**Organizational discussion of Table of Uses:** This item was discussed and addressed above.

### **Other Business:**

- Kent was at Mark Stevens place and learned that the Shaker Village offices were moved upstairs and merchandise was downstairs. They haven’t come in to discuss a commercial use there. Lucy said she unofficially understood that the building the shop was in is the most modern facility and they want to rent it out to

create another stream of income. Hillary thought they always leased it out for different types of things and may have approvals, and wasn't sure they have to come to us. Jim felt it wouldn't be a bad idea to have the Executive Director, Susan Bennett, come in and talk about what direction they're heading. She may not be aware of where that line is of where they need to come see us.

- Lucy talked with Ruth Heath, who said they're creating an energy committee in town and one of their mission items is to come talk with us to see which technology goes in which zone. At the time we invite the Conservation Commission we can invite the energy committee as well.
- Lucy attended the Concord Planning Board meeting for the recent discussion about the proposed Exit 17 project. The Concord Planning Board changed that zoning to a Gateway Performance Zone, which means they have higher standards to meet and in exchange is they get a bigger footprint. Art said gateway zoning is basically an enhanced conditional use. It's a great thing and he is happy the Rauseo's got that approved. Concord is in the process of rewriting this zone. Lucy indicated the Planner, Heather Shank, wrote a report which can be found, along with other documents, on the Concord calendar. Heather's concern was that while the staff feels the grocery store and other retail could be good in this location, a development of this size may affect the surrounding community. Lucy feels this Board should be looking down the road for growth in that area once this development is built. She felt we should build a relationship with Concord while they're rewriting this zone. Tyson thought we should look at our commercial zone and keep it in tune with what Concord is doing over there. Tyson proposed we add a discussion to the agenda about looking at the commercial zone. Lucy said our commercial zone is small but this project will have a big impact.

Concord Board members asked Lucy if Canterbury is interested in helping improve the intersection. Lucy said she can't speak for the Board. Art explained again that the state will have to step up and improve it. Lucy pointed out that if the roundabout touches the corridor, there is potential for federal money. This will be added to a later agenda.

Joshua wondered about how his constituents feel about this issue. He'd want to invite people in to talk about it sooner rather than later so when Concord starts asking us, we're ahead of it.

- Jim made a brief announcement that there is a hearing in Superior Court on Monday, April 2<sup>nd</sup>, for Summary Judgment relative to the racetrack. The racetrack filed a Motion for Summary Judgment. Depending on the outcome, it could go on to a trial from there. The scheduling of that trial would allow them to have their concert since the date would likely be scheduled far out.

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

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142 Lori Gabriella, Secretary

Next meeting: April 10, 2018