

MINUTES OF THE MEETING
OF THE
CANTERBURY PLANNING BOARD

June 12, 2018

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

BOARD MEMBERS ABSENT: George Glines (BOS Rep.)

OTHERS PRESENT: Kimberly Scamman, David Ladue, Ralph Boles, Dave Gagne

Draft Minutes of May 22, 2018: Kent Ruesswick made a motion to approve the minutes. Joshua Gordon seconded. Discussion: None. Vote: Unanimous, 5/22/18 Minutes were approved.

Public hearing on Scamman/LaDue/Boles Lot Line Adjustment application, map 203, lots 37 and 14, Harmony Lane: Review for completeness: Jim Snyder asked the secretary if all items were included and whether the application was complete. Lori noted everything was included except topography on the plan and that no waiver request was submitted. The Board accepted a written waiver for topography from the applicants. The Board then reviewed the plan and Joshua moved that we accept the application as complete. Kent seconded. Discussion: None. Vote: All members voted with the majority accepting the application as complete. Kent voted no due to no owner names being written directly on the two lots in question.

Public hearing: Kimberly Scamman presented the plan and pointed out she had notarized letters from all applicants authorizing her to represent their interests at this hearing. Ralph Boles was also present as agent for David and Renee Boles. Kimberly and David LaDue live on lot 37. David and Renee Boles own lot 14, which is currently for sale. Kimberly explained this lot line adjustment follows the recent lot line adjustment between Ralph and Irene Boles and David and Renee Boles on April 10, 2018. When the surveyor came out to set pins for the new lot line, as well as the existing lines, it was discovered that the line was quite a bit different from an existing survey Kimberly and David received when they purchased the property. They were concerned because it affected access between the road and their property line. If and when David and Renee's property sells, Kimberly and David may not have access to back yard of their house. They would also lose their current garden, which is in the area in question. Kimberly met with Brian Bailey, the surveyor the Boles' used, and discussed existing surveys along with the survey that came with their property two years ago. The Bailey survey is the correct survey and the one that coincides with the deeds, which both mention 175 feet, not the 152 their survey stated. They asked David and Renee to adjust the lines to correct that and they agreed. The overall change includes 1,015 feet.

Discussion: Joshua asked questions about the layout of the land and any setbacks. He asked if the lot was wet, and Kimberly said it was not.

Jim read the written request for a waiver from showing topography. Tyson made a motion to grant the waiver, Hillary seconded. Discussion: None. Vote: Unanimous.

Discussion of entire application: Kent had an objection to no owner name being on lots 14 and 37 on the plan. Joshua read the note in the upper corner which detailed the two owners names, addresses, and their lot numbers, and felt it sufficiently identified each lot. Hillary Nelson agreed. Hillary felt it was pretty simple and this plan regularizes the lot. Hillary moved that we approve the lot line adjustment. Joshua second. Discussion: None. Vote: Unanimous.

Update on next steps relative to Loudon Planning Board's decision on NHMS flat track regional impact decision: Jim and Joshua were given the task of deciding if it made sense to appeal Loudon Planning Board's decision that the NHMS flat track application was determined by them not to be regional impact. Jim and Joshua spoke with many individuals and obtained information from the planning email link. They also talked with lawyers from the Municipal Association, and with Attorney Karyn Forbes from Shaheen & Gordon, who is here tonight. After all their research, they realized they needed to bring the discussion back to this Board. Karyn is here to discuss the possible outcomes and cost of an appeal. In light of that, and pursuant to RSA 91-A:2, I(b), Jim made a motion to adjourn this meeting to speak outside the normal meeting structure, and to move to a non-meeting. Tyson seconded. Vote: unanimous. The Board and Attorney Forbes went into non-meeting session.

The non-meeting ended and the regular meeting was back in session.

Joshua made a motion to authorize an appeal of Loudon's decision to deny regional impact status regarding its May 17, 2018 hearing on flat track motor cycle racing, application number 18-03. Kent seconded.

Discussion: Tyson made a motion to amend the motion to limit the cost to \$2,500 in legal fees. No member seconded the motion. Tyson then made a motion to limit the cost to \$5,000. Kent seconded. Discussion: Jim asked Karyn what the ramifications of setting that limit are. Karyn stated the appeal consisted of drafting a petition and an oral argument and said she would come back to the Board if, and before, her fees reached \$5,000.

Vote on amendment to limit to \$5,000 and to discuss next steps if we get there. Vote: Unanimous.

Further discussion on Joshua's original motion: None. Vote: All were in favor except for Cheryl Gordon, (BOS alternate) who voted no. Tyson did not vote. Lucy was a non-vote as an alternate, and the motion passed by majority.

Cheryl will discuss this with the Board of Selectmen (BOS) at their meeting tomorrow morning and they'll determine if they'll be willing to sign a petition for appeal.

Other Business:

- Cheryl said the BOS discussed Brookford Farm's recent hamburger night event. The police received complaints and had to go down there. The Farm had applied for a fire permit and upon the police arriving at the event, they saw they exceeded the permit. The fire was way over what it was supposed to be. The police said there were over 100 people there and the tent Brookford Farm stated they would set up was actually larger. The police and fire departments are investigating. The BOS and this Board's concern is safety and that rules and guidelines are being followed. The BOS also continued their discussion on establishing a permitting process. The Selectmen also wanted to know if we had any input as far as language or requirements, and they'd like Tyson's input relating to Agritourism. Art felt the person to weigh in would be the fire chief. Jim wants to be sure any permitting process would be a global process for the Town and not geared just toward this type of event. Ken Folsom, Town Administrator, has sample permits he will use, along with input from this Board, to create a permit for the Town.
- Joshua's neighbor contacted him about a landlocked piece of property he owns. He has it on a website similar to Air BNB advertising it for 5 campsites and a pit toilet and asked Joshua about any requirements. Joshua read him the campground statute and said he needs to have a viable water/septic, and come in for site plan. As far as Joshua can see, he withdrew the ad and ended his advertising. Joshua wanted to bring it to the Board's attention because this is the first he's heard about this type of website and it may be something we need to be aware of.
- Tyson informed the Board that at a recent meeting of the Regional Planning Commission, they had a discussion about regional impact and legislation to make the language tougher as far as appeal rights, and wanted the Board to be aware of that.

Motion to adjourn: Joshua, seconded by Kent. Vote: Unanimous. Meeting adjourned at 9:00 pm.

Lori Gabriella, Secretary

Next meeting: June 26, 2018