

1 **Planning Board – Final Minutes**

2 **April 25, 2023, Meeting House**

3 **Members present**

4 Greg Meeh (Chair), Kent Ruesswick (BOS rep), John Schneider, Rich Marcou, Anne
5 Dowling, Joshua Gordon, Logan Snyder

6 Ben Stonebraker (alternate)

7 **Others present**

8 Jim Snyder

9 **Agenda**

10 **1. Call to Order**

11 Greg Meeh called the meeting to order at 7 pm.

12 **2. Previous Minutes of April 11, 2023**

13 Kent Ruesswick moved the Minutes and Rich Marcou seconded. John Schneider
14 pointed to 2 typos on line 60 and line 74 (lost should be lot). Kent made a motion
15 to accept the Minutes as amended and John seconded. All voted in favor except
16 Joshua Gordon who had not been present.

17 **3. Jim Snyder – preconceptual subdivision at 115, Asby Road, Rural zone**

18 Jim introduced his idea to subdivide a small lot of his property on the Mudgett Hill
19 side. He was looking for some suggestions and what he might expect before
20 having the full survey work done. He had several issues and questions to raise.

21 (i) Recusals: The Board consisted of friends and one relative. Logan Snyder is
22 both relative and abutter so would have to be recused. One of the
23 alternates could attend the hearing when that is scheduled. No member
24 who would be voting on the subdivision application has a financial interest
25 in it.

26 (ii) Waiver for surveying the perimeter line: Jim had a lot map to share with a
27 blue line for the 48 acre property as it now is. The small part to be
28 subdivided and sold will be just less than 5 acres. It is shown in red. Some of
29 the tax map numbers need updating. But his lot is essentially on tax map

30 lots 27 and 28. Some parts of the property have already been surveyed
31 (such as the Loudon town line and the property sold to Logan and the
32 Mudgett Hill part has a TLM, and the line that was established after a
33 lawsuit. There are two unbuildable lots in triangles in the corner and he
34 does not own them. So, he was asking not to do a whole perimeter line for
35 the survey as most of it has been done in the past – but just the small piece
36 for the subdivision. Jim had looked but not been able to find precedents for
37 this kind of waiver.

38 (iii) Wetlands: Jim also asked not to have to delineate the wetlands on
39 what will be the remaining 44 acres of wetlands, but just delineate the
40 wetlands on the smaller 4+acres to be subdivided. There are lots of
41 wetlands on the whole property and to delineate all of them would be
42 prohibitively expensive.

43 (iv) Contour lines: Jim asked about contour lines required – surveyors can
44 use ‘Lidar’ now and make 2-foot contours. The regulations say 20 ft is
45 needed but he could have 10-foot contour lines shown. There is an
46 intermittent stream running through the middle of the lot to be subdivided
47 but there is plenty of space on either side of it to build a house.

48 (v) Driveway Access: it was stated that this was more an issue for the
49 Building Permit, not the Planning Board’s consideration, so long as it does
50 not conflict with wetlands requirements.

51 (vi) Width to depth ratio cited in the Zoning ordinance: members thought
52 in a case like this it was not necessary to ask for a waiver since this was a
53 provision designed to prevent long thin lots and extremely irregularly
54 shaped lots and that was not an issue with this subdivision

55 (vii) Monuments – they want to put in granite monuments for the interior
56 vertices but iron bars on the stone walls

57 (viii) Minimum lot size standards – cited on page 18 of the zoning
58 ordinance – in order to get the required minimum 3 acres in the rural zone,
59 sometimes there are pieces of the lot “between the front boundary line and
60 the line from which the front setback is measured” that “shall not be
61 included”, meaning you would need more than 3 acres. It was established
62 this was not likely given the shape of the lot in question because it had
63 straight lines and was not bowed.

64 (ix) The State of NH approval would be needed because it is under 5 acres as
65 well as soil tests.

66 Jim said that they were unlikely to have the surveying done until the summer.
67 So, it would be a while before he was back for the subdivision hearing. He
68 thanked the Board for their time and consideration.

69 **4. Road Waiver Request – Rangeway and Asby Roads**

70 Jan Stout had sent a Road Waiver request regarding a lot on Rangeway and
71 Asby Roads, on behalf of Michael Kay and Catherine Zarakotas. Greg had asked
72 members to look at the road and lots there. At one time this was maintained
73 by the town but for at least 5 years or more it has not been. It used to be
74 paved and plowed by the town when Phil Stone was the road agent. There was
75 no place to turn around, so they stopped plowing. There has been a house
76 further up the road since the 1800s. Rich noted he had seen a cemetery from
77 the early 1800s up there and people had lived into their 90s.

78 This request had likely come in because of a plan to build, the need for a
79 building permit and the creation of a driveway. It is a crumbly dirt road
80 currently though there is another property further up.

81 There was lengthy discussion regarding the state of the road, issues to do with
82 snow plowing, access, impact on others, maintenance agreement between
83 residents, the different classification of the two roads, and ultimately whether
84 the Board felt it was their business and whether they should impose conditions
85 or take any opinion about this request to respond to the Select Board.

86 **Logan Snyder made a motion that the Board had no objection to the road**
87 **waiver request, which was then amended to a motion that the Board had no**
88 **position to take upon the request. Joshua Gordon seconded. All members**
89 **voted in favor. Secretary to let Jan Stout know.**

90 **5. Old Business**

91 (i) Harold French – subdivision application: Greg shared an update to
92 explain that the application had not been complete, and it had been
93 inappropriate to try to push it through – it was a learning experience
94 for everyone. Harold French has been asked by Kent, Mandy and Ken

95 Folsom at the town office to resubmit the application because there
96 were too many problems with it.

97
98 (ii) Manchester multi-use zoning form: Joshua reported that he could
99 not find such a form that Art Rose had talked about for multi-use
100 commercial buildings. It was supposedly designed for tenants and
101 landlords to fill in and give to the Planning Board. **Logan offered to**
102 **talk to a contact she has running for alderman in the city.** CNHRPC
103 might be a resource too.

104
105 (iii) Speeding Data on Shaker Road – tabled until Matt B is in attendance
106 again.

107
108 (iv) Mckerley update – Greg has not heard back from either Katie
109 Mckerley or Michael Malone since he reached out and offered a
110 simplified site plan review.

111
112 (v) Alternates – **Ben Stonebraker will get sworn in this week.** As of now
113 the Board has 2 alternates and it was agreed to put a notice in the
114 town newsletter and email to ask if anyone is interested in becoming
115 an alternate. **Secretary to do that.**

116
117 (vi) Flagpole and flags on Hall Road for Patriot Holdings? – Greg noted
118 that another subcontractor for Patriot Holdings had been in touch
119 with the Building Inspector to ask about a 50-60 ft high flagpole that
120 would fly the US flag as well as their company flag, to be visible from
121 the highway. Greg read parts of Article 2.6, about signs, in the zoning
122 ordinance. There are height and size limits and prohibitions on
123 windblown devices. There is no rule that mentions a maximum height
124 of a flagpole but currently in town there is nothing over 25 ft. Greg
125 mentioned a case in Tilton where a judge had allowed the town to
126 prohibit a high pole, stating there was discretion. The Canterbury
127 ordinance also allows for consistency with practice in town. Such a
128 high pole would not be consistent with what is currently found in
129 town either in business or residential sites. And it would be a

130 difference from the site plan originally agreed so they would need to
131 come to the Planning Board for a site plan amendment review.

132 **Secretary to inform Building Inspector and Patriot Holdings of this**
133 **decision.**

134

135 **6. New business?**

136

137 Joshua asked if Greg could make a list of the ideas and issues that are being
138 considered for ordinance change. Greg noted that at present Mike Tardiff is
139 waiting to meet with Ken Folsom about all that work and the guidance
140 provided by the Invest NH grant that would fund it (broadly speaking, it all
141 has to have an impact on housing provision in town). It is also hoped that
142 the grant will fund the work on the website to make it more accessible and
143 searchable.

144

145 **7. Adjournment**

146 Joshua made a motion to adjourn and Kent seconded. All were in favor. It was
147 8.25 pm.

148 **Action Items**

- 149 • **Secretary to let Jan Stout know of road waiver: send blurb to town**
- 150 **newsletter/email for alternates: let Joel French and Patriot Holdings know**
- 151 **about amended site plan review needed**
- 152 • **Logan Snyder to approach a contact re: Manchester mixed use**
- 153 **applications**
- 154 • **Ben Stonebraker – get sworn in with Sam Papps**

155

156 **Action Items from meeting**

157 Respectfully submitted,

158 Lois Scribner, secretary