

1 **Planning Board Meeting**

2 **August 22, 2023, Meeting House - Final Minutes**

3 **Members Present**

4 Greg Meeh (Chair), John Schneider (Vice Chair), Anne Dowling, Rich Marcou,  
5 Logan Snyder, Joshua Gordon, Hillary Nelson (alternate), Ben Stonebraker  
6 (alternate)

7 **Members Absent**

8 Kent Ruesswick (BOS rep)

9 **Others present**

10 Mike Tardiff – CNHRPC: Ray Carbone (observing as upcoming Recording Secretary)

11 **Agenda**

12 **1. Call to Order**

13 Greg Meeh called the meeting to order at 7.04 pm.

14 **2. Previous Minutes of July 25**

15 Rich Marcou moved to approve the previous Minutes. Anne Dowling seconded. All  
16 members present voted aye. Joshua Gordon abstained due to absence.

17 **3. CNHRPC Mike Tardiff – Master Plan progress**

18 Mike Tardiff distributed a draft of what will be Chapter 4 in the Master Plan. It was  
19 a combination of parts of the previous Master Plan chapters 5 and 6, a ‘buffed up  
20 Land Use chapter’. It closely followed the 2010 Master Plan. The draft was in Word  
21 for ease of response from Board members when the digital version is received and  
22 emailed to members. Then it will be put back into the Indesign software used at  
23 the regional planning office. There will be references to housing priorities in both  
24 the Land Use and Housing chapters, and links with other chapters too.

25 Mike brought more of the tri-folds summarizing the work to be done for  
26 distribution at public meetings and in town.

27 There was discussion about terminology and alternatives for ‘cluster  
28 development’, as the Board has had before. Hillary and Greg had attended a

29 Housing Academy training and heard that other towns are looking at this issue.  
30 Some alternatives have been Open Space/Neighborhood/Conservation Housing.  
31 Mike said his office could supply the list of alternatives used in NH recently.

32 **4. Town Meeting 2024 priorities**

33 Greg asked what the priorities for Town Meeting 2024 would be. Mike had ideas  
34 based on the work his staff had been doing. **Mike suggested that the Board**  
35 **create a small subcommittee to work with his staff on the issues of zoning**  
36 **amendments and the drafting of the Land Use Handbook for Canterbury.** This is  
37 work that can be done without having a deadline for Town Meeting.

38 He suggested starting with Mixed Use at Exit 17-18 (and Rt 106) and a simpler  
39 cluster amendment to take to Town Meeting.

40 Members discussed issues regarding cluster developments again. Perhaps the lots  
41 could be smaller. Maybe the frontage could be reduced as well. The current limit  
42 for frontage where the development's interior road comes out onto a town or  
43 state road is relatively high and varies by zone. It was suggested that a fixed  
44 number is helpful and does work as an objective standard. There was also  
45 discussion about the types of household properties that could be built - -  
46 farmhouse style with a mix of big house/little house/apartments for instance.  
47 There was general agreement that the Board would not want to be too restrictive  
48 about aesthetic issues but that density bonuses can be offered if certain  
49 guidelines are followed and Conditional Use Permits are issued. Essentially this  
50 was the 'carrot not stick approach', the more dense the development the less  
51 infrastructure was needed. The Board could also require that trees and vegetation  
52 at the front of a property are kept in place to offer screening for the development  
53 within.

54 Greg and Hillary had heard at the Housing Academy training that the current ADU  
55 maximum in Canterbury is about right.

56 **So for now, the zoning amendments to be considered are for Mixed Use, and**  
57 **simplifying 'cluster' development. The subcommittee will consist of Greg, John**  
58 **and Rich. It was agreed that they would meet with Mike on Tuesday September**  
59 **5 at 5 pm. Secretary to arrange for Meeting House to be available.** There was

60 some discussion about whether or not that would constitute a meeting that had  
61 to be publicly noticed. It would not be a quorum of the members.

62 **5. Charette with Plan NH organization?**

63 Greg reported that he had asked about having a charette in town for housing  
64 issues, from Plan NH. It was agreed that this is something that could be pursued  
65 next year after the zoning amendment changes are made.

66 In terms of the Invest NH grant, Greg and Hillary have done a training. Mike noted  
67 that some towns do not send representatives for training so Canterbury is ahead  
68 in some ways. The next training is online tomorrow.

69 Mike also reported about some potential progress on broadband provision with a  
70 joint project between Canterbury, Loudon and Comcast, using a matching grant  
71 program from the Northern Regional Border Commission.

72 **6. Changes to Planning Board regulations**

73 Greg mentioned that he, the Secretary and PB Associate Mandy Irving had met  
74 with Ken Folsom and discussed some changes to the Planning Board regulations  
75 and procedures that would bring Canterbury more in line with other towns (ex.  
76 Loudon). These changes will need to be communicated to Mike for inclusion in  
77 their drafting of the Land Use Handbook.

78 **a) Greg moved that the first meeting at which the board considers a site plan  
79 or subdivision will be to determine completeness only.**

80 Logan seconded the motion, and all voted in favor.

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82 **b) All applications and supporting materials shall be submitted digitally.**

83 Joshua seconded, and all voted in favor.

84 **c) Greg moved that Plats should be submitted digitally and 5 full size hard  
85 copies shall be available at the Town Office no less than 10 days before  
86 consideration of completeness.** Joshua seconded. All voted in favor.

87 **d) Greg moved that assistance can be requested from the Planning Board  
88 staff, the Planning Board Associate, for digital submission.** Joshua seconded  
89 and all in favor.

90 **e) Greg moved that all application materials and supporting documents shall**  
91 **be distributed to board members by the Planning Board staff within a**  
92 **reasonable time before consideration of completeness.** Joshua seconded and  
93 all voted in favor.

94 **f) Election of the Chair shall be held as soon as practical after Town Meeting**  
95 **but no later than May 15.**

## 96 **7. Flagpole Height Ordinance**

97 Joshua had shared an initial draft of ‘Proposed Height Ordinances’ zoning  
98 amendment. It would change Article 2.6 to “Signs and Flagpoles”. It suggested  
99 a height limit of 30 feet for flagpoles and a maximum size of 5ftx8ft based on  
100 research into the flag industry. With regard to a maximum Building Height, it  
101 was suggested that would be 40 feet. The Fire Chief, who appreciated being  
102 consulted, had made it clear that the town does not have a ladder truck so  
103 other towns offer mutual aid as needed. There was some discussion about  
104 possibly having a different height limit in the commercial and industrial zone.  
105 Perhaps businesses should be required to get a Conditional Use Permit if they  
106 need to build any higher.

## 107 **8. Discontinued Road research – relevant to Shell Meeting House Road,** 108 **Sunset Hill Road and Wyven Road**

109 Greg and Joshua shared some research into the laws governing discontinued  
110 roads in the state. In the past Wayne Mann had researched some of the  
111 discontinued roads in Canterbury, and more recently Tyson Miller and Hillary  
112 Nelson had done that for the Planning Board.

113 One issue that makes the research difficult is that the legislative body, Town  
114 Meeting, has to formally vote to discontinue a road. It appears on a Town  
115 Meeting agenda, but in order to find out how the town voted, one has to look  
116 at the Minutes made public later, and the vote numbers are not included. For  
117 decisions made decades ago, this means researching in the state archives for  
118 Town Meeting Minutes, not just looking at the Town Report.

119 Greg had looked at records from the 1920s and early 1940s to see what votes  
120 were taken regarding the roads in question in Canterbury. Hillary noted there  
121 was a sentence in ‘A Hard Road to Travel’ that mentions that ‘certain’ roads (ie.

122 not all) requiring a court decision as well as a town vote to be discontinued.  
123 After 1945 a town may vote to discontinue a road without court approval.

124 Joshua had researched back into the C18th. In cases where roads cross a town  
125 border and impact more than one town, or where houses were only accessible  
126 from the other town, discontinuance cannot happen by vote of one Town  
127 Meeting alone. Prior to 1945 such roads would need a decision from the state  
128 Supreme Court but after 1945 discontinuance does not need approval from the  
129 court.

130 Greg made a motion, seconded by Joshua, that:

131 **Based on the town meeting warrants and minutes from 1925, 1928, 1941,**  
132 **which are available at the NH State Archive (digital copies to be included in**  
133 **Minutes) and the reference to case law: Williams v. Babcock, 121 NH 185**  
134 **(1981), as directed by the NH Municipal Association publication: A HARD**  
135 **ROAD TO TRAVEL (2015 update), page 70, in the section on Complete**  
136 **Discontinuance. (A digital copy of the court ruling shall be included in the**  
137 **Minutes). Additional citations: Drew v. Cotton, 68 NH 22 (1894), Town of New**  
138 **London v. Davis, 73 NH 32 (1904). The opinion of the Board is that the above**  
139 **named roads are private roads as of the date of discontinuance.**

140 All members voted in favor.

#### 141 **9. Scheduling for upcoming hearings**

142 It was agreed that the subdivision hearing for Nash and the site plan review  
143 application for Mckerley would both be on September 26, since the September  
144 12 meeting is a public meeting in the Town Hall for Master Plan/zoning  
145 amendment issues.

#### 146 **10. Adjournment**

147 Greg moved to adjourn. All were in favor. It was approximately 9 pm.

148 Respectfully submitted,

149 Lois Scribner, secretary

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