

MINUTES OF THE MEETING
OF THE
CANTERBURY PLANNING BOARD

March 12, 2013

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

BOARD MEMBERS PRESENT: Jim Snyder, Chair; Art Rose, Vice Chair, Doug McCallum, Chris Blair, Alice Veenstra

BOARD MEMBERS ABSENT: Joshua Gordon, Seth Cohn, and Tyson Miller

OTHER PARTIES PRESENT: Luke Mahoney, Brookford Farms, Nick Wright (abutter), and Ken Stern (Conservation Commission).

Draft minutes of February 26, 2013. Doug McCallum made a motion to approve the minutes, seconded by Chris Blair. There was no discussion on the motion and the minutes were then voted on and approved unanimously.

Public Hearing regarding Soil Shares, LLC (Brookford Farms). Luke Mahoney appeared for his Site Plan Application of Map/lot 261-1-0.

Nick Wright introduced himself as an abutter of Brookford Farms.

Luke presented a written request for waivers relating to his Site Plan Review Application for the Board's consideration. Rather than read each request, Jim read the justification for the request and passed the waiver around for the Board members review. The justification for the waiver is "due to the small expansion and changes Soil Shares LLC will be making to its property." It was agreed that Luke could describe to the Board the changes he is requesting while the Board reviewed the waiver request.

Luke stated that they are looking to change buildings around to hold more cows and that the site plan review addresses longer term goals i.e. buildings to house the cows and hogs in the winter. What triggered the review is a specific expansion that was over the 500 sq. ft. threshold, which is the proposed cow barn extension. It seemed to make sense to talk about longer term plans while going through this process and he added where he would like to see more cow holding and eventual hog holding.

41 Doug asked Luke to explain what is existing, what is immediate and what is future
42 projects. Luke stated anything with dotted lines is proposed. He has rethought their
43 approach and instead of the starting with the proposed cow extension, leave it and
44 begin in another area. Doug asked if he wanted the Board to look at this drawing as a
45 master plan and approve the site concept. Luke stated it is really important to see that it
46 is a dotted line and there is no engineered line of actual buildings, and to see that
47 buildings of that size, shape, and scale will be necessary to farm 300 acres.

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49 Jim stated the Board needs to act on the request for waivers through a motion and
50 discussion, and then act on entire project. Jim had previously encouraged Luke to take
51 a big picture, long term approach so he does not have to come back to the Board every
52 time he wants to make a minor or major improvement.

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54 Chris stated Luke's plan was a plan of all buildings but no elevations. Luke handed in a
55 survey map. Alice made a "motion to approve the waivers as requested". Chris Blair
56 seconded.

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58 Chris stated there was no drawing showing building locations relative to property lines.
59 There is also a description of changes for more animals, and wanted to know if it was a
60 factor of 10, or 2 animals. How many animals would there be at maximum expansion?
61 Luke stated there are roughly 45 cows now and he would like the building to be able to
62 milk 80-100 cows. He presently has no buildings to hold replacement animals with a
63 roof over their head. They are all held in various locations throughout farms. Chris
64 wanted confirmation there would not be more replacement animals there, just one
65 location to hold them. Luke confirmed. Chris asked about the hogs. Luke stated they
66 would also have a home under that plan. It is outlined as cows and hogs on plan. The
67 farm right now has approximately 150 hogs per year to slaughter and the business plan
68 shows upwards towards 500 per year. The buildings outlined on the plan do not
69 necessarily represent that, just the building space and square footage space. He may
70 need 2 buildings. He is not sure how he will approach that. He did not spend a lot of
71 time defining it. He is waiting for the concept to be approved and he will go into more
72 detail as to exactly what that looks like.

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74 Chris asked if the Board was approving a concept, or an approval of site plan. Jim
75 stated they can approve a concept and then reviewed, in general, the Board's
76 procedures.

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78 Chris asked if the Board has say over how many animals or just traffic, safety and
79 sound issues. Art's opinion was there is no say over number. Jim disagreed and gave

an example of someone wanting to open a 3,000 animal pig farm, the Board would have say over that.

Doug was looking for dimensions on the plan to understand how big the facilities would be and thought the Town needed confirmation of dimensions on the barn to determine maximum size of this project, and at what point the Board would need to look at the project again. The Board felt square footage was reasonable along with a number of animals.

Nick Wright stated the reason he was there was to determine if the steel roof building next to his house is where Luke was planning on adding. The hogs are next to his house and he was concerned if a barn was going near his house due to the odor. Nick did not have a problem with Luke's plans and did not feel the expansion is that big. Luke responded by saying he cannot run electricity to any buildings outside of where they are now, so putting a building up near Nick's property is not an option he is looking for.

Art asked Luke to point out on the survey map where the changes would take place in conjunction with the hand drawn plan. There was general discussion of where the proposed expansion would be.

Ken Stern of the Conservation Commission was concerned about run off and asked about plans to address that. Luke advised that NRCS (Natural Resources Conservation Service) is working with him and he is also establishing a Nutrient Management Plan. That plan will spell out how run off will be handled. Alice mentioned manure and possible run off into the river. The animals are in the barn but there is manure outside the barn. Luke confirmed that and said the manure is composting. It is a level area of property but again, it will be addressed with NRCS.

There was discussion about Luke's waiver request for a narrative stating the plan. Luke stated it is difficult to define a specific 5 year plan since farmers go with market trends. If there is no money in milk, they need to sell flowers etc. They need ability to change.

The Board suggested agreeing on an envelope, or boundaries, as far as the scope of the project rather than attempting to stick to specific building sizes or numbers, like a pig to flower ratio.

Chris asked if NRCS provides help and monitors the farm. Luke said the easement monitors the property. Chris wondered if the easement monitored projects as far as number of animals or size of the operation. Ken Stern said the easement calls for a

management plan of the farm which needs to be consistent with NRCS standards. Luke said he's working on a Forest Management Plan along with the Nutrient Management Plan. He is unsure as to other management plans other than a grazing plan. All of the management plans he is aware of are in the process.

Art inquired as to Luke's immediate plan with this project. Luke said he wants to move forward with the plan and will do whatever is required to make that happen. His thinking was to start with one area of the project but as they have had time to think, it is possible he may begin with a different area. It is fluid.

Art asked about the current business occurring at the farm. Luke stated there are, on average, 2-3 customers per day.

Art mentioned an erosion/sediment management plan as this particular property is sensitive to its management in relation to the river. The Board is not concerned about a noise study or traffic study, but Luke should give some idea as to what buildings are lit and if they are lit all night in regard to a lighting study.

Doug mentioned the importance of storm drainage but thought it may be deferred to building permit stage. Jim stated he has a lot of confidence with NRCS' involvement and that should give the Board a level of comfort on those issues.

The motion was amended to a "motion that having discussed the waivers, each request will be taken one at a time and vote on them." Art seconded the motion. This motion replaces the first motion.

Art read through each waiver request:

1. Waiver to produce a formal site plan prepared by an engineer or surveyor as request in regulation number 2. Discussion led to suggesting Luke draw a footprint, total square footage, and description, possibly on the easement map, with a view toward the next 5 years providing flexibility within. **The Board voted yes and approved this waiver based on that discussion.** Luke was unsure as to where the Board was getting the list they were referring to and he was referred to the site plan regulations that were previously emailed to him by Lori.
2. Waiver to produce narrative description of the proposed to include its purpose, hours of operation, parking, lighting, employment figures, land use compatibility, esthetics, school population projection and traffic. A lot of those issues would not apply. Alice suggested that the executive summary of his

- business plan should suffice along with an overall narrative applying to this type of property. **The Board voted no and did not approve this waiver.**
3. Waiver to provide a plan of all buildings with all the type, size, location, set backs, elevations, including views, photograph of building. The Board agreed that they are most interested in knowing where the buildings are likely to go, how many buildings and possible square footage, and basic concept which would be addressed in the amended site plan that Luke will supply. **The Board voted yes, and approved this waiver.**
 4. Waiver for landscaping plan. **The Board voted yes, and approved this waiver.**
 5. Waiver for description of parking needs. **The Board voted yes, and approved this waiver.**
 6. Waiver for location, size and design of proposed signs. **The Board voted yes, and approved this waiver.**
 7. Waiver for description for size, type and location of solid waste disposal facilities. **The Board voted yes, and approved this waiver.**
 8. Waiver for description for provisions for snow removal and disposal. **The Board voted yes, and approved this waiver.**
 9. Waiver for an erosion and sediment control plan. Jim advocated not approving this waiver due to size of proposed building (20,000 + sq. ft) and a plan is in the works to address this. Luke said the NRCS should have the plan done by May. Jim stated that the Board is agreeing to accept the NRCS plan in replacement of an engineered plan. Luke asked the Boards outlook on the sod farm taking half inch of top soil for the last 40 years. Luke felt as if he is being fought every step of the way in this process since the property has been abused for 40 years under the town's nose and he is dealing with a problem he did not create. The Board assured Luke they have no intention of fighting with him, they are very supportive of his project, are not fighting at all. Jim reminded Luke that the sod farm did not have to address their goings on with the Planning Board. Luke needs to address this issue by way of run off due to expansion or change of use. **The Board voted no and did not approve this waiver.**
 10. Waiver for a noise study. **The Board voted yes, and approved this waiver.**
 11. Waiver for a traffic study. **The Board voted yes, and approved this waiver.**
 12. Waiver for a lighting study. **The Board voted yes, and approved this waiver.**
 13. Waiver of applicable State applications or permits. **The Board voted yes, and approved this waiver.**

By way of summarizing for both the Board and Luke, Jim outlined that the Board is just looking for more information, not a fight. Luke will incorporate his drawing onto the bigger plan showing the building envelope and proposed scope of changes within that, including a maximum of square footage of buildings in that envelope of the easement, using his best estimates. Doug suggested making it a little bit bigger to be on the safe side. Art assured Luke the flavor of the Board is to be proactive with this project.

It was agreed that this public hearing would continue on March 26, 2013 at 7:00 and keep things moving along.

Jim made a "motion to continue the public hearing of Soil Shares to March 26, 2013." Art seconded. With no discussion on the motion, it was voted on and unanimously approved.

Luke asked if he needed to resubmit the waivers, Jim stated the waiver process is complete. Luke just needs to appear with documents and information as agreed above.

Alice asked if they will be able to approve the site plan contingent on the NCRS plan in two weeks. Jim confirmed it is possible. The 30 day calendar began when the application was accepted as complete so it will need to be acted on that next meeting, or the Board will have to mutually agree with Luke to extend that time frame.

Other Business.

Jim Snyder reminded Board members to email Lori if they are unable to attend meetings.

The Planning Board website was discussed in relation to it being garbled and not easy to locate information. Chris Blair will talk to Jan Stout about what he discovered and possible revisions. It was suggested that if other Board members had ideas that any suggestions should be emailed to Jan.

Motion to adjourn by Jim Snyder, seconded by Art Rose. Motion was voted on and passed unanimously, meeting ended at 8:35 p.m.

Lori Venie, Secretary

Next meeting: March 26, 2013, 7:00 p.m., The Meeting House.