

MINUTES OF THE MEETING
OF THE
CANTERBURY PLANNING BOARD

June 11, 2013

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

BOARD MEMBERS PRESENT: Art Rose, Chair, Jim Snyder, Vice-Chair, Chris Blair, Joshua Gordon, Doug McCallum, Alice Veenstra, and Tyson Miller, BOS Representative

BOARD MEMBERS ABSENT: Seth Cohn

OTHER PARTIES PRESENT: Douglas Boyce, Web Stout, Phyllis Hoffman, Marty Vaughn

Draft Minutes of May 28, 2013: Jim Snyder made a motion to accept and approve the minutes, seconded by Tyson Miller.

Discussion of minutes: Tyson made a motion to amend the minutes to change line 29, where it reads "Tyson," be changed to read "Art" as Tyson believes that although he mentioned Seth standing in for Alice, Art actually asked Seth to stand in. Chris seconded the motion. Vote: A vote was held, all in favor and the motion to amend the minutes was passed. A vote was then held to approve the amended minutes. Vote to approve minutes passed unanimously.

Public Hearing for an application of a two lot subdivision by Phyllis Hofman Revocable Trust, Phyllis Hofman Trustee. Tax Map 209, Lot 7, 534 Shaker Road.

Web Stout displayed the plan of the proposed two lot subdivision. The property consists of approximately 30 acres more or less on the corner of Baptist Hill and Shaker Road. There are two dwellings on the property. This application is to subdivide the dwellings on the property so that each has their own lot. Canterbury is 5 acre zoning, this lot is a little over 6 acres in size. There are associated wetlands shown on the property and those acres had to be deducted from minimum lot size, together with the area that is in the front setback. Chris asked if the "Z" shaped lot was 6 acres, Web confirmed. Many years ago this property was actually made up of 2 parcels and at some point the two parcels became one. Because the lots are over the 5 acre

41 minimum, they do not need State subdivision approval. Each house has its own well
42 and leach field. Web did enough topography around the dwelling the Hoffman's
43 currently live in to show it is a buildable lot. Two waivers were requested: 1) not to
44 show remaining topography on the property; and 2) not to show the remaining wetlands.
45 This leaves the remaining 24 acres with approximately 660 feet of road frontage on
46 Baptist Hill.

47
48 Discussion: Joshua noticed two for sale signs on the properties and assumed that was
49 the reason for the application. Mr. Hoffman explained that they have rented the second
50 dwelling on Shaker Road since 1972 and the first people who looked at the property
51 when they put it on the market were not interested in being landlords. It was then
52 decided to subdivide the lot and sell the houses separately.

53
54 Tyson wondered how it ended up that there were two houses on one lot. Mr. Hoffman
55 stated it was grandfathered. They obtained a building when there were no zoning
56 regulations.

57
58 Tyson stated that by default, this creates an oddly shaped lot with a dog-leg. Web
59 stated there is a driveway they needed to address and the Hoffman's wanted to try and
60 keep the area as a buffer for the property.

61
62 Tyson asked what size Lot 7 (the old lot) was going to be. Web stated it would be
63 24.3 +/-, which is the remainder.

64
65 Joshua asked if there was any issue with the proximity of the driveway to the corners of
66 the lot. Jim Snyder stated there is no driveway property setback.

67
68 Tyson asked what the frontage of the dog-leg is. Web stated 80 feet and it is a Class VI
69 road. Jim pointed out it really isn't frontage. There was general discussion about the
70 piece of land that the Town of Canterbury owns, which is the church lot.

71
72 Art asked the abutter, Douglas Boyce, if he had any questions. Mr. Boyce was curious
73 about the accuracy of the tax map itself since he originally had 12 acres but due to an
74 aerial survey, he has half that. Web was unable to find an old survey but stated he
75 researched Mr. Boyce's deed and his description was good.

76
77 Tyson asked if the old road was actually closed. Web went back to 1810 and found a
78 reference in 1840 to the "old road" but was unable to find the discontinuance. It was
79 always called the road to the church. The church steps are still there and the road is
80 almost adjoining the steps.

With no other questions being presented, Art stated there are two waiver requests, which he read out loud. The first waiver was asking the Board to waive showing the topography on the entire property on Lot 7. The second waiver is asking the Board to waive showing the wetlands on Lot 7-1 due to the size of the lot being 24 acres.

Jim made a motion to grant both waivers, Joshua seconded the motion.

Discussion on motion: Joshua asked what the reason for topography is. Art stated it shows steep slopes to be sure the lot is buildable. Typically on large pieces of land, we waive the requirement to show topography on the entire piece.

Vote: Motion to grant both waivers passed unanimously. Waivers approved.

Art began to discuss addressing the vote on the subdivision when Jim Snyder asked to be on record to state that this isn't the first time the Board has seen oddly shaped lots. He advised the Hoffman's that if they were coming to see the Board with a piece of property with no buildings or driveways on it that was configured this way, they would be asked to come back another day with a different plan. He wants to be sure that any future shaped lots that come before the Board are not affected by this particular application. His personal opinion is that it's an odd situation and these odd shaped lots make perfect sense in this situation. If it were not for the history of the property, they would not make sense, but he has no problem subdividing the land this way.

Tyson made a motion to approve the subdivision. Chris seconded the motion.

Discussion on motion: Tyson confirmed that Jim's statement would be included in the minutes so if someone looked down the road they would see this is a unique situation.

Vote: Motion to approve the subdivision was unanimous. The two lot subdivision was approved.

Preconceptual Consultation for Donna and James Miller, Petals in the Pines, Tax Map 239, Lot 16, 126 Baptist Road, for the addition of a pavilion.

Art explained the purpose of this consultation is for the Miller's to discuss the project. There is no action the Board can take, it is not a public hearing and no abutters are present. Jim Miller asked what type of insight they could expect.

Art explained the Board would like to hear what they are proposing, how big it is, how it will/will not affect parking, lighting, noise levels etc.

Donna Miller gave a background of Petals in the Pines. She started this business a few years ago by growing and selling cut flowers. She began doing activities with her childrens classes by having field trips to her property. Last year she was certified by the Arbor Day Foundation as a Nature Explorer and Outdoor Classroom. There are only 3 in New Hampshire. The children are there for 1.5 to 2 hours. On rainy days, when there are 15 or so children, she has needed to use pop-up tents that have been destroyed by the rain. They would like to put up a post and beam structure with a solid roof and back wall for displays. It would be behind their home between the chicken coop and swing set area. It will not affect parking at all. There will be no electricity as all activities will be during the day. The only noise will be the children laughing and having fun. Donna presented 3 pictures of the pop-up tents and how crowded they are and where the pavilion would sit on the property.

Jim Miller stated that from the road, you may be able to see the very peak of the structure, but that is all. The structure will be 8 x 8 post and beam on piers. The ledge runs between 6 and 20" from ground level. It will have a metal roof to prevent bats living under the structure. Climbing plants will be around the posts.

Tyson asked how many square feet. Donna stated 20x20, or 400 square feet. The wood would be milled in Town. Tyson stated that the Miller's went to the Zoning Board to get permission for a home business previously. The Miller's confirmed and presented documentation to that affect. Tyson was unsure if the Planning Board needed to be involved in this project.

Jim stated that the Zoning Board is supposed to suggest people check in with the Planning Board when a special exception is granted. Jim would love to say the Board does not need to be involved here, but he believes this project is a threshold issue. In order to not have to do site plan review for a project like this, the site plan review regulations would have to be changed. Because the Miller's did not go through the review process at the time they applied for their special exception, there is no site plan review in place already.

Joshua asked why this was triggered. Jim Snyder stated the building permit for the structure triggers the question.

Joshua asked what the threshold for site plan in general is, and Jim stated the threshold is non-residential.

Art reviewed the process for Site Plan Review for the Millers including the importance of abutters having the opportunity to hear about the project. Jim also indicated the importance of the Town's interest in public safety since there will be children visiting the property.

Jim Miller asked if they could use the original plot plan they used for their house and questioned the noise, traffic studies. Jim Snyder explained the process is the same if there is a project of this size, or if they were building a grocery store and encouraged them to utilize the waiver process.

Preconceptual Consultation for Marty Vaughn (Frisbee Golf Course), 68 Southwest Road, Tax Map 263, Lot 48 for the addition of a shed.

Art reiterated the preconceptual consultation process.

Marty Vaughn explained that he would like to build a 20x24 shed on piers to store frisbees in, and for convenience. It will replace the travel trailer he currently uses "which is ugly" and he feels is an eye sore.

Jim Snyder stated it is similar to the Miller's situation. Marty had come in for conceptual consultation initially when they had planned on doing this and the Board decided it didn't meet the threshold. Chris agreed that the Board said no site plan was necessary at that time. Art reminded that the Board had also said if anything further developed, they would like him to come back. Jim asked if Marty went to the Zoning Board to treat this as a home occupation and obtain a special exception. Marty confirmed he did.

Marty stated the shed will sit far off the road and you won't be able to see it and it will look like a little log cabin. It will be more aesthetically pleasing. He presented pictures of the property.

Tyson asked Art if Marty needs a site plan. Art confirmed that since there was no site plan review after his preconceptual consultation previously, he does need to go through the process now.

Art explained what the Board would need to see submitted from Marty including waivers and suggested he use a copy of the plan of his land to draw out his proposal.

Marty asked if he was to put a yurt instead, would he still have to go through this process. Art stated yes. Tyson discussed that once he has the site plan approved, the

next time he adds something small, he would not have to come to the Board. Marty asked if the structure was 12x12 would he still have to come. The Board said yes, he would.

Other Business:

The Board discussed the fact that if someone wants to start a home business they would go to the Zoning Board and wondered how the Planning Board would then get involved with the site plan review. How does the general public know to come to the Planning Board. There is no place that says what you need to do to open a home business other than going to the Zoning Board. The trigger for the Planning Board involvement right now is that Jim added wording to the building permit application to the affect of “any project that does not meet the Zoning Board definition of residential use, requires Planning Board approval.” The general public needs access to the information about the process, and understanding it.

Tyson asked if the Zoning Board knows to advise people to go to the Planning Board once they have Zoning Board approval. Jim said it would be a good idea to remind Joe Halla (Chairman of Zoning Board).

Chris was elected as a non-voting member of the Conservation Commission.

Alice is on the SEDS Committee for the Planning Commission. SEDS is the Comprehensive Economic Development Plan. They submit a plan to the EDA (Economic Development Authority) outlining what Canterbury would request for funding for the Town’s projects. They completed the SWAT analysis and will begin selecting projects later in the year. The Board will need to begin discussing what they would like and let Alice know. This issue will be added to the agenda throughout the remainder of the year for further discussion.

Jim made a motion to adjourn which was seconded by Alice. All voted unanimously.

Meeting ended at 8:30 p.m.

Lori Venie, Secretary

Next meeting: Tuesday, June 25, 2013 at 7:00 p.m.