

MINUTES OF THE MEETING
OF THE
CANTERBURY PLANNING BOARD

July 9, 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, Joshua Gordon, Chris Blair, Alice Veenstra, and Tyson Miller, BOS Representative

BOARD MEMBERS ABSENT: Seth Cohn, Doug McCallum

OTHER PARTIES PRESENT: Marty and Betsy Vaughn; Derek Dion and Liana Asbury

Draft Minutes of June 25th: Jim Snyder made a motion to accept and approve the minutes of June 25, 2013, seconded by Alice.

Discussion of minutes: Art discussed the language on line 72 relative to accepting applications and state permitting. Art wanted the record changed to reflect that his statement was: "Art stated it is always up to the Boards discretion to accept an application if the required permits are not there." Jim made a motion to amend the minutes to reflect Art's change. 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 passed unanimously.

Public Hearing for Marty and Betsy Vaughn, (Frisbee Golf Course), 68 Southwest Road, Tax Map 263, Lot 48 for a proposed shed for the purpose of storing golf course supplies/discs. Marty stated he read the Site Plan Review regulations, which seemed to apply more to a subdivision. He felt the only applicable item to address was electricity to the building for lights. The electricity is currently 25 feet away from shed, at the very end of parking lot which is 46x120 feet long. The Shed will replace the trailer which will be more aesthetically pleasing. It will look like a log cabin with wood shakes made by Hughey Fifield. It will have a natural barrier so no neighbors will see it. There will be no street lights for parking lot or anything like that. Marty provided a map of his land outlining where the shed will be placed within the property.

Joshua asked Marty if he had a written list of waivers to submit. Marty did not fill a waiver request out due to the fact that the regulations didn't seem to pertain to his

41 project. Marty verbally requested a waiver for everything in the regulations except
42 electricity.

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44 At this point, Jim discussed the increase in site plan reviews due to the Board not
45 waiving the whole process as they used to. Jim discussed that the Board's first job,
46 before they start looking at merits of a project, is to determine whether the project has
47 regional impact, which is required by law. We can do that fairly quickly on this project,
48 but he suggested the Board brush up on the statute in this regard for other potential site
49 plan reviews or subdivisions that could come to the Board. Jim said the basic rule is if
50 we are not sure if there is regional impact, we would assume that there is. Jim went on
51 the record to state that his view is that this project does not have regional impact.

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53 There was general discussion wherein the Board agreed there is not regional impact
54 with this particular project.

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56 The subject moved back to the waivers that Marty and Betsy feel they need. Art
57 explained the regulations in regard to the waivers and the process to request the
58 waivers that do not apply to the particular project. Since Marty and Betsy did not have
59 written waivers, the Board would ask questions. Jim Snyder made a motion that due to
60 the low impact in the change in the use, that the Board waive the requirement for written
61 request for waivers and accept a verbal one. Joshua seconded the motion. Tyson
62 asked what the Board has for written information on this project in the event there are
63 questions down the road. Documentation was passed to the Board that contained a
64 narrative description of the project and a drawing of the shed with dimensions. Jim also
65 stated that there are minutes from the regional meeting for conceptual consultation, and
66 the minutes of this meeting. Chris said it would be nice to have a plan that shows the
67 building so if a new building were to appear, we would know it's new. Marty had a plan
68 that outlined the buildings and Chris confirmed that the plan is "the site plan" and asked
69 if Tyson felt satisfied with that. Tyson confirmed he did. There was a vote on the
70 motion to waive the written waiver requirement and accept verbal requests for waivers
71 which was unanimously passed. The waivers could now be requested verbally.

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73 Tyson asked how many cars are at the parking lot at any given time. Marty stated
74 maybe 14 cars. Tyson asked if there was sufficient space. Marty stated he has easily
75 fit 72 cars for a tournament last year. Tyson asked if there have been any complaints
76 from neighbors, or accidents. Marty stated no to both questions.

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78 Joshua asked about lighting. Marty stated there are no outside lights, just lights for the
79 shed. Chris confirmed that he is building a building, not changing parking

arrangements, bringing electricity to the building, and there is no water or sewage. Marty and Betsy confirmed that to be true. They have a port-o-potty on the premises.

Tyson asked if there are evening events. There are not. Tyson then asked if they provide snacks or food or if people bring their own. Marty stated people bring their own, but he does provide water and stocks granola bars if somebody would like to buy that, but he does not stock a store of any kind.

Tyson asked if Marty had a state approved driveway, Marty confirmed he does. Tyson said he feels it seems like a fairly low impact operation there. Marty said it is low impact, and very clean.

Jim made a motion that due to the low impact of the project the Board accept what was presented as sufficient and waive everything else. Joshua seconded the motion. Chris and Joshua felt that each item submitted should be listed for the minutes. Art listed the items submitted: a site plan, requesting the ability to put a shed on the property, the size and location outlined on the plan, and the motion brought it to a completed application taking the waiver requirements out of the picture. Chris stressed that he would like to say that he has submitted 1 and 3 for example and the rest are waived so when the notes are read in the future, it is clear. Joshua said he submitted a site plan, #3, a seal and signature, #4, a landscaping plan, parking needs with the parking lot outlined; signs were previously approved; solid waste, snow removal, erosion, noise, traffic, lighting study, are all not relevant. The Board was satisfied with the discussion on the motion and was prepared to vote on it. A vote was taken and the motion was approved.

Joshua then made a motion to approve the site plan. Jim seconded the motion.

Chris and Art asked if the abutters had concerns or questions. Liana Asbury lives on hole 14 and thinks it is great. She has no problem. Derek Dion, who also lives on hole 14, agreed and said that all the people that play there are very respectful and he has no problem with the shed. He felt it would be more attractive.

A vote on the motion to accept and approve the site plan was held. The vote was unanimous and the site plan was approved.

Other Business

Driveway Permits: Art was contacted by the road agent, Jim Sawicki regarding the driveway permits in Canterbury. Jim Sawicki would like to use the State of New

Hampshire's permit as a model, to include the RSA's listed on the back of the permit. Jim Snyder and Art supported the use of the State's permit as a model. The Canterbury permit and the State permit was passed around for the Board to look at. Art stated that Jim Sawicki is not looking to use the State's permit verbatim, just as a model. Joshua stated that the RSA pertains to State roads, which Art confirmed. Tyson pointed out that it does cover State and town Planning Boards. Alice asked if Jim Sawicki could draft the application for the permit and submit it for review by the Planning Board. Art confirmed and would discuss it with Jim.

Regional Impact: Jim found a reference on regional development, RSA 36:56. He read a portion that pertains to what the Board should be doing at the beginning of a hearing:

"I. A local land use Board as defined...upon the receipt of an application for development shall review it promptly and determine whether or not the development, if approved, reasonably could be construed as having the potential for regional impact." "Doubt concerning regional impact shall be resolved in a determination that the development has a potential regional impact." So if we're not sure, then it does. 37:57 goes on to describe the procedure if there is regional impact.

Chris asked when we address this issue, if it's done when application is made or at public hearing. Jim's opinion is that it should be during part of public hearing. If it is realized at the hearing that it is a regional impact, the meeting ends and it is rescheduled. Tyson felt that the time to discuss regional impact is when letters are going out to the abutters. Jim stated you can determine it at that time and revisit it at the public hearing. Joshua read from the statute about informing surrounding towns and shutting down a meeting, if necessary, to inform another town. Jim stated you can determine regional impact before the public hearing and you would "notice" another town as an abutter. If you haven't done that and you're at the public hearing, you can still decide you need to notice another town. It can be done at any time. The important thing is to get it right. Chris stated his view is that there would be a discussion at the review of application to determine regional impact.

Rehabilitation Center: Art was contacted by the engineering company for the center asking if they need to come to site plan review. Art stated yes due to the change in use and the Board would like to see what changes will be made, if any. They questioned the change in use and Art stated the previous use was a school. There was discussion between Art and the engineer about school or medical facility. Tyson reminded the Board the center was ordered by the Zoning Board to come for site plan review. Art stated that he explained the procedure to T.F. Moran (the engineering company) and the deadlines for submitted applications. Art believes they may come to the Board in September.

160 Tyson brought up the issue of additional requirements by the Zoning Board as it relates
161 to the site plan review application. Art said the conditions set forth by the Zoning Board
162 carry through, but the Planning Board can make their own conditions as well. We are
163 aware of the Zoning Board minutes, we can request same conditions, but we cannot
164 take away from the Zoning Board's conditions.

165 **Lovejoy Road, Loudon:** Tyson asked if anyone followed news in Loudon where the
166 Christian organization on Lovejoy Road wants to bring out about a dozen homeless
167 people to repurpose at the farm. It is raising quite a tumult over there. The farm on
168 Lovejoy Road, the whole frontage on the street was sold to at least 5 suburban houses
169 and they are up in arms over it. This brings to light that we should be thinking about
170 these kinds of rehabilitation facilities, we may want to change zoning for that.

171 Chris made a motion to adjourn, seconded by Alice. Motion was voted on and
172 approved. Meeting adjourned at 8:15.

173 Lori Venie, Secretary

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175 **Next meeting: Tuesday, July 23, 2013 at 7:00 p.m.**