

MINUTES OF THE MEETING
OF THE
CANTERBURY PLANNING BOARD

August 13, 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, Doug McCallum, Seth Cohn, Chris Blair, Alice Veenstra, and Tyson Miller, BOS Representative

BOARD MEMBERS ABSENT: Joshua Gordon

OTHER PARTIES PRESENT: Jim Sawicki, Town Highway Department; Chris Moultroup from Unitil, and Alex Millett from Davey Tree;

Draft Minutes of July 23rd: Jim Snyder made a motion to accept and approve the minutes of July 23, 2013, seconded by Seth Cohn. There was no discussion, a vote was taken and the vote to approve the minutes was unanimously approved.

Unitil Project: Chris Moultroup and Alex Millett discussed the Storm Resiliency Project on scenic roads; the rest of the storm project is mostly on private property. Chris mentioned trees specifically on Hackleboro Road, Baptist Road in front of the elementary school, the Town Common and the West Road property that abuts the river. They stated there are 79 trees in those areas that are on the list to be removed. Orchard Road should not have been added to the list as it is not a scenic road. Art asked if the 79 were limbing or removal of the entire tree. Chris stated it is removal. Art asked if they were dead. Chris said some might be dead, some are leaning, some have rot decay, cracks, all kinds of things. Jim said there seems to be a change in strategy and stated work was done on his road and it was basically 10 feet either side of the line and ground to sky. Chris said that is the Storm Resiliency Project that will be going from West Road to the river, straight up into Town. It is a proactive attempt to help prevent outages. Jim said the work on his road looked fine afterward because of the amount of trees left, but he has concerns about seeing that kind of procedure on scenic roads. Chris said there are no plans for ground to sky clearance on scenic roads at all. The ground to sky would stop right in Town and would not continue on to any scenic road. Chris Blair confirmed that the ground to sky alternate approach on scenic roads is the at risk trees only. Chris M. stated that next year they will be doing the rest of the

41 circuit with their regular maintenance, not the ground to sky – 10x10 and clearing all the
42 ground to sky. Next year they will be doing their regular trimming which is basically 10
43 feet around the wires and some ground cutting of the stuff growing up under the wires.
44 Regular maintenance is not nearly as extensive as ground to sky. Tyson asked if there
45 were trees on Hackleboro Road and said that he saw the original list, but is aware they
46 added more. Tyson asked if they're not doing ground to sky on the scenic road then
47 why are there trees on the list for scenic roads. Chris M. said they are doing hazard
48 trees on scenic roads, not the ground to sky on scenic roads. Tyson asked if a hazard
49 tree is any tree that may die and fall on the wire any distance from the lines. Chris M.
50 explained that it's any tree where the power lines are a target, leaning in that direction
51 or any kind of defect. Chris Blair asked if they were trees that were clearly dead, at risk
52 to the power line and have no aesthetic value, which everyone would want removed
53 anyhow. Chris Blair stated if it's a dead tree hanging over the wire, nobody would
54 probably object to its removal. The only part of the group that would be a concern is an
55 apparently healthy tree that is, in Unitil's view, a risk and in our view it's not a risk. Chris
56 M. stated Alex would know about individual trees. Alex confirmed he has permission
57 from almost every land owners. There was discussion about what permissions are
58 needed from the Town by Unitil as far as scenic roads and homeowners are concerned.
59 Art confirmed it is removal of trees and not limbing and asked Chris M. to talk about
60 specific trees. Chris M. stated there are many trees not on scenic roads that they want
61 to be removed and are going thru steps with land owners. There is paint on trees on
62 Center Road, Carter Hill and West Road, which are not scenic roads. There are a total
63 of about 940 they would like to remove, but permission has not been obtained for all of
64 them at this time. Art asked if all trees have been marked. Alex confirmed they were
65 and Jim asked how. Alex said either spray-painted, white surveyors tape, or both.
66 Chris confirmed that red is to limb, and white is remove? Alex said yes. Jim said if a
67 tree is inside the property line it requires the landowners permission, if it's outside
68 property line, between the property line and the road, do you still seek owners
69 permission? Chris said yes. Chris Blair asked if on the scenic roads, it required both
70 Town approval and land owners approval in the easement area. Chris M. confirmed.
71 Chris Blair asked Tyson who within Canterbury has jurisdiction. Tyson stated the
72 Planning Board does on the scenic roads, the Selectmen on others. Tyson stated the
73 Selectmen have determined that they do not want anything cut in the center at this
74 point. One problem Tyson has with the Storm Resiliency Program is that there are no
75 alternatives taken for the center being a historic district and its effects of the economics
76 or tourist attraction to the town. None of that was taken into consideration when Unitil
77 said they looked at the idea of burying the line but that was said to be too expensive.
78 There are no alternatives, it is just cut or not. Chris M. said he contacted engineering
79 and read aloud what they said. In summary, putting such few sections of line
80 underground is not practical, there are 4 levels coming off the main line which

complicates the design of an underground circuit. An estimate of cost would be in the one million dollar range including the electrical, infrastructure, installation, but does not include manhole, conduit material and installation, which the Town would be responsible for purchasing and installing. Tyson stated Unitil raised rates to cover the cost of the whole project. Chris M. said they were given money to do the project. Tyson said the program originally went to the PUC to change rates to pay for all this work and will continue to do that for the next number of years. Tyson has no concern if it is one million dollars to do the work in the center of Canterbury; it's a cost of doing business. Unitil identified practically every tree in the center including some at the end of Hackleboro Road. The center would be without trees except for telephone poles, other than a few in the front. Chris M. stated they're just looking at hazard trees and those trees aren't safe around the power lines. Tyson said the power lines are not safe around the trees. Chris said they are here to look at hazard trees that won't affect the lines, it had nothing to do with where they were. Jim said this Board only has jurisdiction over the scenic roads. Selectmen have it over Town property. Tyson asked that the Board identify the trees at the end of Hackleboro Road in the center as ones that are not allowed to be cut. Jim stated it is difficult to isolate that way. It was decided to have a three person committee physically go out and review the trees and come back to report to the Board. The Committee will be made up of two Planning Board members, Chris Blair and Alice Veenstra, and one member of the Conservation Commission – to be determined. Chris M. stated the job is out to bid, contractors will be submitting their bids early September, and cutting would begin mid-September. The issue of tree cutting was tabled until the August 27, 2013 meeting when the Board will hear the report of the 3 member committee and will continue the discussion with Unitil.

Driveway Permits: Jim Sawicki, road agent for the Canterbury Highway Department spoke about driveway permits and his proposed amendments to the application and permit. Jim Snyder felt this discussion was long overdue. Art said as road agent, an application is made to the highway department as part of the building application process, Jim Sawicki would go out and look at property and accept it or make conditions and issue the permit with his recommendations. The Planning Board does not get involved on an individual basis. The Board has given authority to the road agent to make these kinds of decisions. Jim Sawicki wanted to confirm that Jim Snyder goes out as building inspector, and Jim Sawicki is looking at the position of the driveway and where it comes into the road, culverts etc. and as far as anything from road to house is Jim Snyder's issue. Jim Snyder said all he cares about is if the road agent has given a permit according to their standards. Art wanted to straighten out procedurally what happens. From the perspective of someone putting a driveway in without a permit or not as instructed, Art asked who enforces that issue. Tyson said it would probably

come to the Selectmen since the road agent is their employee according to the law. Jim Sawicki was unsure who he informs when code isn't being followed. Does he go to Jim Snyder and/or Selectmen? Jim Snyder stated that in driveway cases, he doesn't need to be involved unless Selectmen ask him to do something in a particular case. There was general discussion about enforcement of illegal driveways, or driveways not meeting standards and who enforces issues. It was determined that enforcement would be through the Selectmen's office with the assistance of Jim Snyder if needed.

Jim Sawicki would like to add "conditioned on final inspection" to his permit to ensure that the driveway was installed correctly as there is no current follow up procedure. He wanted the Board's guidance and input on adding language to the application and permit. .

Jim Snyder said procedurally on an application for a new house, he won't issue a building permit until a driveway permit is issued. After some discussion it was decided that Jim Sawicki would add a second signature to the driveway permit that indicates he did a final inspection of the driveway and approved it. When a property owner looks for an occupancy permit, Jim Snyder will ask for a copy of the driveway permit containing the second signature. Tyson asked if a copy will be on file. Jim Sawicki stated he keeps a copy, he gives Mandy in the assessing office a copy, the homeowner has a copy, and Jim Snyder keeps one in the building permit file.

Tyson asked if there is a checklist to follow. There is not and none was requested. The Board gave Jim Sawicki permission to use the new amended application and driveway permit, and to add the language regarding conditioned on final inspection. Jim Sawicki will make the change and send the forms in for final approval.

New Hampshire Motor Speedway and Government Policy Solutions meeting:

To begin, Art said anything to do with NHMS is a definite regional impact situation. The Board received a request from Sean Thomas of Government Policy Solutions to address the Board relative to NHMS engaging them to represent their interests during the GACIT hearings to determine transportation spending by the State relative to widening Route 106 from I-393 to the end of the NHMS property.

Art felt it was a different kind of approach for Government Policy Solutions to contact an individual Board to discuss a project like this. Jim Snyder stated it looks like the NHMS is looking for the Board's support here. Jim expressed his concerns about the appropriateness of a meeting like this outside a public hearing. Art feels they should hold a public meeting at their facility and invite various towns to attend. Art felt that to go outside of a public hearing and have a meeting with a Board is something that

161 should not be done. Tyson said they do that all the time in Loudon. Loudon would be
 162 surprised if we found this request inappropriate. Seth felt that if enough Board
 163 members get together with a quorum, it is a public meeting whether we like it or not and
 164 we would have to have notice. Art we wouldn't want to get involved in anything like that
 165 unless it was a posted public meeting and that the track is a sensitive issue with
 166 Canterbury and do not want to do anything that has any improprieties. Jim asked if
 167 anyone had the email that could be read to the Board. Tyson read the email from Sean
 168 Thomas, Government Policy Solutions. Tyson asked if the Board has interest in the
 169 improvement of Route 106. Seth said it depends how you define it. The way the State
 170 budget was put together, there was a specific section addressing 106. One going from
 171 Laconia to Speedway and one from Concord to Speedway. They care more about the
 172 South more than the North. Priority wise, if they could get half the project, they will.
 173 There was discussion of different options of possible improvement. Art said the short
 174 answer is they can come to the Board by getting on the agenda in a regular meeting.
 175 Tyson stated it would be like a conceptual meeting, not posted. Art confirmed. It has
 176 to be on a regular meeting with the Board and not just a couple of members. Art asked
 177 if we would like to add them to the agenda. Jim is not convinced as to the
 178 appropriateness of that meeting. We have an interest but not through them. Tyson said
 179 they are getting the funding and the Board agreed they are lobbying. Seth said it is on
 180 the current 10 year plan and they can do each section separately and can privately fund
 181 it. Alice Seth wondered what our master plan says about 106. Seth said if the road
 182 gets widened it affects the flavor of Canterbury and residents may be bothered by it.
 183 There are positives and negatives. As the Board we have an interest in that. Art
 184 reminded the Board that the State of NH can widen it at any time without permission.
 185 Chris felt that a good thing to do would be to be a sponsor and set up a public forum for
 186 people to ask questions and let residents voice their opinions. Jim said it may be
 187 access changes as well. Tyson said they may be wanting to diffuse any potential
 188 situation. Art feels this might be a step they have to take to do something down the
 189 road. Art was in favor of meeting with them. Jim says he disagrees, we don't need to
 190 meet with the lobbyists, we can get involved on a different level. Alice felt it may be
 191 helpful and we could get some more information. If the Board has them here, the
 192 Selectmen should come. Art and Tyson felt we should meet and hear them and then
 193 consider a more public issue. It was decided that we can invite them for the September
 194 meeting and add it to the agenda.

197 **Other Business**

199 The Board discussed various possibilities in publicizing its agenda's or items they feel
 200 the public should be aware of in addition to posting agendas and minutes at the Sam

201 Lake House and Country Store. Chris Blair mentioned adding Laura Crockford to the
 202 agenda list. Laura is the keeper of the "Canterbury email list" which is a list of residents
 203 that are interested in being notified of events, workshops, school information etc. The
 204 Board felt it would be a great way to get the agenda out to residents should they have
 205 an interest in particular items. Lori will coordinate with Laura.

206 Seth made a motion to adjourn, seconded by Jim. Motion was voted on and approved.

207 Meeting adjourned at 8:30

208 Lori Venie, Secretary

209

210 **Next meeting: Tuesday, August 27, 2013 at 7:00 p.m.**