

MINUTES OF THE MEETING  
OF THE  
CANTERBURY PLANNING BOARD

November 26, 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 and Tyson Miller, BOS Representative

BOARD MEMBERS ABSENT: Doug McCallum, Joshua Gordon, Alice Veenstra, Seth Cohn

OTHER PARTIES PRESENT: none

**Draft Minutes of November 12, 2013:** Jim made a motion to accept and approve the minutes of November 12, 2013, seconded by Chris.

Discussion of minutes: None.

Vote: Unanimous. Minutes of November 12, 2013 were approved.

**Permissions of uses:** Jim stated this was in reference to the table of uses and the fact that certain facilities do not appear on the table at all. Art reminded the Board that Jim had brought up tables of uses in the past and thought they should be discussed. Tyson reminded Jim that he mentioned that since a rehabilitation facility recently got a special exception, it could open a door to other similar facilities throughout town and asked if the Board wanted to address this issue for clarity in the future. Jim said part of the problem is there is not a lot of group knowledge on this topic and he didn't know how many different kinds of facilities there are and where they are appropriately cited. Jim thought the first step would be some kind of study as far as what other towns do. Chris agreed. Art spoke up to say that in his mind if it's in a residential zone, it does not belong there. Certain types of facilities, or even a store, does not belong in the residential zone. Jim stated the separate zones are based on whether the road in front of your property is paved or not. Art suggested setting up zoning to specifically allow for proper uses in areas. Chris asked if zoning specifies what is allowed or what is not allowed. His understanding is there is a table of uses that specifies what is allowed. Art does not believe certain types of facilities or types of structures can be singled out.

41 Tyson said certain facilities needed more resources than others, like a half way house,  
42 where you may need a police presence larger than we have now. Art stated that based  
43 on zoning in the rural area, they could come in and put a prison now. Jim said that's not  
44 an allowed use since it isn't listed in the table of uses. He said most towns say what is  
45 allowed and the presumption is everything else is not allowed. There was general  
46 discussion about agricultural uses. Jim explained there used to be no site plan review  
47 for agricultural uses at all but that didn't make sense, so the Board defined residential  
48 use to be single and multi-family dwellings and their reasonable accessory uses  
49 including agricultural for personal use up to a certain size footprint of the building.  
50 Beyond that, there must be a site plan review. The logic was if Tyson wants to start  
51 sapping his own trees he should be able to do that, but if he wants 2,000 pigs, we would  
52 want abutters to have input. The problem with a table of uses that only says what you  
53 "can" do is that some uses that seem legitimate may not be on the table. Art thinks they  
54 should look at residential and rural to ensure nothing other than a single family home is  
55 allowed, we don't have to worry about agricultural. Jim mentioned not worrying about  
56 separating out different kinds of facilities, you could write in rehabilitation or similar  
57 facilities to be allowed in a commercial zone by special exception, and not allow them  
58 somewhere else. That doesn't mean someone can't get a variance to do it somewhere  
59 else. Art felt if we had something that said a use was not allowed period, other than a  
60 home, and then it would be all set.

61  
62 Art summed up by suggesting some zoning needed to be changed in town. We need to  
63 identify what should change. Tyson said to research other towns' procedures for this.  
64 Chris agreed. Some facilities may be incompatible in certain zones, but not undesirable  
65 to the town necessarily. He believed some facilities just need to be placed correctly.  
66 Tyson said there are issues now where some definitions are too broad and need to be  
67 addressed. No commercial entities allowed in residential areas. Home businesses can  
68 depend on the type of business.

69  
70 Chris asked if we're talking about town meeting for 2014 or 15. Tyson said we're talking  
71 about a study, but some items could be addressed in 2014.

72  
73 **Goals for Master Plan:** Art wanted to see what we listed in the Master Plan and see if  
74 we've hit any of them, or are addressing any. We need to schedule a meeting for the  
75 master plan goals.

76  
77 **2014 budget:** There was general discussion about items that are on the budget or  
78 could come up for consideration in the budget. We need to get a copy of the budget  
79 and what balances are. It will be put on the December 10<sup>th</sup> agenda.

81 **Other Business:**

82  
83 **Cluster developments.** Tyson asked about definitions of cluster developments. Art  
84 explained his view of cluster homes as single family homes or duplexes, with a zero lot  
85 line (30 feet between) and they are clustered into groups, possibly circular cul-de-sacs  
86 with half a dozen or so buildings. Certain requirements are relaxed in cluster  
87 developments. Art said a multi-family could be an apartment building with 3 or 4 stories.  
88 He said six buildings hooked together could be a condominium. Tyson asked if you  
89 could have a multi-family dwelling that has 6 dwellings in it, in a circle with 10 feet  
90 between each building? Art said it could be six townhouses attached with six more on  
91 the other side of the cul-de-sac and that would form the cluster. Tyson asked if it's either  
92 attached or 100 feet apart. Art said clusters are not 100 feet apart. Tyson would like to  
93 modify the 100' in the regulations to something more reasonable. Jim said the limiting  
94 factor on all of these high density issues is that we don't have sewers. There was  
95 general discussion about septic/acreage needed for cluster homes. Tyson questioned  
96 the 100 feet as far as aesthetics and asked if we can put it on agenda to strike Article  
97 6.1 M, page 37 of the Code of Ordinances where it references 100 feet.  
98

99 **Retail Space:** In reading minutes of the Zoning Board, Tyson noticed the ZBA was  
100 recently torn in dealing with a retail aspect of a special exception request that was  
101 ultimately denied. There are several references to retail with some contradictions in  
102 terms. Home Office Occupations/Home Shops/Home Industries talks about businesses  
103 that are conducted in your house or ancillary structure. It doesn't mention "retail." Jim  
104 said you would find no retail in the Table of Uses. There is also an issue regarding  
105 setbacks. Tyson read references to retail and setbacks which contradicts the State  
106 RSA. Tyson thinks we should change set back description to comply with state law.  
107 Jim agreed.  
108

109 Tyson felt we should address the contradictions of retail uses to make it clearer for  
110 future projects. There was general discussion about the pros and cons of revising the  
111 language. Jim felt it is a problem in the definition of home occupation and if we make  
112 that definition clearer, it should make it all clearer. Jim and Art felt we should leave the  
113 retail issue alone. Tyson and Chris did not agree and felt it should be clear. Jim  
114 thought it would be helpful to find out how many of that type of operation has zoning  
115 board approval first or how many existed prior to zoning. There was discussion about  
116 variances or exceptions and how long they apply.  
117

118 **Website:** Chris brought up the website and offered for he and Lori to meet with Jan.  
119 Lori updated Chris on what she found out from Jan as far as who supports our websites  
120 and the webinars that are available for Lori to learn how to update regularly. Lori will

121 take the webinars and other training necessary and will work with the Board for them to  
122 determine how they would like the website to appear. The goal is to have the website  
123 updated sometime in January, and from that point forward will be updated regularly by  
124 Lori.

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

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128 Meeting adjourned at 8:15 .m.

129  
130 Lori Venie, Secretary

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132 **Next meeting: December 10, 2013**