

1 Planning Board Meeting

2 March 18, 2025, 7:00PM at the Meeting House

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4 Members Present: Greg Meeh (Chair), Rich Marcou, Joshua Gordon, Logan Snyder, Scott  
5 Doherty (BOS Representative)

6 Members Absent: Hillary Nelson (Alternate), Megan Portnoy, Jonas Sanborn (Alternate),  
7 Brendan O'Donnell

8 Staff Present: Jan Stout, (Land Use Administrator), Michelle Hammond, (Planning Board  
9 Secretary)

10 Others Present: Matt Monahan (CNHRP), Kent Ruesswick, Clifton Mathieu

11 Agenda

12 1. Call to Order

13 Greg Meeh (Chair) called the meeting to order at 7:00 PM.

14 2. Approval of Previous Minutes

15 Rich made a motion to approve February 11, 2025, minutes, as amended, Joshua  
16 seconded, no discussion all voted in favor, aye.

- 17 • Line 195 Brendan misspelled.
- 18 • Line 404 Brendan misspelled, delete 4 at the end of the line
- 19 • Line 408 "Shall" be replaced with "May"
- 20 • Line 448 Joshua, "said"

21 Minutes of Subcommittee will be moved at the *next Subcommittee meeting which*  
22 *will be on April 10, 2025, at 6:30-8:00PM.*

23 New Business:

24                   **Voting: Chair and Vice Chair:**

25                   Joshua moved to *postpone* the elections of chair and vice chair to the next  
26 meeting due to the absence of two members, Rich seconded, all voted in favor, aye.

27                   Clifton Mathieu spoke up and would like to be considered as an alternate on the  
28 planning board. Joshua made a motion to move Clifton Mathieu as an alternate, Rich  
29 seconded and all voted in favor, aye.

30                   **Informational Discussion with Matt Monahan (CNHRP):**

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32                   Conceptual Consultation and Design Review:

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34                   Both are non-binding; however, the design review is more complete. Regulations  
35 state that no drawings are to be used in a conceptual consultation. Greg asked the board  
36 if they would like to change that in the regulations. He feels they are helpful for the  
37 application process.

38                   Matt referenced the relevant RSA that outlines specific language, consultation  
39 requirements, and the need for a design review. It also stipulates that abutters must be  
40 notified for the design review process. The Subcommittee will collaborate with Matt to  
41 research the RSA and ensure full compliance with its provisions.

42                   Matt clarified that both the conceptual consultation and design review are non-  
43 binding. He emphasized that the board should begin each design review by referencing  
44 the RSA and clearly stating that the review is non-binding. Additionally, he reminded the  
45 board to conclude the design review with the same statement regarding its non-binding  
46 nature, and to include this information on the agenda, along with the RSA reference and  
47 the non-binding reminder.

48                   Conceptual consultation and design review can be for both subdivisions and site  
49 plans, but we only need to notice abutters for design reviews.

50           **Waivers:**

51                   The board must have sufficient information from the application to make an  
52 informed and defensible decision. Joshua stated that the board has the authority to waive  
53 any requirement that it has the power to enact. If a rule does not require town approval or  
54 is not an ordinance, the board can waive it. However, if it is in an ordinance and the  
55 applicant does not wish to comply, they must seek a special exception or a variance. Each  
56 lot is unique. Rich addressed concerns regarding precedence. Matt suggested that most  
57 considerations can be incorporated as conditions of approval.

58                   *Condition of approval:* approval with condition(s) is not finalized until the  
59 conditions are met. The Land Use Administration follows the notice of a decision to  
60 ensure it is finalized. So be sure your conditions are properly listed. The best way to  
61 handle this is to have one member read off the list of conditions, (*Make a motion to*  
62 *conditionally approve as read by Member, etc.*) Signing of the plan does not happen until  
63 all conditions are complete.

64           **Checklist: (what the applicant seeks a waiver for)**

65                   The board has the authority to approve the completeness of an application. While  
66 the checklist may be considered complete, it does not necessarily indicate compliance  
67 with all the regulations. The checklist and the regulations must be considered together.  
68 The applicant is required to provide all the information specified on the checklist or  
69 request a waiver for any missing items to be deemed complete. Each waiver should be

70 accompanied by a written justification. Jan suggested allowing the option of marking  
71 items as "N/A" to potentially eliminate the need for waivers.

72 **Variance and Special Exceptions:**

73 There are certain matters for which waivers cannot be granted, as they fall under  
74 the jurisdiction of the Zoning Board. The Planning Board cannot issue a waiver for  
75 requirements in the Ordinance. For CUPs, the board cannot grant a waiver for a density  
76 bonus unless expressly authorized by the ordinance.

- 77 • **Waiver:** Applies to requirements outlined in the Planning Board Regulations.
- 78 • **Variance:** Pertains to exceptions from the Zoning Board Regulations.
- 79 • **Special Exceptions:** Require applicants to meet specific criteria beyond the standard  
80 five, with clearly defined requirements.

81 Conditional Use Permit:

82 A CUP is established under **Innovative Land Use RSA 674:21**, not solely  
83 through the Planning Board, and it defines what the board can and cannot act upon.  
84 Ideally, a CUP outlines the specific criteria required to obtain a permit and details what  
85 must be included in the application.

86 The ordinance may specify what the Planning Board is authorized to waive. The criteria  
87 for granting a CUP often aligns with those for a special exception, followed by the  
88 required submittal materials. Many CUPs include criteria that reference consistency with  
89 the **Master Plan** as a key consideration.

90 Matt explained that the CUP process is a negotiation with established guidelines.  
91 When determining what the board can waive or require, he emphasized the importance of  
92 referring to the ordinance. The CUP process is a collaborative effort, allowing for  
93 discussion and adjustments to ensure the project's success. It is designed to provide  
94 flexibility within traditional zoning requirements, which are explicitly outlined by the  
95 Planning Board. Ultimately, all decisions should be guided by the ordinances.

96 **Training for Board Members:**

97 The Municipal Association will send training to us at a Planning Board meeting.

98 These trainings are usually presented by Steve Buckley, (head of legal at the  
99 Municipal Association).

100 We need to schedule this through the NHMA web site. Greg will be in touch with  
101 Ken F on this as it requires log in credentials.

102 Engagement plan for the NHHOP Grant: Proposed Dates: One 5/27 or 6/10, one  
103 7/22 or 8/12 and one 9/23 or 10/14.

104 Proposed topics:

105 Workforce Housing update.

106 Better protection of rural character, viewscapes, open fields, stone walls, etc. in  
107 our Ag / conservation zone. Residents have expressed a lot of concern about this.

108 To accomplish this we need to explore how it can be done in a way that works for  
109 residents.

Greg and Matt mentioned that the tools we have are the innovative land use provisions in the law which allow us to offer incentives like bonus densities rather than ordinance restriction like stricter dimensional requirements which would not be defensible in court.

Greg passed around training options to interested board members.

### **Right to Know Training April 17, 2025, at Town Hall 6:00PM**

#### **Definitions:**

##### **Mixed Use:**

Planning board questioned, what is the definition of mixed use? Clifton Mathieu, resident of Canterbury NH, expressed his concerns and frustrations that the planning board set forth a warrant article to the residents of Canterbury for a zoning change from "commercial" to "mixed use/commercial," in reference to a piece of land near exit 18, without knowing and/or understanding the definition of "mixed use." The planning board is now seeking clarification on the definition of "mixed use," from NHRPC. Matt will come back with an existing definition; the board has the right to interpret and apply.

#### **Old Business:**

- **Master Plan:** Matt will send the Master Plan in Word and PDF Format to Jan to be securely archived.
- **Updates to the Master Plan:** Chapter 8, Appendix, Matt is editing for a minor change. The board asked for edits on the Radar Graph, Matt can *not* modify but able to change some labeling to make it clearer.

- 131                   • **Regulations Checklist Update:** Will be addressed at the next subcommittee  
132 meeting, it was discovered at the last subcommittee meeting that design review  
133 references 5.1 of the regulations and 5.1 says nothing about design review. Rich  
134 updated the board with edits he found to be necessary. Joshua suggested avoiding  
135 cross references as much as possible as it can create problems. The subcommittee  
136 will focus on placing primarily in design review and avoiding cross references as  
137 practical. **Next subcommittee meeting will be held April 10, 2025, at 6:30-8:00**  
138 **PM**
- 139                   • Updates/Corrections to Design Review section: will be continued at the next  
140 subcommittee meeting.

141                   **Traffic Count Study:**

142                   The board agreed to survey roads that have not been done in the last 5 years.  
143 (Baptist Road, Center Road, Dump Road, Shaker Road, Oak Hill Road)

144                   **Action Items:**

- 145                   • **HHOP Grant engagement Plan (Next Agenda 4/8/2025 with Mike Tardiff)**  
146                   • **Work Force Housing and Ordinance to ensure compliance with state law**  
147                   • **Definitions**

148                   *The next meeting will be on April 8, 2025, at 7:00PM at the Meeting House.*

149                   Joshua motioned to adjourn the meeting Logan seconded at 8:44pm.

150                   Respectfully submitted,

151                   Michelle Hammond,  
152                   Planning Board Secretary