

Planning Board Meeting
7:00 p.m. August 12, 2025 at the Meeting House

Members Present: Brendan O'Donnell (Chair), Rich Marcou (Vice-Chair), Greg Meeh, Logan Snyder, Joshua Gordon, Scott Doherty (Selectboard Rep)

Members Absent: Megan Portnoy, Hillary Nelson (Alternate), Clifton Mathieu (Alternate)

Others Present: Kal McKay (Admin Assistant), Ken Folsom (Town Administrator), Betty Fifield, Stephen Fifield, Beryl Boisvert, Beth Blair (Selectboard), Mike Tardiff (CNHRPC), Luke Mahoney, Calvin Todd (Selectboard)

Call to Order

The Planning Board meeting was called to order at 7 p.m.

Rich made a motion to move the approval of previous minutes to the end of the meeting. Greg seconded. All in favor by roll call, motion carried.

Conditional Use Permit 207 Shaker Road Hearing Continuation

This hearing was continued from 7/8/2025. Betty and Stephen Fifield attended the meeting.

On July 15th, Governor Ayotte signed HB 577 which changes how municipalities may regulate ADUs (accessory dwelling units). These changes are retroactive to July 1st, 2025. The Planning Board members reviewed the text of the bill and guidance provided by NHMA ahead of the meeting. This affects RSA 674:72, Article 18 of the Canterbury Zoning Ordinance, and the Fifield's application.

Brendan explained that HB 577 requires one ADU to be allowed by right in all zones where single-family dwellings are allowed. Municipalities are no longer allowed to require further review as long as the requirements of RSA 674:72 are met. Many of the requirements in Article 18 still hold (such as prohibiting ADUs with townhouses) and the Board will need to review the changes and propose a warrant article to comply with the new law. 674:72, VII changes the maximum square footage restrictions a municipality may impose to 950 sq ft "unless otherwise authorized by the municipality." Canterbury's limit of 1000 sq ft is allowed. Brenden interprets HB 577 to mean the Board may require a Conditional Use Permit if someone would like an ADU between 951 and 1000 sq ft.

Brendan explained that due to these changes, the Fifield's proposed 329 sq ft detached ADU does not need a CUP. The Fifield's just need to go to the Building Inspector to get a building permit.

Josh moved to determine that a CUP is not needed for the Fifield's proposed ADU. Greg seconded. All in favor by roll call, motion carried.

Stephen asked if two ADUs are now allowed. Brendan explained that the statute only allows one by right. The Zoning Ordinance would need to be changed to allow multiple ADUs.

There was discussion about what changes will need to be made so Article 18 would match RSA 674:72. It doesn't make much sense for the Town to require a CUP for the gap between 950 and 1000 sq ft, so that should probably be changed.

Conceptual Consultation 260 West Road

Luke Mahoney submitted a request for a preconceptual consultation. Luke attended the meeting. Luke submitted a new map and picture earlier in the day via email and handed out copies of the map at the meeting.

Luke explained his proposal. Brookford Farm recently acquired the property with the brick house (260 West Road, Map 261 Lot 2) between the farm and the Merrimack River. The property is 13 acres. 10 acres have an easement and must be used as farmland. The remaining 3 acres next to West Road contain the brick house and an unused field. The owners of the old Hildreth farm have offered the historic barn on their property to Brookford Farm. Luke is considering moving the barn to 260 West Road and putting it in the field next to the brick house. The Hildreth barn is in good condition and matches the age of the brick house. There used to be a barn next to the brick house, but that was removed in the 1960s. The Hildreth barn is 110 ft x 40 ft.

Due to the cost of moving and renovating the barn, Luke would like to do something with it that could provide revenue for the farm. He is considering several ideas: bunk-style bed and breakfast, function room/commercial kitchen for events like weddings/concerts/circus. He wants to know what is allowed so he can know which idea(s) to move forward with.

Brendan explained that any commercial use would require site plan review with the Board to review things like parking, traffic, light/sound, ingress/egress, etc.

"Bed and breakfast, and inns (less than 10 guest rooms)" is in the Table of Uses (Article 5.3, p 29) and in the Agricultural Zone would require a Special Exception from the Zoning Board of Adjustment (ZBA). If the desired use isn't allowed in the Table of Uses, it would require a Variance from the ZBA. Brendan recommended that Luke review the Table of Uses to see what is and isn't allowed in the Agricultural Zone.

Josh suggested that Luke look into the State's Agritourism rules.

Depending on the size of the wedding/event it may fall under the "Large scale (greater than 200 people) recreation use for which leases, event or general admission will be charged" may apply and a special permit may be required from the Selectboard.

There was discussion about what the requirements are for Special Exceptions and Variances. If the use is allowed, Luke is guaranteed to be able to do it. Special Exceptions aren't guaranteed, but if all of the requirements listed in the Zoning Ordinance (Article 8.1) are met, it should be granted. Variances are much harder to get and would require proving that this property is special. Both of those would require public hearings where any abutters who don't want these uses could argue against it.

Luke will go through the Table of Uses to determine which uses would be best to pursue. If needed, he will likely go to the ZBA to get permission before investing in moving the barn.

HOP Grant Housing Public Input Session Planning

Mike Tardiff from Center NH Regional Planning Commission (CNHRPC) attended.

At the 7/8/25 meeting, the Board decided to do two public input sessions. The first session will be on September 23rd and begin at 5:30 p.m. so that there will still be time for the regular Board meeting at 7 p.m. The second public input session will be on October 28th, also at 5:30 p.m.

Mike went through his proposal for the first session. From 5:30 to 6 there will be stations with CNHRPC staff and Board members for people to come up and ask questions. At 6, depending on the size of the crowd, the whole group can come together for a larger discussion. If there are 18 people or less, they could sit in a circle. Mike proposed sticking with three topics for stations at the first session: ADUs, Workforce Housing, and Clusters. He could also ask George Reagan from NH Housing to come speak. At the October meeting they could discuss Mixed Use.

The Board debated what topics should be discussed at the first meeting. They decided on ADUs, Mixed Use, and Clusters.

The Board agreed to invite George to speak for about 15 minutes. He will be ready to address questions about the impact of population increase on schools. NH Housing recently commissioned a study about that topic.

The Board agreed to the proposed schedule, but will leave George's start time flexible in case the discussions at the stations need a little more time.

Mike will prepare the outreach materials so the September event can be publicized.

The Board decided who would be at each station. Cluster: Josh, Greg. Mixed Use: Rich, Brendan. ADUs: Scott, Logan.

Additional Ideas for Zoning Changes

Josh suggested adding data centers to the Table of Uses in the next round of zoning changes. The Board had previously discussed this, but decided not to bother because electricity prices in NH were so high. Since that is no longer the case, it might be a good idea to pick that back up. Kal/Michelle will find the previous work done on this topic. Likely the warrant will be to define data centers and either ban them entirely or allow them in the Industrial Zone only. If they are to be allowed at all, Greg would like to make sure the ordinance addresses water usage.

Brendan will also put wetland setbacks on the list for potential warrant articles. The Board had discussed this previously, but has not yet brought it to Town Meeting.

Master Plan Chapter 9 Solid Waste Management

Scott suggested tabling further review of this chapter until the report from Aries Engineering on the Transfer Station is finished. He reasoned that the remainder of what needed review was likely to change once the report was published.

Rich disagreed. He reasoned that the remainder of the chapter was based on the NH Master Plan. He felt that the Board has waited long enough to finish this chapter and should move ahead.

Scott formally moved to table further review of this chapter. Logan seconded because they wanted further discussion to understand why Scott felt this way.

There was discussion about the Aries Engineering report. This report was approved at the 2025 Town Meeting in Warrant Article 15 and allocated money “for a feasibility and suitability study for Town of Canterbury Transfer Station, to renovate/expand the Transfer Station at the current site or determine if the current site is not suitable for this purpose”. Ken explained that the report should be done by September.

There was debate about if the chapter editing should be continued tonight or if it should wait. Those in favor of waiting argued that since this chapter is meant to be a long-term document, the Board needs the information from the report to know what the long-term plan for the Transfer Station should be. Rich argued that the goals and objectives aligned with the State’s goals, so likely wouldn’t change with the report.

Once the Board finishes editing this chapter, they will need to hold a public hearing before it can be approved and added to the Master Plan.

Brendan felt that if the Aries report is published by September, it makes sense to wait for that information. If it becomes an issue where the deadline keeps getting pushed back, then the Board may need move ahead anyway. If this were to be tabled, he would keep it on the agenda under old business and ask for updates on the report.

Brendan called for a vote on Scott’s motion to table this topic until the Aries report is finished. Scott, Logan, Greg, Brendan, and Joshua voted aye. Rich voted nay. Motion carried.

Process Question re Third Party Review

Greg asked at what point in a major subdivision application process should third party review be addressed.

Brendan explained that any Board member could make a motion to have third party review at any point during the public hearing(s) for such application.

Additional Ideas for Zoning Changes continued

Ken brought up that the Town Office has had 3 inquires in the last few weeks about tiny homes. The Assessor, Land Use Administrator, and Building Inspector would like the Board to define “tiny home” and offer guidance on the topic.

The Zoning Ordinance essentially bans living in a camper, but ADUs are allowed. Tiny homes can be hard to classify as camper or very small house. Whether or not there are wheels and how the building is connected to water/sewer seem to be the main differences. Brendan will check with the DES’s guidance and add this to the list for potential warrant articles.

Ken also asked for guidance on if ADUs should count towards the annual building permit cap. Currently they are not being counted. Some Board members recalled discussing this previously and thinking that it should be counted, at least for detached ADUs. Brendan added this question to the list.

Approval of Draft Meeting Minutes

Greg made a motion to approve the public minutes for the Planning Board meeting on July 8, 2025. Scott seconded. Josh and Greg abstained since they were not at the meeting. All others were in favor by roll call, motion carried.

Josh made a motion to approve the public minutes for the Planning Board site walk on July 22, 2025. Scott seconded. Rich and Greg abstained since they were not at the site walk. All others were in favor by roll call, motion carried.

Greg made a motion to approve the public minutes for the Planning Board meeting on July 22, 2025. Josh seconded. All in favor by roll call, motion carried.

Scheduling

At the first September meeting, the Board will discuss potential zoning changes to address data centers, wetland setbacks, and tiny homes. Brendan will create a draft that will be circulated ahead of that meeting.

Greg asked that limiting congregate living facilities like nursing homes and drug treatment centers be added to the list of zoning changes to consider this year. Brendan will look at the state law to see if municipalities are allowed to limit this type of use.

Greg brought up that a lot of the Board's power over a developer is the ability to grant/withhold a density bonus. He suggested that the bonus cap should be increased from 10% to 30%. Brendan agreed to discuss it after the 9/23 public input session. He felt that even a small bonus is valuable to a developer, so upping it may not be necessary.

Adjournment

Logan made a motion to adjourn the meeting at 8:32 p.m. Greg seconded. All in favor by roll call, motion carried.

Next Meeting: 2025 August 26, 7:00 p.m. at the Meeting House
Minutes submitted by Kathleen McKay, Administrative Assistant