

## Central New Hampshire Regional Planning Commission

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### SUBDIVISION APPLICATION, FIRST REVIEW

**DATE:** OCTOBER 1, 2025  
**TO:** CANTERBURY PLANNING BOARD  
**FROM:** MATT MONAHAN, CNHRPC  
**RE:** HILDRETH'S FARM SUBDIVISION  
**CC:** MERIDIAN LAND SERVICES (via email)

The applicant, 114 West Road LLC, submitted an application for Map 248, Lot 8, and totaling 37.26 +/- acres on land owned by the same for the purpose of creating a 29-lot, mixed use cluster subdivision. The site is located at 114 West Road, within the Commercial Zone and the Groundwater Protection Overlay District.

The Central New Hampshire Regional Planning Commission (CNHRPC) received a set of plans for the proposed Subdivision on September 24, 2025. The plan sets reviewed were entitled HILDRETH'S FARM SUBDIVISION TAX MAP 248 LOT 8 CANTERBURY, NEW HAMPSHIRE and dated June 3, 2025 with a revision date of September 18, 2025, and consisted of 24 sheets as prepared by Meridian Land Services of Amherst, NH. This memorandum is intended to provide the Planning Board with an overview of the application and its major issues. It is recommended to the Planning Board that any waivers or deviations from the submittal requirements be requested by the applicant in writing.

### **SUBMITTAL DETAILS**

CNHRPC has reviewed the following plans and documents:

1. A plan set entitled HILDRETH'S FARM SUBDIVISION TAX MAP 248 LOT 8 CANTERBURY, NEW HAMPSHIRE and dated June 3, 2025, with a revision date of September 18, 2025, and consisted of 24 sheets as prepared by Meridian Land Services of Amherst, NH.
2. A presentation plan set entitled 114 WEST ROAD, LLC 114 WEST ROAD MAP 248 LOT 8, CANTERBURY, NEW HAMPSHIRE as prepared by Meridian Land Services.
3. A cover letter from Meridian Land Services, Inc. dated June 3, 2025.
4. A stormwater management plan prepared by Meridian Land Services.
5. A memorandum from Bernstein Shur, Sawyer and Nelson attorneys dated September 23, 2025.
6. A Town of Canterbury Subdivision Application.
7. A project narrative from Meridian Land Services.
8. A Condominium Declaration Letter of Intent dated September 18, 2025, and issued by Meridian Land services.
9. A Conditional Use Permit Narrative dated September 18, 2025, and issued by Meridian Land Services.

10. A memorandum interpreting the mixed use density calculation process for cluster developments issued by Meridian Land Services.
11. A Cluster Density Calculation memorandum dated September 18, issued by Meridian Land Services.
12. A Fiscal Impact Analysis dated September 12, 2025, and issued by Fougere Planning and Development.
13. Architectural example photographs.
14. A traffic memorandum.
15. A checklist generated by Meridian Land Services.

## **LAND USE DEVELOPMENT REGULATION CHECKLIST AND REGULATION REQUIREMENTS**

The following are advisory comments based upon the Town of Canterbury Land Use Development Regulations and Checklist Requirements used during the consideration of materials received pertaining to this proposal.

### **Overall Summary:**

The applicant is seeking approval for a 29-lot, mixed use cluster subdivision. Major areas of focus for the project will include:

- Major Issues:
  1. The proposal seeks 26 residential units and three commercial units for a total of 29 units. Will the commercial units be built after the residential units or in phases along with the residential units? The Board may want to consider requiring the phasing in of the commercial units with the residential units as they are built – one commercial unit per every ten residential could be a framework.
  2. The proposal will require both a Conditional Use Permit (CUP) approval from the Planning Board as well as a Site Plan Approval. Both applications will require their own public hearings, motions, and votes. The applications can be processed at the same meeting, though CNHRPC recommends the Board conduct the public hearing on the CUP first, and if approved, move to the Site Plan hearing next.
  3. The Board should discuss the permanent protection of the open space with the applicant. Documentation dealing with the protection of the open space should be provided and reviewed by the Town's Attorney. Recommendations made by the Town's Attorney should be complied with as a condition of approval.
  4. The application could be considered substantially complete if the missing items in the Land Use Development Regulation section below are provided or waived (these are the studies listed in comment number three, on page three).
  5. The common area is to be maintained by the condominium association, including the road. The Board should require, as a condition of approval, that the Town Attorney review the documents and that final copies are filed with the NH Attorney General's office as a condition of approval.
  6. Any suggested improvements made by the third party consulting engineer should be complied with as a condition of approval.
  7. The Fire Chief should review and comment on the fire protection methods. Any recommendations should be conditions of approval.
  8. The following state permits will be required and should be received as a condition of approval prior to the issuance of a building permit:
    - NHDOT Driveway Permit.
    - NHDOT Excavation Permit.
    - NHDES Alteration of Terrain Permit.

- NHDES State Subdivision Approval.
  - NHDES Dredge and Fill Permit.
  - NHDES Individual Sewage Disposal System.
  - NHDES PWS.
- Potential Conditions of Approval for the CUP:
  1. Approval the Site Plan Application.
  2. The CUP Notice of Decision is recorded at the Merrimack County Registry of Deeds.
- Potential Conditions of Approval for the Site Plan:
  1. Fire Chief to review the proposal for fire protection and emergency access and compliance with any recommendations made by the Fire Chief for fire protection or emergency access.
  2. Condominium declaration documents are reviewed by the Town Attorney, and recommended changes are complied with, and that the final copies are recorded with the Attorney General prior to the issuance of a building permit.
  3. Documents dealing with the disposition of the open space should be provided as a condition of approval, subject to a review by the Town's Attorney. Recommendations made by the Town's Attorney should be complied with as a condition of approval.
  4. Receipt of all state permits prior to the issuance of a building permit.
  5. Comply with any recommended changes relative to drainage made by the third party consulting engineer.
  6. Professional stamps and signatures as well as owner signatures need to be on the final plan.
  7. Any conditions of approval need to be on the final plan.
  8. The Notice of Decision for the Site Plan is recorded at the Merrimack County Registry of Deeds.
  9. Any other conditions sought by the Board.

**Canterbury Land Use Development Regulation Requirements:**

1. Land Use Development Regulation Section 5.5.1 – Condominium documents will need to be submitted for review by the Town's Attorney as a condition of approval. Compliance with any recommendations made by the Town's Attorney should be complied with as a condition of approval.
2. Land Use Development Regulation Section 5.5.2 – Legal documents for the permanent protection of the open space were not provided. These should be provided as a condition of approval, subject to a review by the Town's Attorney. Recommendations made by the Town's Attorney should be complied with as a condition of approval.
3. Land Use Development Regulations Section 6.7.7 – CNHRPC did not receive the following studies which would be needed for completeness if they were not provided:
  - i. A report from the Conservation Commission (required for wetland impacts; this project depicts a wetland crossing).
  - ii. Though a Traffic Memorandum was submitted, a traffic study is required (required for projects with 200 ADTs; ITE trip generation manual suggests at least 260 per day for the residential portion alone).
4. Land Use Development Regulation Section 6.7.7 – A separate school impact study was not provided but School Impact Analysis is discussed in the Fiscal Impact Study developed by Fougere Planning.
5. Land Use Development Regulation Section 2.4.7.c – The Fire Chief is required to review the fire protection methods and emergency access elements of the road. Such a review

should be done prior to approval, or it should be required as a condition of approval, as well as compliance with any recommendations for the road or fire projection made by the Fire Chief as a condition of approval.

**Waivers Requested from Land Use Development Regulation Items:**

The applicant has not requested any waivers.

**Canterbury Zoning Ordinance Requirements:**

The Table of uses under Article 5 allows for the proposed development with an approved Conditional Use Permit in addition to Site Plan approval. Article 6 governs the approval of cluster developments, with general CUP standards depicted in Section 6.5 and the CUP standards for Commercial Cluster developments being depicted in Section 6.9. Section 6.6 governs density bonuses. The applicant has submitted the required narrative addressing the CUP standards. As the Ordinance requires the Board's interpretation as to whether or not the applicant has meet the CUP standards, the Board should refer to these sections during the deliberation of the CUP application.

**OTHER COMMENTS**

The following are advisory comments based upon commonly held planning principles and the review of the plans received.

1. The proposal shows 26 residential units and three commercial for a total of 29 units. Will the commercial units be phased into the construction of the residential? For example, for every 10 residential units, one commercial unit would be built until all units are built. The Board may want to consider phasing in this manner to ensure that both commercial and residential units are constructed as depicted.
2. As the proposed lots will be fronting on a private road, the applicant must seek building permits from the Select Board in accordance with NH RSA 674:41,I(d)(1). This comment is informational only and requires no action by the Board or applicant during the Site Plan application process.
3. Any suggested drainage improvements made by the third party consulting engineer should be complied with as a condition of approval.
4. The Applicant should demonstrate to the Board that all fees to the Town have been paid.
5. Any conditions of approval and waivers granted should be listed on the final plan to be signed.

Given the nature of the proposal and the items submitted, the application could be considered substantially complete if the missing items in the Land Use Development Regulation section above are provided or waived (these are the studies listed in comment number three, on page three).

Any item indicated in this memo as missing from the plan could be a condition of approval if the Board felt such item(s) are relevant and are not waived. If the Board chooses to invoke jurisdiction and accept this application as complete, the timelines set forth in RSA 676:4C shall apply. If the application is accepted as complete, the Planning Board can enter into a public hearing if such a hearing was properly noticed in accordance with 676:4D.