

DRAFT Meeting Minutes for 10/16/25.

Wetlands Subcommittee of the Planning Board – Elkins Library Conference Room

Present: Kelly Short, Audra Klumb, Bob Steenson (Conservation Commission members)

Absent: Brendan O'Donnell (Planning Board chair), Megan Portnoy (Planning Board member).

Kelly chaired the meeting and called the meeting to order at 6:01 pm.

Prior to the meeting, Brendan sent committee members a memo summarizing wetland setback approaches used by some nearby municipalities.

Brendan's memo also specified two question he'd like the subcommittee to answer:

(1) if the town were to adopt a wetland setback, what form should it adopt; and

(2) should the town adopt a wetland setback.

Taking this approach means that the subcommittee can provide the planning board with the details of a potential ordinance for the planning board's consideration along with a recommendation of whether the subcommittee recommends proposing the ordinance or not.

That leaves the planning board to make the decision of whether to propose a wetland setback ordinance, following a public hearing with input from Canterbury residents.

Discussion: Subcommittee members discussed pros and cons of establishing a wetlands setback and which elements from other town's ordinances best suit Canterbury's needs.

While Canterbury does not seem to have a significant problem with the number and quality of wetlands at present, there is concern that increasing pressure to build more housing could create situations where wetlands are encroached upon by new buildings.

Bob noted that enforcement could be a significant burden on town government.

Kelly suggested setting criteria that don't over-restrict land use but do establish a baseline buffer so one is in place as development pressure increases.

Points considered:

- Vernal pools are almost always a wetland. Not all spring puddles are wetlands. A layperson's test: if sneakers get wet walking through area in (regular weather) May, it's probably a wetland.
- Be clear what how the town will enforce the setback for all structures, not just dwellings.
- Need to specify how to measure the setback when there is an elevation change from the wetland to surrounding upland.

- Since land uses can be more destructive than structures, land disturbances should also be prohibited within the buffer.
- When communicating about a proposed ordinance, remind people they should follow NH's best management practices (e.g., for forestry or agriculture) to reduce runoff and other impacts on wetlands.
- An ordinance would be a message to land owners to check with the town to be sure their project does not encroach on a wetland.
- We should think about whether there are uses that cross or go near wetlands that need to be addressed.

First draft, elements for a Canterbury wetlands setback ordinance:

Establish a buffer from wetlands, vernal pools and surface waters that prohibits structures within 25 feet and land disturbing activities (such as grading and filling) within 15 feet.

- Applies to wetland areas over 2,000 square feet, all vernal pools, and surface waters.
- Measured from edge of wetland to edge of soil disturbance (e.g., foundation of structure).
- Use NH state definitions of wetlands, vernal pools, surface water.
- Existing buildings and uses are grandfathered.
- Note that invasive species can always be removed.
- Exclusions: Maintained ditches, storm water retention systems, man-made detention basins, treatment swales, and manmade ponds including fire ponds and farm ponds.
- Allow dry hydrants by exception.
- Uses for which the state grants a wetlands permit (e.g. for a driveway to cross a wetland, which would necessitate entering the 25' buffer zone) are allowed.
- Other conditions and criteria for exceptions still to be determined.

Use a setback ordinance, not an overlay district. The ZBA can allow special exceptions.

Bob suggested sharing with Town Administrator Ken Folsom and Code Enforcement Officer Joel French for their input on logistics and enforcement.

For informational purposes: 2000 sq ft < 16th of an acre; an area roughly 20x100 feet

Scheduling

Kelly will send a Doodle scheduling poll to all members to set the next meeting date(s).

The meeting adjourned at 7:29

Minutes submitted by Kelly Short