Planning Board Meeting
6:00 p.m. October 28, 2025 at the Town Hall/Meeting House

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

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

Others Present: Kal McKay (Admin Assistant), Keith Anastasy (Applicant), Sam Foisie (Meridian), Erol Duymazlar (Applicant), Tim Scheedy (Applicant's Attorney), A. Eli Leino (Applicant's Attorney), Nicolo Anastasy (Meridian), Heidi Chaney, Richard Chaney, Ken Folsom (Town Administrator), Beth Blair (Selectboard), Beryl Boisvert, Calvin Todd (Selectboard)

Public Community Engagement Session

The session convened at 6:00 p.m. in the Town Hall.
Rich, Brendan, Joshua, Greg, and Megan attended.
Heidi and Richard Chaney spoke with Mike Tardiff (CNHRPC) about ADUs.
The listening session was closed at 6:45 p.m.

Call to Order

The Planning Board moved to the Meeting House to begin their regular meeting.
The Planning Board meeting was called to order at 6:59 p.m.

Approval of Previous Meeting Minutes

Greg made a motion to approve the public minutes for the Planning Board meeting on October 14, 2025. Rich seconded. All in favor by roll call, motion carried. Megan and Josh abstained.

114 West Road Hearing

This hearing was continued from the Planning Board meeting on September 23, 2025.

Since the last meeting: Meridian submitted a new plan and it went through an engineering and code review. Meridian met with Town Administrator Ken Folsom and Matt Monahan of CNHRPC regarding the results of the reviews. Meridian spoke with Fire Chief Michael Gamache. Meridian submitted another new set of plans that were distributed to the Board this afternoon.

Matt Monahan and Chief Gamache couldn't attend, but Ken was here to speak to those meetings.

Mr. Foisie thanked the Board for the continuances. The plan they submitted today takes into account the feedback from the engineering and code reviews; they were thinking an additional engineering review on the new plan could be a condition of approval.
The new plan has fewer lots in order to comply with the baseline density. Most of the residences are now single family homes rather than duplexes.

This plan splits the southern commercial lot into two, so now there are three commercial lots in total. They are going to try to get approval for a billboard on the southernmost lot. If that doesn't work out they will use it for some other commercial use.
They have added phasing notes to the plan and broken the development up into 3 phases. The 1st phase would be construction of the loop road and the access road up to the break line indicated on the plans, a temporary turnaround just before the break line, construction of the pumphouse, water supply, and storm water systems, and prepping of the front commercial lot (grading a flat building pad, stubbing water service and stormwater connection).
Phases 2a and 2b could be done in either order.
Phase 2a includes building the front commercial lot (septic, parking lot, building). This would require a site plan review with the Board.
Phase 2b includes constructing the remainder of the access road, southern stormwater pond, and either of the two commercial lots. This would require a site plan review with the Board.

Mr. Foisie reviewed the fiscal study that was submitted. It predicts that this development will likely generate 10 new students. That will still keep the school district well under the 2018 population peak. When you count the taxes that would be collected on this property vs the cost of servicing this area (school, fire, police, highway), this generates a net gain for the Town of $140K per year.

Mr. Foisie reviewed the comments from Chief Gamache regarding the fire code requirements. Residential and Commercial occupancies will need to meet the requirements of RSA 155-A (New Hampshire Building Code) and RSA 153 (New Hampshire Fire Code), and any amendments as identified in saf-FMO-300.
One- and two-family dwellings are exempt from automatic sprinkler requirements. They would install sprinkler systems in the commercial units; details would be provided in the site plans.
Mr. Foisie reviewed each requirement in Chief Gamache's letter and explained that this plan meets or exceeds all requirements that are applicable to this development. The road will be 24ft wide. They can provide an exhibit showing that the Town's firetrucks could easily move about the property. They are proposing a 30K gallon water system; a detailed map for the fire cistern is included in the plans provided. All structures will be less than the 2K sq ft threshold for certain requirements. They will not be installing fire hydrants since they will be below the traffic threshold of 3K cars per day.

Mr. Foisie explained the engineering review led to adding additional turnarounds, clarifying the width of the roads and driveways, adding more details to the plans, and providing the stormwater operation and maintenance manual.
The driveways will be 22x20 ft. Typical parking spaces are 9x15 ft, so these driveways should fit two cars. The houses will also have garages for additional parking.
To get an alteration of terrain permit, the State requires invasive material removal in inspection reports. They aren't sure if there are any out there right now, but this report provides guidance about what to remove if it is found.

Mr. Foisie discussed the code review from Matt Monahan.

They believe that Mr. Monahan misunderstood how far into the process they are. They understand that Canterbury has a building permit cap, but they don't believe additional phasing is required.
They do not agree with Mr. Monahan that the cluster subdivision needs a site plan; it only needs a conditional use permit. This proposal includes a conditional use permit application.
They haven't drafted the condo documents yet because they wanted to make sure this project was moving forward first. They agree that the Town's lawyers should review the condo docs and suggested making it a condition of approval.
Mr. Monahan said that they were missing studies. He suggested third party engineering review and review by Fire Chief Gamache. Both of those have been completed. During the meeting with Mr. Monahan, they all agreed that "reasonable" recommendations in those reviews could be conditions of approval along with all necessary state permits.

Mr. Foisie summarized the items that they felt could be conditions of approval for the application: state permits, payment of outstanding fees, deposition of open space subject to review by the Town's legal counsel, reasonable conditions from the Town's legal counsel, verification from Town engineer that plans are acceptable, signatures and recording at MCRD, firetruck turning exhibit, and Fire Dept. approval.

Joshua spoke about Mr. Monahan's idea of phasing in the commercial and residential units (i.e. 1 commercial unit per 10 residential). He doesn't agree with the numbers, but he likes the idea and thinks that it would address his concerns that the commercial units may never be built out, resulting in essentially rezoning the property as residential.

There was discussion about if this sort of phasing could be imposed.
Section 6.5.E. of the Zoning Ordinance says that a CU permit can be deemed null and void if the accompanying site plan or subdivision application is denied. There was discussion about if 6.5.E. allows the Board to require an approved site-plan for the commercial lots be a condition of approval for the CU permit.
Brendan said he is not necessarily in favor of this extreme measure, but would like to find a middle ground that could allay the concerns pointed out by Joshua.
Atty Leino objected to the idea due to economies of scale and that not being able to get a commercial site plan approved at the right time could delay the residential construction. He explained that the phasing detailed in the submitted plans should demonstrate their commitment to selling the commercial units. There is no incentive for them to install pad sites and then leave them fallow.
The applicants argued that this phased approach would prevent them from getting financing. A lender would not give them the funding to build infrastructure for all of the units up front if they would be limited to 9 units at a time.
No consensus was reached. Brendan decided to circle back to this issue later.

There was discussion about the new 3rd commercial lot.
Brendan explained that a billboard is not an allowed use. He asked if any of the commercial uses presented last time would be feasible now that the lot is split in two.
The applicants explained that they did this split to provide flexibility to potential buyers. The lots are big enough to do most of the uses previously described, but if someone wanted the entire

parcel, they could buy both and combine them. The new 3rd lot is about the same area as the northern lot, so it is definitely large enough for all the same uses.
There was agreement that adding the potential to combine those two lots should be spelled out in the condo documents.
Megan asked what kind of commercial businesses the applicant would want to put in these lots. The applicant explained that they had no preference as long as the proposed use was legal.

The houses in the corner between the access road and highway were added in the plan submitted in August. The applicant explained this was in response to the Board not wanting to include that corner in the open space calculation. The plans submitted in October switched that corner from 2 duplexes split into 4 lots, into one duplex and one single family for a total of 3 lots.

The plans show the potential building envelope of 42x50 ft, but the houses themselves could come in a number of architectural styles, not necessarily boxes (two or single story, cape, colonial, ranch, farmhouse). All will be under 2K sq ft. All houses will likely have a garage, but the garage sizes may differ (1 or 2 cars).

There was discussion about the width of the street and overflow parking. Greg and Logan expressed concerns about delivery vehicles and guests during holidays blocking the road to emergency services. The front lawns would be big enough for parking/pulling off onto the grass, but snowbanks would prevent that in winter.
Logan again brought up the need for sidewalks, the applicants confirmed those are off the table. Logan felt pedestrian safety was not being addressed.
The applicant suggested that the condo docs could have rules about parking requirements. Or, they could wait and if it became a problem, it could be brought up at the annual condo association meeting. Rules such as banning parking on the street or overnight parking could be imposed. Parking disputes would be a civil matter.
With the proposed driveway size and a two-car garage, each house could fit 4 cars. The applicant doesn't want to require two-car garages because that will affect architectural diversity.
The applicants did not agree to create an overflow parking area because it would raise the costs of the units.

The Board discussed if the storm water basins could be in the Designated Open Space or not. The Conservation Commission reviewed this idea at their meeting on 8/14/25 and did not have objections to this.
The current plan is an acre over the required 50% Open Space. If the storm water basins could not be counted in the calculation, then the plan would be under the required 50%.
The applicant explained that after the initial disturbance to create the ponds, they would be a passive usage. They would place split-rail fences to visually mark where the open space begins without preventing people from walking into that area. They would hay the field once or twice a year to keep it as field. No parking would be allowed in the field.
The Board confirmed that they do not wish to require public access to the open space.
Joshua asked that the property not be posted; the applicant said that would be up to the condo association.

The Board discussed the idea of having the commercial units agree to be overflow parking for the residential units. There was concern that this would impinge on the commercial uses and result in the residents ganging up on the businesses. A review of the condo docs by legal counsel will be able to level the voting power within the association.
Greg expressed concern that the new residents would vote at Town Meeting to change the ordinance and hurt the commercial owners that way. Brendan pointed out that is a hypothetical situation.

Ken Folsom spoke to Chief Gamache's concerns about fire safety at the development. His main concern was that we are a small town with a volunteer fire department. He would like to see sprinklers in the residential buildings, but understands they are not required. He is worried about the size of the cistern for the northern commercial lot, especially if a business goes in that would require more water than normal to extinguish a fire (i.e. paint store).
Mr. Foisie suggested enlarging the fire cistern easement so that when site plan review happens for the northern lot, they would be able to enlarge the cistern if the proposed business needed it. The sprinkler system for the commercial buildings would get water from an on-site tank and be sized appropriately for the building.
Ken also pointed out that if/when the applicants do the presentation showing the firetruck moving about the complex, they should use the ladder truck that Concord has since we have a mutual aid agreement and they may be the ones to respond at this site. Mr. Foisie agreed to do that, he is confident it will fit.
The applicants will enlarge the fire cistern easement for both the northern and southern commercial lots.

The applicants explained the methodology used for the fiscal study. Mark Fraiser conducted the study; he would have contacted the Town's departments to collect data and then used data from similar towns to predict the impact this development would have. He expects the project to generate $308K in tax revenue and need services costing $168K. That would leave a net positive of $140K. The fiscal study was conducted when the plan was mostly duplexes instead of the currently proposed mostly single-family houses, but the applicants think if it was conducted again, it would have a similar net gain.
The prediction that these units would add 10 students to the school system is based on the number of bedrooms using traditional appraiser calculations. They acknowledged it is not a perfect science, but it is using the best data and prediction methods available.
They intend to offer residential buyers a catalogue of options which they will build to spec.
The peak CES enrollment was 1997 with 284 students. There were 101 students in 2024. Even if the estimate of 10 students is off by a few, there will be plenty of room.
Logan and Megan questioned the accuracy of that assumption. In 1997 portable classrooms were needed to meet demand and recent increases in enrollment show that the generational cycle is coming back around.

Brendan opened the meeting up for public comment at 8:49 p.m.

Calvin Todd asked how the building permit cap will influence the phasing.
There was discussion about if this limit would affect the speed of building and economies of scale.

Megan asked Calvin what 10 new students at CES would look like. Calvin confirmed it would have a substantial impact, but wouldn't quite reach the student cap and would certainly not require portable classrooms.

The Board resumed discussion of the phasing idea from Matt Monahan.

The applicants argued that they are doing everything they can to make the commercial sites attractive to businesses. They are taking care of the State's alteration of terrain permitting process (which has a 90-100 day waiting period), grading the lots, and building the water and stormwater systems.
They do not want to sit on this land and pay taxes for years, so they want to sell it asap. However, they cannot guarantee that after x number of residential buyers they will have the commercial buyer in place.
They said that as soon as this is approved, they can print concept exhibits and begin marketing right away. Nicolo Anastasy explained that they are already marketing and have been reaching out to potential buyers.

Megan again brought up that the applicants don't have a preference for what commercial use goes into these lots and don't care if it fits with the community. She doesn't think a storage unit or billboard are appropriate. She is agrees with Joshua's concern about how this development could effectively be rezoning if the commercial businesses don't materialize.
Mr. Duymazlar said that the Board would get to approve/disprove the business during the site-plan review. Joshua explained that as long as the site plan meets the lighting/parking requirements, they are not likely to disapprove an application.
The applicants stated that the market will dictate what businesses go into these lots.

When asked for his opinions, Scott said he would like more time to review the plans since they were only distributed to the Board at 1:30 p.m. today.

Brendan read aloud 6.5.C. which enumerates what the Board needs to consider when approving a CU Permit. He reviewed some of the potential conditions of approval including the firetruck exhibit and requiring at least a one-car garage.

Greg brought up visual barriers; Brendan added that to the list.
The applicant explained that they will be doing minimal clearing for the triangle of housing between the access road and the highway. They will try to maintain the forest buffer.

Brendan said he would like time to review the fiscal impact study, the code review, and the engineering review in context of the plans received today. He would also like to request the fire truck exhibit.

The applicants asked for a recess to discuss amongst themselves outside. Recess was granted, the applicants left the room.

Other Business

While the applicants were out of the room, the Board discussed other business.

Joshua explained that he read a report about planning board members in another state entering into NDAs over an application they were reviewing. He wonders if NH's Right to Know law would eclipse such a thing and if it doesn't, he would like to the Board to take a position against entering NDAs about applications.
Brenden explained that NDAs would almost certainly be illegal due to RSA 91-A.

Joshua asked that the Board discuss in a future meeting how to handle existing "mother in law" apartments and other similar structures that today would be called an ADU. He believes those should be grandfathered in and not be used to prevent someone from adding a formal ADU.
Brendan will add it to a future agenda and flag that issue for Ken because it relates to how building permits are issued.

The Board discussed rescheduling the regular November 11th meeting to November 4th due to the Veteran's Day Holiday. They decided to reschedule to November 4th.

114 West Road Hearing continued

The hearing was continued when the applicants reentered the room.

The Board discussed if the water basins should be included in the Open Space.
Brendan was in favor. He liked that the Open Space was well over 50%. He also pointed out that none of the open space would be completely undisturbed since they would need to hay the field.
Greg expressed reluctance to grant this when the applicant hasn't acquiesced to other requests.

Greg moved to approve the three drainage easements/stormwater basins shown on the plan as being part of the 50% total land designated as open space. Joshua seconded.
Greg, Rich, and Megan voted no. Joshua, Brenden, Logan, and Scott voted yes. Motion passed.

Brenden did a last call for any additional information Board members would like the applicant to bring. He would like to make sure this is the final continuation. No one asked for additional info.

Megan moved to continue the hearing to November 4th at 7 p.m. Greg seconded. All in favor, motion carried.

Solid Waste Management Chapter of Master Plan

Rich sent some additional changes to Kal. The only major change is quoting warrant article 2015-15. Kal received a few other suggested changes from Beth Blair. They will send out the new draft to the Board.

Adjournment

Logan made a motion to adjourn the meeting at 9:37 p.m. Greg seconded. All in favor by roll call, motion carried.

Next Meeting: 2025 November 4, 7:00 p.m. at the Meeting House
Minutes submitted by Kathleen McKay, Administrative Assistant