

Planning Board Meeting
7:00 p.m. November 4, 2025 at the Meeting House

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

Members Absent: Hillary Nelson (Alternate), Clifton Mathieu (Alternate, present but in audience)

Others Present: Kal McKay (Admin Assistant), Beryl Boisvert, Calvin Todd (Selectboard), Keith Anastasy (Applicant), Sam Foisie (Meridian), Erol Duymazlar (Applicant), Tim Scheedy (Applicant's Attorney), A. Eli Leino (Applicant's Attorney), Nicolo Anastasy (Meridian), Beth Blair (Selectboard), Lisa Carlson, Matt Monahan (CNHRPC)

Call to Order

The Planning Board meeting was called to order at 7:04 p.m.
Brendan noted that Joshua Gordon was participating remotely.

Kal sent out the 10/28/25 draft minutes today, so Brendan suggested postponing approval until the next meeting.

Greg moved to postpone approval of the 10/28/25 draft minutes until the next meeting. Logan seconded. All in favor by roll call, motion carried.

Hildreth Farm West Road Hearing

This hearing was continued from the Planning Board meeting on October 28, 2025.

One item requested last time was a firetruck turning radius exhibit. Mr. Foisie showed a map with a diagram demonstrating that a ladder truck (40+ ft) could navigate the site. He will submit this exhibit for the record.

Brendan spoke with Ken Folsom, who confirmed that Fire Chief Gamache had no concerns with the responses that Meridian presented at the previous meeting.

Mr. Foisie showed that the plan demonstrated that another water cistern could be added, and the already planned cistern could be expanded. In total, this could provide up to 80K gallons of water. They expect this to be more than enough for whatever commercial use goes into the front lot. Some businesses such as gas stations and lumber yards might require more than others, but a fire protection engineer would be brought in on the site plan to ensure whatever was built would have sufficient fire suppression resources in place.

The Board decided that the easement to be able to create the larger cisterns should be a condition of approval just in case they are needed later on.

Joshua asked if the applicants intended to make Commercial 2 and Commercial 3 pad ready, as they plan to do with Commercial 1.

Mr. Foisie explained that the southern lots are already flat and mostly cleared. They don't want to strip the top layer off yet because it will destabilize the dirt. For the front lot, there is more to do because of the size constraints. In order to leave sufficient room for a septic, they needed to

tie Com 1 into the well and storm water systems for the residential development. For this process they will stub in a culvert, clear and level Com 1, and then stabilize it with gravel or loam and seed. Com 2 and 3 will not need the same amount of physical prep to make them sellable, but they will be included in the alteration of terrain (AOT) permit, so the regulatory lift will be significantly reduced for the eventual buyer.

Mr. Foisie confirmed that they are not building the stormwater basin for the back lots or extending the road to the back lots in Phase 1.

Brendan asked about the General Notes on Sheet 2. General Note 28 talks about “assumption of liability”. Mr. Foisie confirmed this was a placeholder note that should be struck from this plan.

There was discussion about how to address the concerns about walkability.

Brendan suggested making the residential loop road a one-way road.

The applicants suggested reducing the lane sizes and the speed and striping out a dedicated walking area on one side of the road.

There was discussion about which option would be safer.

A one-way street would result in more traffic in the loop and cause some cars to have to travel the whole loop to reach their houses. That might incentivize some people to go the wrong way to reach their house faster.

Narrower lanes reduce speeds more effectively than signs. Because it is a private road, it could be posted lower than 30 mph.

The Board and applicants agreed on a two-way road with two 10-foot driving lanes and a 4 ft walking lane, with a speed limit of 20 mph that could be lowered by the condo association later if they wanted to.

There was discussion about parking.

The applicants don't want to limit house design options by forcing everyone to have a garage, but they do anticipate everyone wanting at least a 1-car garage. They suggested that residents could use the park and ride next to the highway, but no one wanted to sanction/encourage that because it is owned by the State.

Brendan spoke in favor of letting the condo association dictate their own parking policies. Some Board members agreed, but some were still concerned that allowing the association to decide could result in parking practices that would block emergency vehicles.

There was discussion about how a school bus would be able to navigate the development.

Because the development is private, if there was a school bus stop, it would be on West Road and signage would be controlled by the State. The striped walking lane would continue up the access road, so kids could safely walk past Com 1 to the corner of West Road.

Mr. Foisie confirmed they will put stop signs at the intersections where the loop road meets the access road.

There was discussion about how to protect drivers/walkers from falling into the storm water basins. The applicants agreed to place boulders between the roads and the basins.

There was discussion about if the Board should limit the potential architectural styles. The applicants don't intend to offer anything besides cape, colonial, ranch, and New England farmhouse. Joshua felt it wasn't the Board's place to restrict designs. Brendan explained that the Board does have the ability to and advocated for setting a limit. The Board agreed to limit the design styles to the four listed by the applicant.

Section 6.4.I.4. of the Zoning Ordinance requires a program for future monitoring of easements and permit conditions affecting the Designated Open Space. The Board discussed exactly how this should work. The Conservation Commission monitors many conservation easements that the Town has, but this is a different type of easement. The Board and applicants agreed to stipulate that the Town could enter the Designated Open Space area as needed to monitor the easement.

There was discussion about what should be included in the condo association documents. Maintaining the Designated Open Space, doing annual mowing/haying, and maintaining the infiltration basins using the provided manual were discussed previously.

There was discussion about how to satisfy the requirement in 6.4.I.3. that "legal instruments" preserving the Designated Open Space be submitted to the Board. It could be in the condo documents, the deeds, or the titles. It was also previously discussed that the existence of the shooting range across the street should be disclosed in a similar manner.

The board discussed the tree barrier between the access road and I-93. The applicant would like to take down the minimum amount needed to maintain the road. The board agreed that the condo docs should have a requirement to "maintain the existing continuous tree buffer" between the access road and I-93.

Greg advocated for also requiring that they keep a tree buffer between the highway and the southern commercial lots. The applicant did not want this to be a requirement because it could limit what businesses would want to build there. The Board decided to wait until the site-plan review to discuss this further. The applicants will leave the existing trees alone for now.

The applicants clarified that the buildable box for the residential buildings on the maps are 2K sq ft, but the actual buildings will not be built to the edge. They expect the buildings to be 1500 – 1700 sq ft depending on the design of the house. The cost of the houses will range from about \$450-700K depending on the market. Right now the average home in NH costs over \$500K.

There was discussion about how the phasing could be structured to ensure the commercial development actually happens. Several Board members felt that the applicants were not following the spirit of the ordinance and weren't working with the Board to address their concerns. The applicants disagreed with that sentiment.

There was discussion about how the taxes will go up on the property once this subdivision goes through. This will further incentivize the applicants to find businesses to sell the lots to.

There was further discussion about what site prep is planned for the southern commercial lots to entice buyers. The applicants emphasized the value of the AOT permit and stormwater plan they

are doing. The applicants agreed to gravel the rest of the access road back to the southern commercial lots so that the property is easier to show and a little more ready for development.

Brendan opened the hearing to public comment.

Lisa Carlson of Morrill Road asked how long it would take for one of the houses to be built. Mr. Foisie responded that it would take about 6 months to prep the lot and construct the building. Ms. Carlson spoke against the idea of forcing the applicants to phase the construction as some number of residences, then a commercial, then more residences, etc. She pointed out that if she moved in to one of the homes, she wouldn't want the disruption of living near construction to be dragged out for years because there was a hold up on the commercial end.

Beth Blair of Hackleboro Road asked for clarity on the design and selling process for the residential units. The applicants are currently proposing to let buyers choose from a variety of house designs. Once a lot is sold, they will build the house.

Calvin Todd of Barnett Road asked how the applicant plans to handle the building cap only allowing them to construct ~8.5 houses a year. Brendan clarified that the applicant is aware of the cap and will comply with it. Any issues will be between the applicant and the Building Inspector/Selectboard.

Nicolo Anastasy spoke about how everything is going up for sale at the same time once the necessary approvals are received.

There was discussion about how at this point, the phasing is imaginary. The commercial lots will need site-plan review and the applicants have agreed to start prep work for Com 1. The pace of selling and the building cap will be the determining factors for when and in what order things are built.

Kal McKay of Baptist Road read aloud a letter in favor of approving the application. They talked about how the application as it is currently presented is legal and denying the application would put the Town at risk of a lawsuit. They compared the cost of legal fees in taking this to court with the potential increase in tax revenue that the development could bring in. They emphasized that the applicant is within their right to use the 2024 version of the Zoning Ordinance and if there are problems with the ordinance, the Board needs to fix those issues in future years.

Beryl Boisvert of New Road agreed with Kal.

Brendan closed the hearing to public comment and moved to the deliberative portion of the meeting. He went around the table to get opinions.

Joshua spoke about how it would be a leap of faith to trust that a commercial use will come around. He doesn't think the applicant is incentivized to attract one. He acknowledged that the applicants have done all they can to make the sites attractive, but if it doesn't pan out, it will still amount to rezoning the property from commercial to residential.

Greg spoke about how the Conditional Use Permit (CUP) is squishy because the applicant is granted total relief from dimensional standards such as minimum lot size, frontage, and setback requirements. Because the dimensional standards are waived, the Board has the responsibility to determine if the application meets the intent of the Zoning Ordinance and Master Plan. The intent of mixed-use and cluster developments was to jumpstart commercial development. The current application partially addresses some of the Master Plan, but undermines other parts. He has spoken with many residents and none of them supported the application.

Rich spoke about how he understands that the applicant isn't obligated to use the 2025 Zoning Ordinance in which this type of project would be limited to 50% residential, but this isn't even close to that. The commercial areas will be site ready, but no actual commercial development is planned at this point.

Logan spoke about how if this wasn't the only development that will ever be considered under the 2024 ordinance, they would be worried about this setting a precedent. They think the Board is butting up against the limits of what they can require from the applicant. They would love to see a different plan, but the one before the Board complies with the 2024 regulations.

Megan stated her appreciation for Kal's comments and wanted to clarify that she is not approaching this from a "not in my backyard" (NIMBY) perspective. She supports more housing but disagrees that this type of development is best for Canterbury. Megan spoke about how the Board has a dual role as a semi-judicial body and as representatives of the community. As a representative, she thinks it is fair to consider the applicant's intent and ask for conditions under the CUP. She stated that as a semi-judicial body, the board must judge the application on its legal adherence to relevant ordinances. Megan expressed her understanding of the Board's approach as holding both of these responsibilities.

Scott spoke about how he has attended every meeting on this topic, even before he joined the Board, and has seen a lot of frustration. He thinks this is a very difficult position and a potentially precedent setting vote.

Brendan spoke about how difficult it is to write an ordinance in anticipation of what people might want to do in the future. He pointed out that in the Commercial District, a single family residence is an allowed use. More commercial than what is shown in the plan would be ideal, but it would be perfectly legal for the owner to make this entire property residential by building a single house. He agreed with many of the concessions the Board pushed for when considering whether or not to award the density bonus, but the overall use is allowed. The Board can still discuss conditions of approval, but this plan at least forces the owner to use those three lots for commercial purposes.

The Board reviewed the potential conditions for approval that had been brought up throughout the meeting. Lighting on the commercial lots will be addressed during the site-plan reviews. Signage is under the authority of the Selectboard.

Greg spoke about how he doesn't believe the baseline density was calculated in compliance with the ordinance and the CUP regulations give the Board the authority to regulate based on the intent of the ordinance and Master Plan.

Greg said that he would like to require the phasing idea where only a certain number of residences could be built per commercial lot. Joshua joined him and said that the CUP gives the Board the authority to require this phasing.

Brendan read aloud a list of potential conditions of approval.

- All conditions of approval must be added to the subdivision plan.
- Legal instruments preserving Designated Open Space in perpetuity must be submitted for review and recorded before any site work begins as per sections 6.4.I.2. and 3. of the 2024 Zoning Ordinance.
- Condominium documents must be submitted for Town review and recorded before any site work begins.
- The condominium documents must include the following requirements:
 - The Association must maintain the Designated Open Space, including at least annual mowing/haying of the open space area.
 - The Association must maintain the infiltration basins in accordance with current best practices.
 - The Association must maintain the existing tree buffer along the access road to lots Commercial 2 and Commercial 3, except as necessary to improve and maintain that access road.
- The Commercial 1 site and the gravel road to Commercial 2 must be prepared in Phase 1.
- General Note 28 must be struck from the subdivision plan.
- Stop signs must be installed at the intersections of the residential loop road and the access road.
- The residential loop road must have a four (4) foot marked designated walking area and be posted at 20 mph or lower.
- There must be a fence or other barrier put up between residential units 10/11/12, commercial units 2/3, and their side/rear boundaries with the Designated Open Space.
- There must be rocks or some other physical barrier between the roadway and the three infiltration basins.
- The Phase Notes on Sheet 8 must be amended to indicate that the items in Phase 2A will be concurrent with Phase 1.
- The residential architecture must be cape, colonial, ranch, or New England farmhouse style.
- The Town may enter the property to inspect the Designated Open Space area as reasonably required to determine compliance with Designated Open Space requirements.
- The applicant will add an easement to the plan for cistern expansion as may be necessary to enable the use of Commercial 1.
- The applicant will obtain all required State and Federal approvals including those listed on Sheet 1.

Joshua moved to approve the subdivision/CU application with the conditions of approval read aloud by Brendan. Megan seconded.

Joshua was concerned about regulatory creep, so “current best practices” was changed to “reasonable current best practices”.

The phrase “fence or other barrier” was questioned. The applicant had discussed split rail fencing, but the Board is mostly interested in a visual indicator that shows the difference between private yards and open space. They agreed on changing it to “fences as specified on the plan”.

There was discussion about if the timelines for phases should be included. The Board decided to leave it the way Brendan stated it.

There was discussion about the rock barrier. Greg was concerned about vehicles driving into the open space. Mr. Foisie explained that the condo docs will ban all motorized vehicles from the area. It was decided that a physical barrier would be better, so the condition was changed to have the barrier “between the roadway and the three infiltration basins.”

Greg asked if the language to protect the tree barrier between the access road and I-93 should be improved. After some discussion it was agreed to keep “maintain the existing tree buffer”.

Rich brought up that the for sale sign for the storage sheds near Exit 18 is still up. He would like a guarantee that the for sale signage from this site will be removed promptly once the sales are done. Brendan pointed out that enforcing the sign ordinance is the Selectboard’s responsibility. Scott will bring the storage shed for sale sign to the Selectboard.

Brendan suggested changing the approvals requirement to include local along with state and federal approvals. Mr. Foisie pointed out that the notes in the plan already specify compliance with all local ordinances.

Brendan called for a vote to approve the subdivision/CU application for the conditions of approval as amended.

Scott, Megan, Logan, Brendan, Rich, and Joshua voted in favor. Greg voted against.

The application was approved.

Adjournment

Logan left the meeting.

Joshua made a motion to adjourn the meeting at 9:29 p.m. Megan seconded. All in favor by roll call, motion carried.

The Board immediately reopened the meeting to discuss the agenda for the 11/25 meeting.

The Selectboard will be providing a new CIP draft before the next meeting.

Greg asked that the Board discuss the warrant article process and how the drafts are reviewed by third parties like the Town’s attorneys and CNHRPC. They do good work, but there was a missing definition last time, so he would like to make sure it doesn’t happen again.

The Board voted again to adjourn the meeting. All in favor by roll call, motion carried. Meeting was adjourned at 9:32 p.m.

Minutes submitted by Kathleen McKay, Administrative Assistant