

1 **DRAFT Minutes**
2 **Wetlands Subcommittee of the Planning Board**
3 **Nov. 17, 2025**

4 **Elkins Library Conference Room**
5

6 **Present:** Brendan O'Donnel (Planning Board chair), Bob Steenson, Kelly Short, Audra Klumb.

7 **Absent:** Meghan Portnoy
8

9 Meeting called to order at 6:03 pm.
10

11 **Continued Business: Draft Wetlands Ordinance**

12 Members began by reviewing the subcommittee's charge to prepare a draft wetlands ordinance
13 that the Planning Board can consider proposing to voters. Bob reiterated his preference for
14 designating prime wetlands and if there is consideration of a more broadly applicable
15 ordinance, it should not be overly burdensome to landowners nor to the town for enforcement.
16

17 Audra reminded members that prime wetland is a state designation limited to large (2 acres or
18 more) wetlands that meet several other criteria. The Conservation Commission is interested in
19 pursuing Prime Wetland designation for the town's most important and largest wetlands, but
20 the process will take significant time and can proceed independently of the town established a
21 wetlands setback ordinance.
22

23 Members reviewed the draft ordinance prepared at the previous meeting.
24

25 Audra suggested adding a purpose statement that enumerates important functions that
26 wetland buffers provide. These are incorporated in draft 2, below.
27

28 Brendan said that the state sees wetlands as a statewide resource and recognizes that buffers
29 protect that resource for the good of all. A benefit of adopting a wetlands setback ordinance is
30 that it establishes clear rules for anything that goes before town land use boards. He also said
31 that other towns have more and stricter land use regulations than Canterbury, and that
32 Canterbury recently reduced the cost to landowners for application for many property uses.
33

34 **DRAFT 2 – Criteria for potential wetlands ordinance. The subcommittee recommends the**
35 **following criteria to balance protection of wetland functions with flexibility for landowners**
36 **and limited burden on town government.**

Purpose: Protect the functions of wetlands and water quality in Canterbury. Wetland buffers provide the following important functions:

1. Filter pollutants from runoff to keep them from reaching wetland
2. Prevent soil erosion with established root systems, leaf litter, and ground cover
3. Provide shade and temperature regulation for wetlands
4. Aid in flood control
5. Provide wildlife habitat
6. Act as corridors to connect wildlife habitats

Setback: Establish a buffer from wetlands, vernal pools and surface waters that prohibits structures within 25 feet and land disturbing activities within 15 feet. (Note for clarification: “land disturbance” would include grading, filling, and stumping, but not cutting trees and other growth above ground.)

Details:

- Use NH state definitions of wetlands, vernal pools, surface water (reference RSAs).
- The setback ordinance would apply to wetland areas over 2,000 square feet, all vernal pools, and surface waters.
- Setback would be measured from edge of wetland to edge of soil disturbance (e.g., foundation of structure).
- Existing buildings and uses would be 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.
- Obtaining a DES wetlands permit obviates the need to follow the town’s setback requirements.
- Establish 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

Members briefly discussed the need to allow for special exceptions, most likely for land use activities when no other location on the property outside the setback area can fulfill the intended use.

Brendan noted that section 8.1 of the town's Zoning Ordinances addresses that the town can allow special exceptions. He noted that specific criteria related to the wetlands setback could be added if needed.

The subcommittee decided it had fulfilled its charge and would not meet again. Brendan will take the draft ordinance to the Planning Board for its consideration.

Approval of Minutes

Audra moved approval of Oct 2, 2025 minutes as drafted. Brendan seconded. No discussion. Kelly, Audra, and Brendan voted aye. Bob abstained due to absence from that meeting.

Bob moved approval of Oct 16, 2025 minutes as drafted. Audra seconded. No discussion. Kelly, Audra, and Bob voted aye. Brendan abstained due to absence from that meeting.

Meeting adjourned at 7:00 pm.

Minutes submitted by Kelly Short