

Planning Board Meeting
7:00 p.m. January 13, 2026 at the Meeting House

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

Members Absent: Greg Meeh, Hillary Nelson (Alternate)

Others Present: Kal McKay (Admin Assistant), Beryl Boisvert, Calvin Todd, Beth Blair, Lisa Carlson, Amy Fifield, Mark Akerstrom (via Zoom)

Call to Order

The Planning Board meeting was called to order at 7:00 p.m.

Greg Meeh was out sick so Alternate Clifton Mathieu was seated as full member for the meeting.

Since neither of the surveyors for the subdivision applications were present, the Board proceeded with other business first.

Approval of Previous Meeting Minutes

Rich made a motion to approve the public minutes for the Planning Board meeting on December 9, 2025. Scott seconded. All in favor by roll call, motion carried.

Proposed changes to Zoning Ordinance

The public hearing for proposed changes to the Town of Canterbury Zoning Ordinance began at 7:02 p.m.

Compliance with Legislative Changes

Brendan opened the hearing to public comment on the proposed warrant article to align the Zoning Ordinance with the changes made by the NH State Legislature in 2025. No one commented.

Joshua moved to submit the proposed warrant article to Town Meeting. Rich seconded. All in favor by roll call, motion carried.

Create Wetland Setback Ordinance

Brendan opened the hearing to public comment on the proposed warrant article to implement a wetland setback ordinance. No one commented.

Clifton asked why this ordinance only has a setback of 25 ft when most other towns have a setback of 50 ft.

Brendan explained that this ordinance was developed by a joint subcommittee with the Conservation Commission. They looked at the ordinances of other towns and found that there was a wide variation of setbacks and prohibited activities. A similar ordinance was attempted and failed in Canterbury over 20 years ago. The subcommittee decided to start with a modest setback that is triggered only by a noticeably large wetlands and only prohibits disturbing land and

structures (thus allowing activities like haying and cutting down trees, but not stumping). If this passes, then the Board will know that the townspeople have an appetite for this sort of regulation and further restrictions could be considered in the future.

Rich moved to submit the proposed warrant article to Town Meeting. Megan seconded. All in favor by roll call, motion carried.

Define and Ban Data Centers

Brendan opened the hearing to public comment on the proposed warrant article to define and ban data centers. No one commented.

Joshua complimented Megan on her work to create the data center definition.

Logan mentioned that people on Facebook were questioning the need for this when the chances of someone trying to build a data center in Canterbury seem low. Logan thought this would be good to discuss on the record.

Brendan explained that Canterbury uses permissive zoning. Everything is prohibited unless the Zoning Ordinance specifies that it is allowed. Data centers are not mentioned specifically in the Zoning Ordinance, but commercial development in general is allowed. So if someone came along and tried to build a data center, they could argue that it is allowed. Defining and banning data centers would eliminate ambiguity. In previous Board meetings, the wording of this definition was crafted to avoid affecting home businesses and target only large commercial deployments that use a ton of electricity and water and create pollution.

Rich spoke against this amendment. He believes it is a frivolous change since Canterbury is not a feasible location for building data centers due to the high electricity rates in NH and the lack of water.

Joshua argued that the Merrimack River provides enough water for a data center and electric diesel generators are a feasible electricity option. Rich disagreed that the river provides enough water. Logan felt that trying to determine what resources are needed to operate a data center today is not productive since the technology changes faster than regulation.

Megan pointed out that it is not the Planning Board deciding if this change is made to the Zoning Ordinance; it will be the townspeople when they vote at Town Meeting.

Brendan and Joshua discussed examples of when preemptive zoning changes like this could have helped Canterbury in the past.

Brendan and Clifton pointed out that there are already data centers in NH.

Clifton questioned the language in the article. Banning “colocation” centers would affect telecommunications companies. Clifton and Megan discussed if the telecommunications infrastructure already in Canterbury would be considered a violation. Clifton believed it would be, Megan believed it wouldn’t since this is targeted at commercial uses.

Logan moved to submit the proposed warrant article to Town Meeting. Josh seconded. Rich and Clifton voted against. Brendan, Scott, Megan, Logan, and Joshua voted in favor. Motion carried.

Define Gross Living Area

Brendan opened the hearing to public comment on the proposed warrant article to define gross living area. No one commented.

Joshua moved to submit the proposed warrant article to Town Meeting. Logan seconded. All in favor by roll call, motion carried.

Eliminate Cluster Subdivision Ordinance

Logan reiterated their concern from the previous meeting that eliminating the ordinance and trying to bring it back later will be harder than amending it. Brendan acknowledged that concern, but felt that the Board doesn't have enough time to create an adequate amendment before the deadline for a 2nd public hearing.

Brendan opened the hearing to public comment on the proposed warrant article to eliminate the cluster subdivision ordinance.

Calvin Todd of Barnett Road asked if this ordinance was eliminated, what would prevent someone from going to the Zoning Board of Adjustment to do this anyway?

Brendan explained that the cluster subdivision ordinance just provides an exemption from the minimum road frontage/lot size and "Canterbury rectangle" requirements. If a property is big enough to do a cluster subdivision, it is unlikely that a property owner would be able to prove to the ZBA that there is no other reasonable use of the property.

Brendan discussed some of the areas of the current ordinance that he finds lacking. There was ambiguity in how to calculate the baseline density, the ordinance gives the Board very little power to negotiate or lower density, and the bonus density system didn't distinguish between the value of different features (e.g. community well, large open space).

Brendan explained that the Board has three options tonight: amend the ordinance to fix these issues, leave it as is for a year and hope we don't get any new applications, or delete it entirely so that the Board has a year to rework it and bring back a new version in 2027.

Rich suggested fixing the ordinance by taking family housing out of the Commercial Zone in the Table of Uses. Brendan said that had already been done.

Brendan felt that the public hearings have shown that the townspeople don't want large subdivisions. He suggested cutting the baseline density in half as an alternative to eliminating the ordinance, but confirmed that he still felt elimination was the best path.

Beth Blair of Hackleboro Road asked how long it took for the original cluster subdivision ordinance to be created. When Joshua responded "forever", Beth argued that it could be the case again if this ordinance was eliminated rather than amended. She advocated for the idea of cutting the density in half as a temporary solution for this year.

Megan felt that she would rather have time to get public input and rework the ordinance properly than force a last minute change.

Logan discussed how people have expressed the desire for more affordable housing in Canterbury so that elders and adult children are able to stay in town. Allowing cluster development helps create more affordable housing, but it is hard to find the right balance of control that preserves rural character while not making it so financially difficult that developers opt for a traditional subdivision instead.

Joshua recalled that the original motives for creating cluster subdivision wasn't to encourage housing, but to preserve open space by encouraging developers of large lots to create buildings close to each other in a small area rather than subdividing and building all over. Joshua expressed concern about repealing the ordinance because it would remove any leverage that the Board has. Although the 114 West Road development wasn't ideal, the current ordinance did give the Board enough power to reduce the lots from 32 to 26. He is also concerned about the 188 acre property on Abberton Road that recently went up for sale. Repealing this entirely for a year could prevent that property from choosing to develop in a cluster and preserve the open space.

Joshua also asked why the proposed language removes allowing a single family dwelling in the Commercial Zone. He and Logan both felt that is an unrelated issue. Joshua proposed removing that language if this article moves forward so as not to affect the McKerley's properties (Map 267 Lots 36, 44, 45). Calvin recollected being on the ZBA at the time of the McKerley's application and recalled it being a workforce housing situation not a residential situation.

Rich agreed with Joshua regarding his assessment that some of the restrictions in the ordinance worked to constrain the 114 West Road project and regarding his concern about the Abberton Road property. Brendan explained that the 114 West Road development couldn't have happened at all without this ordinance because they didn't have enough road frontage to do a regular subdivision.

Brendan suggested a temporary one-line fix could be capping the density in 6.4.c. to something like 60%. This would discourage use of the ordinance for a year while leaving it otherwise intact. There was discussion about the timeline for noticing a 2nd public hearing and how many/what kind of changes could be reasonably discussed in that timeframe. The next Planning Board meeting on 1/27 would be the only opportunity for a 2nd public hearing and notice would need to go out asap.

Brendan asked for further public comment.

Lisa Carlson of Morrill Road asked if this article was posted. The article to eliminate the cluster ordinance was posted. The Board could make minor changes tonight, but if they wanted to change it from eliminating the ordinance to amending the ordinance, a 2nd public hearing would be required.

Scott stated he prefers to keep the ordinance and agreed with Rich that there was only time to amend one or two small things.

Megan stated she originally was in favor of elimination but had been persuaded during this meeting to amend instead.

Josh agreed on amending rather than eliminating, but hoped 3-4 items could be addressed.

Logan agreed on amending and felt 1-2 changes was the max.

Rich and Clifton both agreed to amending rather than eliminating.

Brendan decided to continue this discussion to later in the evening so that the subdivision applications could be heard.

Subdivision Application for Map 258 Lot 26

The public hearing for this application began at 7:51 p.m.

Applicant Amy Fifield attended, but her surveyor never showed up.

The Board reviewed the application for completeness.

The application is to divide Map 258 Lot 26 into three lots. A buildable rectangle has been shown on all three proposed lots. The applicant intends to build on two of the lots, but not on the one that would only have frontage on Old Schoolhouse Road (a Class VI road). The wetlands are delineated on the plans and do not appear to be in the way of anything, but it is missing a stamp by a wetland scientist.

The Board decided to accept the application as complete and continue the hearing to the next meeting so that the surveyor could attend and get a stamp from a wetland scientist.

Megan motioned to accept the application as complete. Clifton seconded. All in favor by roll call, motion carried.

Josh moved to continue the hearing to January 27th, 2026. Logan seconded. All in favor by roll call, motion carried.

Continuation of Subdivision Application for Map 208 Lot 8

This hearing was continued from 12/9/2025 and began at 8:01 p.m.

Applicant Mark Akerstrom attended via Zoom, but his surveyor never showed up.

Brendan opened the hearing to public comment. No one commented.

Rich questioned if the application should be continued or dismissed. Others on the Board felt continuing would be courteous.

Mr. Akerstrom wasn't sure why the surveyor didn't attend and requested the hearing be continued.

Joshua moved to continue the hearing to January 27th, 2026. Megan seconded. All in favor by roll call, motion carried.

Lot Merger for Map 264 Lot 25

Michael and Carolyn Phillips submitted a voluntary lot merger application. This does not require a public hearing, just approval by the Board.

Clifton moved to approve the voluntary lot merger. Megan seconded. All in favor by roll call, motion carried.

Cluster Subdivision Ordinance continued

The Board resumed discussing how to amend the Cluster Subdivision Ordinance.

Brendan suggested putting in a placeholder percent for baseline density in section 6.4.C. and review the list of density bonus options to determine if some are more/less important.

Logan recalled that figuring out the density bonus options was an extensive conversation and felt that wouldn't be an easy thing to decide on tonight. Rich and Joshua agreed.

There was discussion about setting the baseline density at 50%. The Board eventually agreed on changing 6.4.C. to insert "50% (rounded to the nearest whole unit) of" between "exceed" and "the density".

Rich moved to hold a 2nd public hearing to propose amending the Cluster Subdivision Ordinance section 6.4.C. with the suggested language. Joshua seconded. All in favor by roll call, motion carried.

Other Business

Brendan won't be able to attend the 1/27/26 meeting, so Rich (Vice-Chair) will chair that meeting. If Rich is unable to attend but a quorum is still present, another member of the Board may lead the meeting.

Brendan spoke about how if Board members have procedural questions about how town staff are handling applications, they should reach out to Brendan or Town Administrator Ken Folsom rather than criticizing the process during public hearings.

Joshua spoke about how Jim Snyder has been filling out the new checklist for his upcoming application and was confused by some aspects of it. There was discussion about how to update the checklists to incorporate feedback from applicants and staff.

Lisa Carlson (ZBA Secretary) suggested that Board members go to the office and practice going through the application process as if they were a random member of the public to learn more about how the process works and get ideas for how to improve the checklists. Rich said that is how he and John Schneider came up with the idea for the checklist; they tried reviewing an application and it took an hour to see if it was complete or not.

Joshua asked for quarterly/monthly reports on how many building permits have been issued, so that the Board can have an idea about how close they are to the building cap. Scott will handle getting that information.

Megan asked how these proposed changes to the Zoning Ordinance are going to be communicated to the public.

There was discussion about potential communication avenues. Megan volunteered to do a writeup that can be distributed through the monthly newsletter, weekly email, town website, Facebook, etc.

The Board will have an initial discussion about what the statement should say at the 1/27/26 meeting, Megan will create a draft, and then the Board can approve the statement at the 2/10/26 meeting.

Rich asked that more paper copies of documents be provided at meetings. Brendan said he would get more info about the Town's resources and carry this topic forward to the 2/10/26 meeting.

Adjournment

Logan made a motion to adjourn the meeting at 8:45 p.m. Josh seconded. All in favor by roll call, motion carried.

Next Meeting: 2026 February 13, 7:00 p.m. at the Meeting House
Minutes submitted by Kathleen McKay, Administrative Assistant