

Planning Board Meeting

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

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

50
51 Rich moved to submit the proposed warrant article to Town Meeting. Megan seconded. All in
52 favor by roll call, motion carried.

53
54 Define and Ban Data Centers

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

57
58 Joshua complimented Megan on her work to create the data center definition.

59
60 Logan mentioned that people on Facebook were questioning the need for this when the chances
61 of someone trying to build a data center in Canterbury seem low. Logan thought this would be
62 good to discuss on the record.

63
64 Brendan explained that Canterbury uses permissive zoning. Everything is prohibited unless the
65 Zoning Ordinance specifies that it is allowed. Data centers are not mentioned specifically in the
66 Zoning Ordinance, but commercial development in general is allowed. So if someone came
67 along and tried to build a data center, they could argue that it is allowed. Defining and banning
68 data centers would eliminate ambiguity. In previous Board meetings, the wording of this
69 definition was crafted to avoid affecting home businesses and target only large commercial
70 deployments that use a ton of electricity and water and create pollution.

71
72 Rich spoke against this amendment. He believes it is a frivolous change since Canterbury is not a
73 feasible location for building data centers due to the high electricity rates in NH and the lack of
74 water.

75
76 Joshua argued that the Merrimack River provides enough water for a data center and electric
77 diesel generators are a feasible electricity option. Rich disagreed that the river provides enough
78 water. Logan felt that trying to determine what resources are needed to operate a data center
79 today is not productive since the technology changes faster than regulation.

80
81 Megan pointed out that it is not the Planning Board deciding if this change is made to the Zoning
82 Ordinance; it will be the townspeople when they vote at Town Meeting.

83
84 Brendan and Joshua discussed examples of when preemptive zoning changes like this could have
85 helped Canterbury in the past.

86
87 Brendan and Clifton pointed out that there are already data centers in NH.

88
89 Clifton questioned the language in the article. Banning “colocation” centers would affect
90 telecommunications companies. Clifton and Megan discussed if the telecommunications
91 infrastructure already in Canterbury would be considered a violation. Clifton believed it would
92 be, Megan believed it wouldn’t since this is targeted at commercial uses.

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

96

97 Define Gross Living Area

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

100

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

103

104 Eliminate Cluster Subdivision Ordinance

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

109

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

112

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

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

119

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

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

127

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

130

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

134

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

139 Megan felt that she would rather have time to get public input and rework the ordinance properly
140 than force a last minute change.
141
142 Logan discussed how people have expressed the desire for more affordable housing in
143 Canterbury so that elders and adult children are able to stay in town. Allowing cluster
144 development helps create more affordable housing, but it is hard to find the right balance of
145 control that preserves rural character while not making it so financially difficult that developers
146 opt for a traditional subdivision instead.
147
148 Joshua recalled that the original motives for creating cluster subdivision wasn't to encourage
149 housing, but to preserve open space by encouraging developers of large lots to create buildings
150 close to each other in a small area rather than subdividing and building all over. Joshua expressed
151 concern about repealing the ordinance because it would remove any leverage that the Board has.
152 Although the 114 West Road development wasn't ideal, the current ordinance did give the Board
153 enough power to reduce the lots from 32 to 26. He is also concerned about the 188 acre property
154 on Abberton Road that recently went up for sale. Repealing this entirely for a year could prevent
155 that property from choosing to develop in a cluster and preserve the open space.
156
157 Joshua also asked why the proposed language removes allowing a single family dwelling in the
158 Commercial Zone. He and Logan both felt that is an unrelated issue. Joshua proposed removing
159 that language if this article moves forward so as not to affect the McKerley's properties (Map
160 267 Lots 36, 44, 45). Calvin recollected being on the ZBA at the time of the McKerley's
161 application and recalled it being a workforce housing situation not a residential situation.
162
163 Rich agreed with Joshua regarding his assessment that some of the restrictions in the ordinance
164 worked to constrain the 114 West Road project and regarding his concern about the Abberton
165 Road property. Brendan explained that the 114 West Road development couldn't have happened
166 at all without this ordinance because they didn't have enough road frontage to do a regular
167 subdivision.
168
169 Brendan suggested a temporary one-line fix could be capping the density in 6.4.c. to something
170 like 60%. This would discourage use of the ordinance for a year while leaving it otherwise intact.
171 There was discussion about the timeline for noticing a 2nd public hearing and how many/what
172 kind of changes could be reasonably discussed in that timeframe. The next Planning Board
173 meeting on 1/27 would be the only opportunity for a 2nd public hearing and notice would need to
174 go out asap.
175
176 Brendan asked for further public comment.
177
178 Lisa Carlson of Morrill Road asked if this article was posted. The article to eliminate the cluster
179 ordinance was posted. The Board could make minor changes tonight, but if they wanted to
180 change it from eliminating the ordinance to amending the ordinance, a 2nd public hearing would
181 be required.
182
183 Scott stated he prefers to keep the ordinance and agreed with Rich that there was only time to
184 amend one or two small things.

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

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

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

189 Rich and Clifton both agreed to amending rather than eliminating.

190

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

193

Subdivision Application for Map 258 Lot 26

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

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

196

197 The Board reviewed the application for completeness.

198

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

204

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

207

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

210

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

213

Continuation of Subdivision Application for Map 208 Lot 8

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

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

216

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

218

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

221

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

224

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

227

228

229

230

231 **Lot Merger for Map 264 Lot 25**

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

234

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

237

238 **Cluster Subdivision Ordinance continued**

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

240

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

243

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

246

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

250

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

254

255 **Other Business**

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

259

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

263

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

267

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

273

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

277 Megan asked how these proposed changes to the Zoning Ordinance are going to be
278 communicated to the public.
279 There was discussion about potential communication avenues. Megan volunteered to do a
280 writeup that can be distributed through the monthly newsletter, weekly email, town website,
281 Facebook, etc.
282 The Board will have an initial discussion about what the statement should say at the 1/27/26
283 meeting, Megan will create a draft, and then the Board can approve the statement at the 2/10/26
284 meeting.
285
286 Rich asked that more paper copies of documents be provided at meetings. Brendan said he would
287 get more info about the Town's resources and carry this topic forward to the 2/10/26 meeting.
288
289 Adjournment
290 Logan made a motion to adjourn the meeting at 8:45 p.m. Josh seconded. All in favor by roll call,
291 motion carried.
292
293 Next Meeting: 2026 February 13, 7:00 p.m. at the Meeting House
294 Minutes submitted by Kathleen McKay, Administrative Assistant