Board of Adjustment

Canterbury, NH

Minutes of Meeting DRAFT

22 July 2026

Members Present: Jim Wieck (Chair), Scott Herrick, Sean O'Brien, Web Stout (via Zoom). Randi Johnson (Alternate)

Members Absent: Gary Spaulding, Lisa Carlson (Alternate)

Others Present: Kal McKay (Admin Assistant), Toni Halla, Joe Halla, Beth Blair, Calvin Todd, Jim Valz (via Zoom)

Jim opened the meeting at 7:02 p.m.

Web is attending remotely because he is out of state.

Approval of Minutes

Scott made a motion to approve the 6/24/2026 minutes as written. Web seconded. All in favor by roll call, motion carried. Sean abstained since he was not at that meeting.

Withdrawal of application 2026-3 from Canterbury Community Market LLC

See minutes of 6/24/26 for previous discussion.

On 7/13/26, James Moir submitted a letter to the Board indicating that the Canterbury Community Market LLC wishes to withdraw their application.

Jim explained that because the application has been withdrawn, the hearing from the 6/24/26 meeting is not being continued tonight. The Board needs to go into non-public session to discuss legal advice so everyone will need to wait outside for a bit.

Randi moved to enter non-public session at 7:08 p.m. per RSA 91-A:3, II(l) to discuss legal advice from the Town's counsel regarding the withdrawal letter from Canterbury Community Market LLC. Sean seconded. All in favor by roll call, motion carried.

Scott made a motion at 7:40 p.m. to exit the Non-Public session. Sean seconded. All in favor by roll call, motion carried.

Attendees were allowed back into the Meeting House and Zoom meeting.

Randi made a motion to seal the minutes. Scott seconded. All in favor by roll call, motion carried.

Jim explained that the ZBA has tentatively scheduled an extra meeting on Wednesday, August 5th at 7 p.m. at the Meeting House to continue this discussion.

Bylaws and Rules of Procedure

See minutes of 6/24/26 for previous discussion.

Kal distributed a new draft of the rules of procedure via email for the Board to review.

The Board reviewed all of the changes Kal made to the draft since the last meeting.

DRAFT

They decided to remove the paragraph about having an alphabetical rotation for alternates. Kal explained this is something the Planning Board implemented in their bylaws a few years ago when they had an abundance of alternates to ensure all alternates got an equal opportunity to participate. The ZBA currently only has 2 alternates. Randi explained that she wouldn't have liked a mandatory rotation system when she first started as an alternate since that would have forced her to participate before she got her footing. The Board can revisit the bylaws and add it back in if they need it in the future.

There was discussion about the use of personal electronic devices. The original draft banned all use of these devices during a hearing based on advice from NHMA, but at the last meeting the Board decided that was impractical and unnecessary for this Board. The major concern with electronic devices is the potential for board members to text each other during a meeting.

There was discussion about when it is ok to look up information before/during a hearing. Technically the Board members may only consider information provided by the applicant or abutters during the hearing, but being able to reference the town/state laws/regulations is important. The Board is responsible for deciding what information to consider during deliberations and what information should be excluded for lack of relevance or being inappropriately obtained. This should not be used to exclude professional knowledge that Board members bring with them.

There was discussion about the proposed checklist and if it should be included in the bylaws. Kal recommended not including it since that will make it logistically harder to change the checklist in the future. The Board agreed not to include the checklist with the bylaws.

Kal will make the edits discussed and bring a final copy to the next ZBA meeting for approval.

Discussion about the proposed checklist will resume at a future meeting.

Sean made a motion to adjourn the meeting at 8:18 p.m. Scott seconded. All in favor by roll call, motion carried

Respectfully submitted,
Kal McKay
Administrative Assistant

DRAFT