

**Planning Board Meeting Minutes
Town of Canterbury, NH
July 28, 2026 – 7:00 p.m. Meeting House**

Members Present: Brendan O'Donnell (Chair), Janice DellaCroce, Greg Meeh, Logan Snyder, Calvin Todd (Selectboard Rep), Clifton Mathieu (Alternate)

Members Absent: Megan Portnoy (Vice-Chair), Joshua Gordon

Others Present: Kal McKay (Admin Assistant), Mercedes Martinez (Applicant)
Applicants: Johnathan Crowdes (Hoyle Tanner), Mary Ann Sanborn, Paul Sanborn, Marie Abberton, Michael Abberton, Richard Good, Debra Good
Abutters: Beryl Boisvert, Dave Noel, Karen Pearl, Peter Pearl, Oliver Fifield, Dan Bowman, Stephen Fifield, Betty Fifield

Call to Order:

Brendan called the meeting to order at 7 p.m.
Clifton participated as a member of the Board from the 2026-8 hearing onwards.

Approval of Previous Meeting Minutes:

There were no edits to the previous meeting's minutes. Greg made a motion to accept the minutes of the June 23, 2026 meeting as written; motion seconded by Logan. A vote was taken, all in favor, motion carried.

Public Hearing for 2026-3 Subdivision and Lot Line Adjustment:

The application being considered is for: Subdivide 22 Abberton Road (Map 241 Lot 28) into 3 Lots, Lot Line Adjustment between 22 Abberton Road and 43 Abberton Road (Map 241 Lot 29), Lot Line Adjustment between 22 Abberton Road and 16 Abberton Road (Map 241 Lot 27).

The application was submitted by C. Marie Abberton, Richard and Debra Good, and Mary Ann Sanborn. They are being represented by Johnathan Crowdes of Hoyle Tanner. All were in attendance.

Brendan explained that the Board will first decide if the application is complete.

Mr. Crowdes described the documents that were submitted with the application. They asked for 4 waivers due to the large size of the parcel: sections 6.4-3(e) wetland boundaries, 4.1-6 wetland setbacks, 4.1-9(i) 2' topographic contours, 6.4-3(c) dimensions shown to hundredths of a foot and bearings to the nearest 30 seconds. Mapping all of the wetlands would have cost too much, so they only had the wetland scientist map out enough to confirm that the minimum lot sizes were met. They did a scale of 1"=150' and contours at 10' intervals, so the map would be legible. The boundary survey was focused on just the areas that were relevant to this proposal.

The topographic map shows the areas that the wetland scientist walked and confirmed were buildable areas. All of the confirmed buildable areas are much larger than the minimum required sizes, even with wetlands and 15% slopes taken out.

Mr. Crowdes showed on the map how each of the 3 lots that would be created by the subdivision could be accessed from the existing roads. 28-1 from Baptist Hill Road, 28-2 from Shaker Road, and the middle lot, 28-0, has an existing house with access off the Class V portion of Abberton Road. They got a driveway permit from DOT for the Shaker Road access.

Mr. Crowdes showed a highlighted version of the map which showed the new lots that would be created by the subdivision and the lot line adjustments.

Greg asked more about the access from Shaker Road. Mr. Crowdes explained that Lot 28-2 has wetlands near the top and bottom lines of the property along the road. They got a permit from DOT for access near the center of where the property meet Shaker Road and it leads to an upland buildable area. Someone could choose to go to DES in the future to try and get permission to create a driveway through one of the wet areas, but for this proposal they stuck to the easiest route.

Janice pointed out that the plan refers to Note #9, but that doesn't exist. Mr. Crowdes will correct it to reference Note #5 instead.

Greg made a motion to accept the application as complete. Janice seconded. All in favor (Brendan, Janice, Greg, Logan, Calvin), motion carried.

Brendan asked what the final dimensions of the parcels will be.

Lot 29 is currently ~8 acres and will be 18.37 acres. It has an existing residence accessed via the Class VI portion of Abberton Road.

Lot 28-2 will be 61.99 acres. It will have ~1,300 ft of frontage on Shaker Road and ~744 ft of frontage on Abberton Road. It is possible for a residence to be sited near the Abberton Road side of the property, but along the road is all wetlands so a DES permit would be required.

Lot 27 is currently ~5.3 acres and will be 6 acres. It will gain a few feet of frontage on Abberton Road for a total of 394 ft.

Lot 28-1 will have ~1,500 ft of frontage on Baptist Hill Road. There are a few places where a driveway could feasibly go. They scouted a buildable area of about 2 acres near the northern property line.

Lot 28-0 will be left with ~43 acres. It has ~1,900 ft of frontage on Abberton Road. There is an existing residence on this property.

Brendan opened the hearing to public comment.

Dave Noel, an abutter on Baptist Hill Road, asked how big Lot 28-1 will be. The answer was 71.3 acres. He asked for further clarification on what areas of the lot are buildable. Mr. Crowdes explained that they found a couple buildable areas, one near the northern property line and one in the middle which could be accessed by an existing woods road.

Ed Bergman, an abutter on Shaker Road, asked if the pond is on the map and how close it is to the DOT approved driveway site. The pond and potential driveway were pointed out on the map. The map shows that the potential driveway would be sufficiently setback from all wetlands.

Brendan closed the public comment portion of the meeting and continued with further questions for the applicant.

Brendan asked who delineated the wetlands. Mr. Crowdes confirmed David Jeffery was the wetland scientist. It looks like he forgot to stamp the plans. That stamp can be added as a condition of approval.

Brendan explained that it is required for the “Canterbury Rectangle” to be shown on the plans. Based on the buildable areas described, that shouldn’t be a problem and could also be a condition of approval.

Greg asked if the Board had officially approved the waivers. Brendan said the approval of that was implied by accepting completeness of the application, but next time he will call that out separately.

Brendan had the Board enter deliberation.

Brendan suggested voting on the subdivision and lot line adjustments all at once. The existing lots 27 and 29 do not become more non-conforming with these lot line adjustments. The three new lots (28-0, 28-1, 28-2), all meet the acreage and frontage requirements. Lot 28-0 has frontage on a Class VI road, but the house is already built, so it wouldn’t need a waiver in the future.

Greg moved to approve the proposal to Subdivide 22 Abberton Road (Map 241 Lot 28) into 3 Lots, Lot Line Adjustment between 22 Abberton Road and 43 Abberton Road (Map 241 Lot 29), and Lot Line Adjustment between 22 Abberton Road and 16 Abberton Road (Map 241 Lot 27) with the conditions that the mislabeled note is corrected from 9 to 5, the wetland scientist stamps the drawings, and the “Canterbury Rectangle” is drawn on the 3 new lots. Calvin seconded.

Logan asked if the “Canterbury Rectangle” needed to be drawn on all 3 lots or if they could skip the lot that has already been built on (28-0) to save some hassle. Brendan explained he would rather have it drawn to show the remaining lot stays regular.

A vote was taken on the motion. All in favor (Brendan, Janice, Greg, Logan, Calvin), motion carried.

Public Hearing for 2026-8 Site Plan Review:

The application being considered is from Mercedes Martinez to create a school at 141 New Road (Map 258 Lot 16). Ms. Martinez was in attendance.

Brendan asked Clifton to sit as a voting member in place of Joshua for this hearing in case it needs to be continued, so that the Board doesn’t struggle to have a consistent quorum across meetings. Clifton agreed and sat with the Board.

Brendan explained that RSA 673:7 was revised effective 6/21/26 to include “A member who also serves on a zoning board of adjustment shall recuse from voting on any matter previously decided by that board in a quasi-judicial capacity in which the member participated as a voting member”.

Calvin was a voting member of the Zoning Board of Adjustment and voted on this case when it was before the ZBA in 2025. Brendan was an alternate of the ZBA when this case was being considered but he did not vote on any motions. Calvin recused himself and sat in the audience. Since Brendan did not vote when the case was before the ZBA, he did not recuse himself.

Brendan explained how these hearing work. The Board will vote on completeness to see if all of the information they need to make a decision has been provided. If they rule the application complete, they will start considering the merits of the application. If they rule the application incomplete, they will ask Ms. Martinez to return to the Board with more information at a continued hearing.

Brendan asked Ms. Martinez to review what information she submitted with her application. Ms. Martinez listed out some of the documents she had submitted with her application. Brendan noted that he couldn't find the Department of Education letter she mentioned in his packet. Ms. Martinez gave him her copy for the hearing.

Brendan asked Ms. Martinez to explain the waivers she had requested.

Ms. Martinez requested 4 waivers. 4.1.9.e (bearings) since bearings are something a surveyor would need to determine; they were unable to get a surveyor out to map the property due to the expense and short timeframe. 4.1.9.f (scale) since the property is very large and was more easily displayed with a 1"=80' scale. 5.1.11 (water supply) and 4.2.1 (DES septic approval) because they will not be using a septic system for the business; they intend to purchase a composting toilet for use of the students and teachers.

Brendan asked how the site plan was created. Ms. Martinez used an online service (siteplanforyou.com) that used Google Maps, FEMA Flood Maps, and other public sources to map the property, the brook, and show elevation lines.

Brendan explained that the Board needs more detail about where the wetlands are/are not from a certified wetland scientist and can't rely on the provided site plan. There are state and local regulations requiring setbacks from wetlands. Ms. Martinez explained she isn't looking to build anything. Brendan explained that it isn't just about building, it is also about use. There are trails on the map that go over the brook.

Brendan asked for more information about the toilets and water usage. Ms. Martinez explained that she plans to use a company that makes pre-built sheds with composting toilets. There are a few different kinds available, some get pumped regularly by the company like an outhouse and some rotate the waste to break it down. To wash hands, they would use a 20-gallon water container with a foot pump. That water would be collected in a greywater tank that gets emptied when the toilet is. Ms. Martinez had submitted a spec sheet from the company with the application.

There was discussion about how the plan should depict front and side setbacks. There are some lines on the plan showing how far the buildings are from the property lines. Logan noted that the company that made this appears to be unreliable and there is a disclaimer on it which says that it “can’t be used for legal purposes”.

Brendan explained that when the Board begins evaluating the site plan on the merits, they will need sufficient evidence to show the buildings and activities won’t have an impact on existing water features and wetlands. If they approve this application and it is appealed in court, there needs to be sufficient evidence for the court to affirm the decision.

Ms. Martinez noted that the trails are already existing. Brendan explained that there is a difference between residential use and commercial use. Commercial use will have more people using the trails and thus more impact on the environment.

Brendan pivoted back to the waiver request for septic requirements. The Board can waive seeing the septic system on the map, but they cannot waive getting approval from DES. DES has regulations about greywater and composting toilets. The Board doesn’t necessarily need the final approval from DES, but they need to see that there is a path to approval so they could potentially approve the application with a condition of getting the final OK from DES.

Janice asked if DHHS needs to approve the handwashing station and what will happen to the holding tanks in cold weather.

Brendan asked about the plan for extreme cold temperatures. Ms. Martinez explained that the yurt (which is up and she has a building permit for) would be used in extreme cold; it has a woodstove. Brendan noted the woodstove wasn’t mentioned in the application materials.

Brendan asked if Ms. Martinez has talked to the Fire Chief about code for the yurt and heating and egress. She explained that she has asked but a number of agencies keep telling her she needs to get approval from the town first before they will come out to look at things like that.

Ms. Martinez said that because of the red tape she is going to start as just a homeschool enrichment program rather than a school. Brendan asked for the difference between the two. Ms. Martinez explained that schools have to have curriculum approved, attendance tracked, and meet a lot of other requirements. Homeschool enrichment programs just need approval to run as a business and can offer classes. If this is approved, they will start with 8 paid students and 1 hired teacher plus Ms. Martinez and her 4 children for a total of 12 kids and 2 adults. They would offer 5 days of programs, but kids could sign up for whichever days they can attend. They would follow the Canterbury Elementary School calendar and have a 9 am to 3 pm day. As they get funds to get things up to code, they would like to grow into being a certified school.

Ms. Martinez explained that she originally wanted to do this as a home business, but was told that because the activities would be outside the home, she had to go to the Zoning Board of Adjustment for approval. Brendan explained the Planning Board would need to do site plan review regardless.

Clifton asked if the bridges were preexisting. Ms. Martinez confirmed that the bridges already existed when they bought the property. Clifton expressed concerns about safety; the bridges need to be inspected if kids are going over them.

Greg asked if there would be food service involved. Ms. Martinez confirmed that the children would bring their own lunches and no food service would be provided.

Brendan suggested potentially doing a site walk so the Board could see for themselves if there are wetland issues. Greg was not comfortable with that because a wetland scientist would test soils and Board couldn't do that with a site walk. Brendan suggested having a wetland scientist just look at the core areas being used (classroom, brook crossing, trails, driveway) instead of the whole property as a way for the applicant to save money.

Logan noted that when the building permit for the deck that the yurt was built on was issued, it should have been determined if there were wetlands in that area. Brendan agreed and added that best practice is to pause permitting when an application is pending.

Greg would like the zoning boundaries shown on the plan and the front/side setbacks that were mentioned before. It was confirmed that the entire parcel is in the Rural District.

Brendan explained that whatever plan is approved will follow the property beyond the current owner. Right now there are no limits indicated for what students will do where. If it really will be the entire property used, then the front/side setbacks are needed. If the applicant were to narrow the areas being used to smaller sections for now, they could come back to amend the plan when they have enough money for a full professionally done site plan.

Greg asked if the existing septic for the house is shown. Ms. Martinez explained that it isn't, she requested a waiver since they won't be using the house. Brendan asked that the approximate location be shown; they could either prohibit use of the house as a condition of approval or the applicant could provide proof that the system could handle the extra use.

Ms. Martinez explained that the business will be entirely outside; if they need to shelter due to weather, they will go inside the yurt. Brendan questioned that since language previously used in the application indicated it could happen; any situation where the kids are in the house would mean the Board needs to ensure the house is safe enough and the septic can handle an additional 9 people. Ms. Martinez confirmed they would never be in the house. This could be a condition of approval.

There was further discussion about the idea of scaling back activities to certain areas so wetland delineation and setback marking could be limited.

Logan asked how big the bridges are. Ms. Martinez explained that the bridge closest to the house is big enough to drive over and the other is a wooden walking bridge.

Logan asked for further confirmation that the house wouldn't be used, since in the ZBA hearings, Ms. Martinez mentioned it as an option. Ms. Martinez confirmed the house would not be used.

Brendan suggested ruling the application incomplete for now and continuing the hearing for 30 days from now so the applicant could get the requested information. Ms. Martinez agreed.

There was discussion about scheduling the continuation and a site walk.

Greg noted that the limited wetland delineation should include the driveway and parking area. Clifton asked that the parking lot be drawn out on the site plan.

Brendan opened the hearing to public comment.

Beryl Boisvert, an abutter on New Road, asked how the applicant is supposed to find the wetlands. Brendan explained that normally the person who does that work is a certified wetland scientist because wetland is determined based on soils and plants. The Board has granted waivers in some cases where the use is in a defined upland area that is very clearly not wetland. Logan added that if Ms. Martinez went that direction, the kids would need to be kept out of the brook.

Ms. Martinez asked questions about delineating the wetlands. She asked if it is allowed to use the wetlands at all, like to collect water samples for science classes or to play in the brook. Brendan explained that the State laws address alteration of terrain. Wetlands can be used, but the applicant needs to explain how often they will be used and what for so the Board can determine impact. For example, collecting a water sample for an experiment is a lower impact than playing capture the flag in a field every day. Greg added that stream crossings are particularly sensitive.

Dan Bowman, an abutter on New Road, said that he has many questions about the application, but the Board has already asked the ones he has at this point. He will return next month.

Logan moved to continue this hearing to August 25th at 7 p.m. and to schedule a site walk at 6 p.m. on that date. Greg seconded. All in favor (Brendan, Janice, Greg, Logan, Clifton), motion carried.

Brendan explained to the applicant a little more about the site walk and DES approvals.

Other Business:

Calvin rejoined the Board at the table.

The Board discussed the progress on the Cluster Subdivision Ordinance edits and the Board's schedule. Brendan will not be at the next meeting, but he will distribute a draft ahead of time for the Board to discuss at the August 11th meeting.

Adjournment: Logan made a motion to adjourn the meeting, seconded by Clifton. A vote was taken, all in favor, motion carried. The meeting adjourned at 9:03 p.m.

Next Meeting: Tuesday, August 11, 2026 - 7:00 p.m. at the Meeting House
Minutes submitted by Kal McKay, Admin Assistant