

**Board of Adjustment
Canterbury, NH
Minutes of Hearing
26 August 2026**

Case No. 2026-5 Special Exception

Present were: Vice Chair Web Stout (via zoom call), Gary Spaulding, Sean O'Brien, Randi Johnson (Alternate), Lisa Carlson (Alternate). Chair Jim Wieck and Scott Herrick not attending due to travel.

Also present were: Kal McKay, Al Edelstein, Calvin Todd, Beryl Boisvert, Chris Drobat, Kevin Bragg, Jim Moir, Joe Halla, Beth Blair, John McKerley, Katie and Matt McKerley.

Vice Chair Web Stout chairing the hearing from a zoom call requested the board introduce themselves which was done. He advised Randi Johnson and Lisa Carlson, Alternates will be voting members for tonight's special exception hearing for John McKerley, Case No. 2026-5. Web asked Lisa to read into the minutes the application contents. He provided a detailed description as to the conduct of the hearing procedure. Gary stated he did not see an abutters list included in the materials provided to the board. Lisa responded, "Mandy printed out an abutters list not produced by the applicant but included in the file". He asked if it is a current abutters list. It is. Web suggested the board vote to say the application is complete. Randi stated she is looking at the application with all the required fields completed, she sees a site plan that was attached to it as well as photos, and we have been notified here tonight that although the written abutters list did not make it into our packets, that it is present and accounted for so she moves to deem this application complete. Lisa seconded the motion. The board voted unanimously to accept the application as complete.

Web invited the applicant to speak. Randi advised he should talk the board through his application. He introduced himself saying he is here to apply for a special exception for use of automotive sales at 2 Oxbow Pond Road in Canterbury. Web advised he should review his responses to the seven criteria required in a special exception application which follows:

1. Granting the permit would be in the public interest. "Providing quality auto sales from a trusted company/individual. And does not adversely affect property values and is in appropriate location for business."
2. The proposed use would not adversely affect the property values in the district. "There would be no change on exterior part of building besides having quality level vehicles parked in the empty parking spaces."
3. The specific site is an appropriate location for the proposed use. "Building is commercial for various approved businesses and other current tenants have utilized my services selling their equipment of vehicles as needed prior to start of this business."
4. The proposed use would not adversely affect the health and safety of the residents and others in the area and would not be detrimental to the use or development of adjacent or neighboring properties. "It would not adversely affect the health or safety and would not be detrimental." It would be very similar to the detailing shop that was there prior. There won't be people there after hours aside from appointment only timing meeting with clients.
5. The proposed use would not constitute a nuisance because of offensive noise, vibration, smoke, dust, odors, heat, glare, or unsightliness. "Would not be nuisance. Property is kept in a professional manner, and I have been a part of the management crew with my parents' business been a part of the building process there when I was in junior high".
6. The granting of the permit would be in the spirit of the ordinance. "Yes".

7. The proposed use would not constitute a hazard because of traffic, hazardous materials, or other conditions. "It would not." As previously stated, similar to the detailing shop that was there previously.

He did not have anything to add at this time. Web asked if the board had any questions. Gary asked how many cars will be on the property at once for sale. He is going to start with two and there are ten parking spots that could be between two to ten cars at a time. The parking spots are at the rear of the building. Gary noted based on the photos he submitted in the site plan just provided, the photos are different than the site plan. John advised they recently got approved for the parking lot at their last meeting. Gary asked, "So this is an outdated site plan"? Matthew McKerley advised this is the original site plan. Katie McKerley advised the only difference on this site plan is when they did the adjacent building on 20 Riverland Road. The way that property is, we share the entrance into 20 Riverland and 2 Oxbow Pond Roads because of how that building was set up. When they did that at that time, that parking lot for 2 Oxbow, the only part that really changed where you see on the site plan, where it shows dumpster pad/gravel parking area, that was converted to paved. Gary asked there are no concrete storage....they went to the Planning Board to get that approval to pave. Gary asked if he plans to have signage and will it be included within the already existing sign board on the property. It will. He asked for confirmation of 2 cars now, but no more than 10. Yes. Hours of operation? 8:30-4:30. Any outside hours would be by appointment only.

Sean asked what are the other current uses on the property? Katie advised all the businesses currently there are under approved uses in the commercial zone. Their office MBM Property Management (landscaping and winter maintenance company for commercial and residential properties), McKerley Properties (real estate and renovations), a floral shop, an electrician, Priority Ambulance Service (provide medical transport services), a geothermal company (soil works for the state), an apparel and embroidery business. Sean asked if there is adequate parking for these tenants and this too? Yes. Each business has designated parking spots. Web asked if he is going to be selling snowmobiles and trailers, it's just going to be autos? Could include motorcycles. There will be no outside storage other than vehicles for sale. Sean asked if he plans to have other employees. Not at this time, no. In the future, he might consider a couple of other employees at the most Web asked a couple being 2, 3? John replied 2 to 4.

Web asked if anyone wished to ask any more questions. There being none, he asked the public if anyone wished to speak in favor. No one spoke. He asked if anyone wished to speak in opposition. No one spoke. He offered John a final opportunity to speak. John added there will be no major changes to the property, it will be clean, not a scrappy mess. Gary asked if he is comfortable with 10 cars. Yes, he is. Gary....not to exceed 10 cars. Yes. Randi advised if that changed, he would have to come back to the board. He is aware of this. Gary confirmed with him that there will be no trailer sales unless he comes back to the board. He is aware of this. There were no further questions. The testimony portion of the hearing was closed at 7:20 pm for deliberation.

Sean advised in his opinion the ordinance states under special exception auto sales are allowed so long as he comes and presents....it sounds like there will be 10 cars, there are 10 spaces, he has his own garage space, it won't conflict with the other tenants, I don't see why not. Gary stated he has no issues with what he is trying to do. Randi concurred, saying she has no issues with it either. She thinks he has a vested interest in making that area nice. It looks great in the pictures. He doesn't want it to look junky, and it is within allowable use for the commercial zone with a special exception. Lisa concurred. Web thinks they have done a very good job down there and this will fit it nicely. Web asked for a motion. Randi made a motion to approve Case No 2026-5, a special exception for John McKerley as presented. Sean seconded the motion. The vote was a unanimous decision to **GRANT** the special exception. Vice Chair Web Stout explained the thirty-day appeal process.

Respectfully submitted,

Lisa Carlson, Clerk

Board of Adjustment