

1 **Planning Board Meeting and Hearings for Master Plan Hearings**

2 **Tuesday May 14, 2024, 6:30 pm Town Hall and Meeting House – FINAL Minutes**

3 **Members Present**

4 Greg Meeh, (Chair), John Schneider, (Vice Chair), Rich Marcou, Logan Snyder, Megan  
5 Portnoy, Kent Ruesswick (BOS rep), and alternates Hillary Nelson, Brendan O'Donnell and  
6 Ben Stonebraker.

7 **Members absent**

8 Joshua Gordon and Jonas Sanborn (alternate)

9 **Others Present**

10 In the Town Hall: Ruth Mann, Silvia Styles, Kal McKay, (Administrative Assistant), Calvin  
11 Todd, Ron Routhier, (CHS), Ellen and Bob Scarponi, Beth Blair (selectman), Fred Portnoy,  
12 Beth McGuinn, Alan Hodgson, Scott Doherty (selectman), Cheryl and Tom Franco; Mike  
13 Tardiff, (Director CNHRPC).

14 In the Meeting House: Beth McClure; Web Stout (surveyor), Sam Papps and Jan Cote,  
15 Cemetery Trustees; Scott Doherty, Kal McKay, Calvin Todd.

16 **Agenda**

17 **1. Call to Order**

18 Greg Meeh called the meeting to order at 6.35 pm.

19 **2. Presentation of Draft Master Plan chapters on Land Use and Housing**

20 This work on the Master Plan had been in progress for 4 years, it was hoped it would be  
21 ending in July. He introduced the members of the Planning Board.

- 22 a) Rich Marcou started the presentation of the Existing and Future Land Use draft  
23 chapter, which was 14 pages and he had 20 minutes. It had been online for some  
24 time. Rich worked through the different sections of the chapter starting with:
- 25 • The community survey from 2020 which showed that residents wished to preserve  
26 the rural and small-town residential nature of the town. There was concern about  
27 the tax rate and also support for development in the commercial zone.
  - 28 • The History of Land Use section referred back to the native tribes – and key findings  
29 that a high priority was put on protecting agricultural uses and preserving farmland:  
30 there was concern for the lack of housing available for different age groups and  
31 income levels. Rich noted the Board had made adjustments to the land use

32 regulations for primarily cluster development, and some tweaks to the ADU  
33 ordinance. There was also a strong desire to see economic development near the  
34 highways and the Rt 106 corridor.

- 35 • Existing land use – agricultural land is an important resource for the town.  
36 Landowners traditionally opened their lands for hunting, fishing and recreation,  
37 giving benefits to the public. In NH very little land is posted but landowners are  
38 entitled to post their land. There are many properties with stipulated public access,  
39 such as state lands, town lands, other private lands with access through  
40 conservation easements. On page 4.4 the 4 major state-owned lands open to the  
41 public were listed, there are 3 town owned, and also a list under Housing and Land  
42 Use listing challenges for people like older folks downsizing and younger folks  
43 looking for affordable first time housing. The same groups are competing for the  
44 same housing. He listed some of the ways the Board has tried to address this, with  
45 cluster provisions and density bonuses, as well as reviewing the site plan and  
46 subdivision regulations, to streamline those.
- 47 • Development constraints – these include wetlands, steep slopes, floodplains,  
48 aquifers, most of Canterbury uses private wells.
- 49 • Land Use regulations – this was a section on the zoning in town – with agriculture  
50 being over 49% of the land in town. Rich read the different acreages needed for  
51 subdivisions in the different zones. He moved on to page 4.7, including mention of  
52 the goal to revive an Economic Development Committee – it would promote  
53 assisting development of the commercial zone. And broadband development which  
54 is happening in the near future. Also the brown field assessment of the old gas  
55 station at Exit 18., with the state agencies that can help.
- 56 • On page 4.8, Management of Development and Mixed-Use section (residential  
57 housing allowed with commercial). The column on left hand side showed 8 goals to  
58 be fostered, suggestions moving forward, such as to preserve special features,  
59 maintain orderly growth, reduce sprawl, provide a broad range of housing  
60 opportunities, protect property values and preserve agricultural uses (not land but  
61 uses).
- 62 • On page 4.9 there is reference to ADUs to create additional housing, and to the  
63 “building permit cap”, which is currently set at 3%. This means the town cannot  
64 issue more than 3% of the total of single-family homes in Canterbury. And the last  
65 paragraph mentions constraints on land use.
- 66 • On page 4.10, Rich read the ‘10 Factors that could create a significantly higher rate  
67 of development in Canterbury in the future’ – most of these are self-explanatory.  
68 Rich read some examples such as the widening of I 93, or increased land values  
69 leading farmers to sell their land.

- 70 • Page 4.11, New Challenges and Concerns lists a number of national, state and  
71 local issues and concerns – Rich suggested things are very tenuous right now.
- 72 • The last part was the Objectives and Recommendations – 1. is to encourage a mix  
73 of uses and densities in the appropriate parts of town – 2. Preserve and promote the  
74 agricultural heritage of the town. He noted that the other goals were all designed to  
75 accomplish the one about agricultural heritage. On the next page, objective 3. was  
76 about promoting economic development in the areas of town well suited for  
77 business – including the Exit 18 brownfields. 4. Encourage construction of housing  
78 for residents of all ages and income levels. Rich noted that was big when he ran for  
79 election to the PB.

80 Greg asked if there were questions from the public.

81 Calvin Todd said he lives off Hackleboro Road, which is half agricultural and half rural, and  
82 he asked if it would be a road for development and changing zoning. Greg said every time  
83 that comes up, residents are very resistant to any changes to zoning. If there was a real  
84 reason to and a driving force they would consider it but people have not been interested in  
85 that in the past. Calvin had heard something. Rich said there had been discussion at one  
86 meeting, but nothing was in the works. Greg noted the Select Board issues permits on  
87 roads, not the Planning Board, and there were no plans to change zoning anywhere in town.

88 Beth McGuinn of Southwest Road thanked the Board for including climate change under  
89 new challenges and concerns, thank you from the Energy and Community Power  
90 Committees. They also wanted to see solar mentioned. There were very few places where  
91 there could be 5 – 25 acres of solar, to put on roofs and back yards. Many people cannot do  
92 that and there are only a few places in town where it would be possible. So, Beth urged  
93 them to make sure it could be done, and list it in the Table of Uses. And do it without a  
94 variance. A hotel and business is allowed but solar, that just sits there and just needs some  
95 mowing is not listed so consider it as a real opportunity to increase taxes on something that  
96 is not a disturbance to people in town. Greg said the Board was friendly to residential solar  
97 but didn't have anything for commercial in the ordinance and it should be included. Hillary  
98 Nelson recollected 2 projects that had come before the Board with an idea near to I93 but  
99 they never came back again. Megan Portnoy asked about maintenance of solar panels  
100 regarding snow. Beth said whatever access there is required there will also be for snow  
101 plowing.

102 Ellen Scarponi of Clough Pond Road also wished to raise an issue from the Community  
103 Power committee. Whenever they talked about upgrading broadband, she asked if they  
104 include an upgrade for cellular provision too. Rich said everyone across the country is  
105 having that problem primarily because there are not cell towers and people won't agree to

106 them. Ellen said Comcast has an agreement for broadband and an agreement with Verizon  
107 so they could be pushed to ask Verizon to do something. Please include that in the Master  
108 Plan. Greg mentioned he had heard there was a move to find a cell company to go behind  
109 the municipal complex. Ellen said the CCPC is looking at where the black holes are, so add  
110 increased cell coverages in the Master Plan. Greg said they would add them – Ellen said to  
111 4.7 and 4.10.

112 Megan asked if there were town rebates for Star Link. Scott Doherty said no, not that he was  
113 aware of. Scott added there is no town contract with Comcast because they refuse to  
114 remove their density clause in the contract – but they should reach all households by  
115 ‘juneish’. They are proceeding. (Hard to hear on recording). He did not think there was room  
116 for a cell tower at the community safety center.

117 Megan – just wanted to see in the expansion of broadband there might also be rebates for  
118 repeaters. She has fiber run to her house, and she gets cell service through wireless. There  
119 was further discussion about wi fi repeaters, cellular repeaters, and/or extenders, cost of  
120 the two companies, Comcast and Consolidated and deficiencies in service.

121 Fred Portnoy mentioned the Consolidated fiber product. Mike Tardiff commented that they  
122 had tried to get it to Loudon, that did not happen, but now it was federal money being used.  
123 Ellen Scarponi, a former employee of Consolidated, said she knew they would still be  
124 interested in talking to Canterbury. Maybe they could reach out and ask for another  
125 proposal. Greg agreed some competition would be good, maybe they could talk to Ken  
126 Folsom and the Select Board as it was important.

127 Bob Scarponi asked if there was an economic commerce committee in the past. Greg said  
128 yes, it was many years ago and long atrophied.

129 b) Housing Draft Chapter

130 John Schneider, Logan Snyder and Greg Meeh shared the presentation of this draft chapter.

- 131 • John opened from the first few pages. The community survey showed concern re  
132 availability and affordability of housing for the elderly and young families. In the Key  
133 Findings section, Canterbury has one of the highest proportions of owner-occupied  
134 single-family homes in the region, it has the highest median home value compare to  
135 surrounding towns and highest single family housing stock. He also stated ADUs are  
136 now allowed by right, the Workforce Housing ordinance needs updating, and cluster  
137 development could help to address affordability as well as land preservation. John  
138 referred to the relatively lower percentage of rental properties in town. (Hard to hear  
139 next few sentences). The Concord Monitor recently had listed the median price of a

140 house in NH being \$500,000, but John had talked to Mike Tardiff and learned the  
141 state-wide median value of a house was now closer to \$515,000 (correction from  
142 John from the draft Minutes). He referred to census data. Canterbury has a smaller  
143 number of housing units than surrounding communities. Greg said that John's  
144 comment about the number of homes in Canterbury, one needed to figure in that  
145 Canterbury is a small town in terms of acreage – it is much smaller than Loudon,  
146 Belmont and Boscawen.

147

148 • Logan addressed School Enrollment and current demographic trends – the numbers  
149 in the draft chapter print out are not quite up to date – there was a printout at the  
150 back of the room that was more current. Overall, Logan said, the school enrollment  
151 in Canterbury was on a slight decline but not dramatically, and it was more stable  
152 than the state as a whole. They were not at capacity in the school, and residents  
153 believe it is important to have their own elementary school. School enrollment is  
154 relevant for housing. Logan asked if there were questions on school enrollment.

155 • Calvin Todd said there were in fact far more kids in town than the school enrollment  
156 data shows. There was a surplus of young kids attending private schools and on  
157 average about 18% kids leave the district. Change one administrator and you will get  
158 a lot more kids in the public school, it was something to think about. Enrollment at  
159 present, this month, was at 111. Rich noted the state uses numbers from October 1.  
160 Calvin said if you track it monthly it is different. Greg added that there had always  
161 been a fair number of kids going to private or religious schools in town, that always  
162 been the case. Calvin agreed, but in terms of increasing housing in town, keep on  
163 the backburner that they are 25 kids shy of the capacity in the school. So that was  
164 important for longer term planning. Greg agreed that the kid number calculation  
165 would be very important for anything the Board might be approving other than a  
166 single-family home. Beth McGuinn noted that in the data, it starts at 95, which is  
167 deceiving, and if it started with zero maybe it would show the true scale. Logan  
168 asked Mike to make a note of that.

169 • Logan moved on to page 6.6, Fair Share analysis. This is a set of statistics that  
170 illustrate housing needs projected out to 2040, an assessment of the need for  
171 housing across the region and state, because the town is not in a vacuum. Based on  
172 population projections for Canterbury, on page 6.7, the fair share analysis shows  
173 178 new housing units would be needed by 2040, or 9 new units per year. That is  
174 well within the bounds of past records, with an outlier in 2020. The town has to plan  
175 to take on their part of the Fair Share, but it is not a mandate and there is no penalty  
176 for not meeting it.

- 177 • Questions? Greg said that what often comes up in talking about Fair Share is  
178 related to workforce housing and affordable housing. These all have definitions and  
179 are defined by percentage of median income in your town – the fair share is  
180 supposed to supply some of the affordable housing.  
181
- 182 • Greg talked about the last sections, starting with 6.8 on ADUs. The reason the town  
183 is keeping up with housing needs is because of having ADUs. Canterbury allowed  
184 these before the state legislated mandating them in all zones that permit single  
185 family homes. They are smaller units, limited to 1000 sq ft, so they make an  
186 affordable option for ageing in place and for young adults. The cost of renting is  
187 much lower than for a whole house, so the town is fulfilling the need for affordable  
188 housing for the Fair Share using ADUs.
- 189 • Greg moved on to the section on Cluster Residential Development. The incentive  
190 started with conservation, so if someone had a 500-acre parcel, they could turn  
191 some into housing and they would preserve some of that area by offering density  
192 bonuses. Dedicate to open space and get more lots. It helped to keep costs lower.  
193 Building roads is very expensive so on a large lot, the road will cost as much as the  
194 house construction. He referred to the list of dimensional standards, on page 6.8  
195 listing zoning and related acreages, designed for protection of certain areas. Turning  
196 to Growth management, he said the building cap is the strongest current restriction  
197 on growth and the town had not come close to it in recent years. The Board was  
198 trying to sort out with the building department how to record building permits. Will  
199 permits be the same for ADUs and single-family homes. There was an issue in the  
200 past of not counting ADUs and had distorted figures.
- 201 • Impact fees - normally these address things like water and sewer – expensive things,  
202 but in Canterbury they address schools and roads. If there were 30 new homes, it  
203 would be about kids in school and money for new classrooms etc. These are also  
204 related to the CIP, like a new fire engine or new building, or a new school bus. But it  
205 is not maintenance and not labor – so the real cost of educating 20 more kids is not  
206 reflected in impact fees nor the CIP. It will be much higher.
- 207 • Manufactured housing is the term that mostly refers to trailer park homes. We have  
208 some in the rural and residential zones – they can be approved by Special Exception.  
209 No – these need site plan review from the Planning Board and a permit from the  
210 BOS. The town has always had a resistance to that kind of housing. Workforce  
211 housing was touched on talking about ADUs helping them fulfil their requirement.
- 212 • Objectives – 1. Was to support a mix of housing types and densities in Canterbury,  
213 including to consider the development of mixed-use zones in the vicinity of Exits 17,  
214 18 and Rt 106 to accommodate a mix of housing and small-scale retail/office uses.

215 In the last Town Meeting, Greg said that the town approved some zoning changes to  
216 make some small changes in the commercial zone. It is incremental so any resulting  
217 change can be seen and addressed if needed. If there is an impact that was  
218 unexpected there is a chance to change it.

- 219 • Objective 2 – to promote the use of cluster subdivisions and other zoning tools to  
220 increase the availability of housing – the goal is to make it more affordable, and not  
221 end up with 20 McMansions spread out on 5 acres lots. This will require incremental  
222 changes – a lot of small changes – work a bit better for applicants who want to  
223 subdivide without encroaching on other resident values. They had identified some  
224 further small changes to make at the next Town Meeting but nothing of significance  
225 at this point.
- 226 • Objective 3. Encourage the development of additional residential units that are  
227 smaller and more affordable to accommodate downsizing seniors and young  
228 families, so again, that was back to the ADUs. It would also be appropriate for  
229 commercial clusters, and an ADU over the business – the idea of the cluster is to  
230 allow a developer to make their profit without building a million and half dollar  
231 house. It is one of the goals. Also, the town is required to reevaluate the existing  
232 building permit cap, it has to be justified with a Capital Improvement Plan and  
233 reviewed every 2 years for it to be legal. It is part of what was called Innovative Land  
234 Use Planning Law in NH so they have to do it.

235 Greg invited questions.

236 Silvia Styles, of Shaker Road, pointed out the use of the term ‘manufactured homes’, new  
237 ones are prohibited, but the term has expanded over the years. She used to live in a  
238 colonial that was built in a factory, transported and put on the lot, that was a manufactured  
239 home. The language needed clarifying. Megan asked if the distinction was between  
240 ‘prefabricated versus manufactured, where there’s not much customization’. Mike said  
241 they would clarify that. Logan summarized some of that and said Mike was going to clarify it  
242 to be clearer on the distinction.

243 Alan Hodgson, of Baptist Hill Road, asked about the 3% building cap, not the percentage  
244 but the actual number. Greg said, 3% of 3000? Mike Tardiff noted it was actually the  
245 number of dwelling units, 1,040, so 3% of that. Alan said he was looking for a core number.  
246 Logan said the number of permissible building permits per year was something in the high  
247 20s and they had never come close to that.

248 Alan also asked if there was a general number for workforce and affordability that had  
249 come up in the discussions. IF they wanted to build workforce housing, what would the  
250 value of that house be? Mike answered saying the average median household income for

251 Merrimack Valley is \$115,000 pa now – so 60% of that, for Fair Share is \$60,000 per  
252 household. Alan wanted to know what was the value of the house, if he earned over  
253 \$70,000, how much would the house be. Mike said they were talking income, not a number  
254 for that house. Greg asked if there was a number for rental. Mike said the average of the  
255 average is \$115,000 and about 60% of that – for rentals – that is how the whole Fair Share  
256 works out. (Hard to hear Mike from side).

257 Calvin Todd asked regarding Growth Management, with projections to 2040 and given the  
258 current zoning ordinances in town, were they going to meet that growth projection for Fair  
259 Share? Mike responded it was a target number not a requirement, it is more qualitative,  
260 about the town doing the things they can, and Canterbury was doing that having  
261 conversations about ADUs and so on. Logan said it would be fair to say they were  
262 approximately building houses per year to meet that Fair Share number, with something  
263 like 9 new permits per year. Calvin said he was asking, under the current zoning structure,  
264 with 50% rural and agricultural, did the town have enough land available for building? He  
265 was curious about a 16-year projection and what forethought went into it. Greg said it was a  
266 difficult question. There are many pieces of land in town that are buildable lots, large, for 20  
267 houses – with frontage and acreage. The owner does not want to sell. John commented that  
268 residents were also building now on lots they would not have done 50 years ago – ones with  
269 steep slopes, wetlands. Calvin said he did not want to see change in zoning at all – how do  
270 they best prevent sprawl into the town’s rural areas in 10 years’ time, he did not want  
271 Canterbury becoming Hooksett or Bow. Greg responded there was no penalty if they did  
272 not reach these numbers, but there is the ability for the Select Board to say a part of town is  
273 not available for building, done in consultation with residents so they can protect parts of  
274 town.

275 He asked Mike, what happens when a town reaches ‘build out’? Mike said some areas have  
276 almost reached that like Bow, closer to Concord. They bridge wetlands now. Regional  
277 Planning has done ‘build outs’ in some communities. Concord will be in the next 20 years.  
278 What does it mean, Greg asked. Mike said a lot of leaps. Especially if there is a large lot,  
279 and someone wants to subdivide, looking at it on a large lot to large lot basis. Ellen (?)  
280 asked if there was a penalty in that case, or did the town just say they were closed for  
281 business? Several people responded at once. Greg said it was not their responsibility to  
282 find a developer a lot to build on.

283 Fred Portnoy raised the issue of energy consumption in construction as it related to  
284 building codes. He knew the town was under the state in terms of building code, he had  
285 been tracking a couple bills in the Legislature this year, where they had talked about moving  
286 the 2018 code to 2021, with the exception of the energy and conservation, but what they



287 ended up doing was leaving it all at the 2018 code. So, Canterbury cannot use a different  
288 building code, but he wondered if they could they say to a builder that they would  
289 encourage them to use the most recent, the most energy efficient building code that is  
290 available, even if it is not required. Greg suggested maybe they could offer bonuses for  
291 density or dimensional requirement reduction – put that on the list to talk about the energy  
292 efficiency incentives. Calvin asked about adding solar with incentives.

293 Beth Blair let people know about House Bill 521 in the Legislature, where the state is  
294 looking at mandating 2 ADUs per home, it is not decided yet, people can track it and weigh  
295 in.

296 Greg announced the Board had to move over to the Meeting House and thanked everyone  
297 for coming.

298 \*\*\*\*\*

299 **In the Meeting House – 7.45 onwards**

300 Greg stated that since Joshua Gordon was not there, Ben would be the alternate since  
301 Brendan had been seated last time. The secretary mentioned using the draft CUP form for  
302 this application as an experiment and there were a few things to take back to regional  
303 planning about it.

304 3. Application for a Conditional Use Permit for the construction of a Detached ADU  
305 from Beth and Ron McClure, Southwest Road

306 Beth McClure, of Southwest Road, presented her request to build a detached ADU which  
307 would be about 175 feet from their house. Their daughter will live in it. They will make it  
308 handicap accessible so if they were to need it, they would switch houses. They are on  
309 Southwest Road, among their neighbors were the Sojkas.

310 Greg referred to Article 18 and said there were a number of issues, and all were addressed  
311 except for one problem. On page 98 at the top of page 3, listing the additional standards, it  
312 said that a detached ADU shall not be constructed on an existing non-conforming lot. The  
313 frontage here makes it a non-conforming lot. Greg had contacted the NHMA and they said  
314 the way to deal with this was through a zoning variance. He believed, from recent trainings,  
315 that if the applicant got a variance, they would not have to come back here to the Planning  
316 Board.

317 Kent said it was a conforming lot when it was originally subdivided back in the 70s. He  
318 asked if they were now telling all those people that they are now non-conforming? Beth  
319 said they bought it in 1986 and it was good then. Greg said that all those folks would have to  
320 get zoning variances if they also wanted to put in detached ADUs. Megan asked when the

321 ordinance changed about what was conforming versus non-conforming – was there  
322 anything about grandfathering in lots? Greg said the lots are grandfathered but that does  
323 not mean they are conforming. Brendan said the term to use was ‘lawful non-conforming’,  
324 meaning they were conforming at the time, they are still lawful, but non-conforming. Greg  
325 said he was interested in finding out how they could make this happen and asked Brendan  
326 for advice. Brendan said follow the ordinance as it was written. **Greg asked for a motion**  
327 **for the Board to make a decision, referring the applicant to the Zoning Board to request**  
328 **a variance. John moved that and Kent seconded. All members voted in favor.** Beth then  
329 asked, was this a done deal, if they got a variance, they would no longer have to come for  
330 the Conditional Use Permit? Greg asked Brendan for advice, and he said what they could  
331 do was approve with a condition that the applicant get a variance for the one piece they  
332 don’t conform with.

333 Greg said they needed to rescind that last vote and asked the Board to work through the  
334 conditions, and see if they could approve a Conditional prerequisite for a zoning variance  
335 for the CUP. Hillary asked if they should vote to rescind. **Megan made the motion to**  
336 **rescind and Kent seconded. All in favor.**

337 Members went through the Article 18 requirements. There is not yet a check list for this  
338 kind of application. Beth said the proposed detached ADU was exactly 1000 sq ft of gross  
339 floor area, and the basement would be 5 ft 11 ins, (ie not over 6 feet) - their architect found  
340 a way to do that and meet requirements. There was only one ADU proposed. The primary  
341 unit would be owner occupied, they had 5 parking spaces and met all setbacks. The attic  
342 would not be heated, though it had a separate outside entrance. They had the septic plan  
343 and state number approval. There was a separate well, and the primary unit will use the  
344 same one as the ADU. There was a common driveway. There was no condo. On the next  
345 page, all the issues listed there were ‘not applicable’. In the list of 18.5 requirements, the  
346 applicant had supplied a photo and elevation drawings.

347 **Rich moved to approve the detached ADU conditionally with the prerequisite**  
348 **condition that the applicant receive a variance from the Zoning Board of Adjustment**  
349 **for Article 18.3, 3. A. John seconded. There being no further discussion, all members**  
350 **present voted in favor.**

351 Greg thanked Beth for coming in and wished her luck with the zoning board.

352 4. Hannon and Town of Canterbury c/o Cemetery Trustees Lot Line Adjustment

353 Documents were handed out. Greg read from a handout of the subdivision regs, regarding  
354 expedited lot line adjustment for applications where there was no buildable lot being  
355 created. These could be heard in one meeting. This applicant was a town board. There

356 were no abutters present, so if there was no objection they would process this application  
357 in one evening.

358 Web Stout, surveyor, presented for the Cemetery Trustees. He gave out site maps. They  
359 were asking for an expedited hearing for the lot line adjustment. There were no new lots  
360 being created. One was just getting a bit smaller. He traced with his finger on the map  
361 where the existing lot was, showed the cemetery over to the left – and the parcel to be  
362 annexed to the cemetery. Lot 25 had been subdivided twice in the past, back in 1978 and  
363 again in 2000. Now they were back asking for a lot line adjustment. The remaining lot is 12  
364 acres. They are not touching frontage. The additional annexed parcel was .459 acres so it  
365 would make the cemetery 6.659 acres. They were requesting a waiver for the wetlands.  
366 There was no home or no septic to be considered. Kent confirmed that the wetlands in the  
367 cemetery were down at the bottom, the piece in question was high, level and dry. The  
368 existing stone wall will remain. Web said they have to work round the existing grave plots.

369 There being no further questions or discussion, Greg started the motion process. It would  
370 state that it is in compliance with the zoning ordinance. There would be 3 waiver requests,  
371 for wetlands, topography and soils. Megan asked why a waiver was needed for wetlands if it  
372 was dry. Greg said it was on the check list.

373 **Rich moved to grant a waiver for wetlands, topography and soils. Megan seconded. All**  
374 **voted in favor of granting the waiver.**

375 **Greg moved to approve the lot line adjustment noting it is in compliance with the**  
376 **ordinance. Ben seconded. All voted in favor.**

377 Web thanked the Board.

378 \*\*\*\*\*

379 5. Previous Draft Minutes of April 23, 2024

380 Greg suggested giving the Board time to read the transcription and deal with it at the next  
381 meeting. There would be fewer changes as it was like a transcription. Logan said it would  
382 be good to put those minutes to bed. Rich suggested they vote on the April 23 draft  
383 minutes, transcription version, rather than kick more minutes down the road. It had been  
384 shared, Rich, John and Megan had read it. Greg said there was a video version too, that was  
385 a place someone could go to look something up. **Rich moved the Minutes of April 23, the**  
386 **transcription version. John seconded.**

387 Megan asked to discuss 2 minor corrections. Line 1034 it should read ‘word doc’, Lois had  
388 put a question mark there not sure she had heard across the room. And at line 1015 it  
389 should read ‘time’ not ‘technically’.

390 Now that there were these changes, Greg withdrew the motion. **Rich made a new motion**  
391 **to accept the amended transcription minutes of April 23. Megan seconded. There**  
392 **being no further discussion, all members voted in favor, with the exception of Ben who**  
393 **abstained since he was not present that evening.**

394 6. Update for Rules and Procedures and Bylaws document

395 Greg this was giving notice of issues to be ready for the May 28 work session. Copies were  
396 given out. The secretary had tried to add the things that were voted on last time and  
397 indicate some places where further items would be added. Members had a chance to look  
398 through it, Greg said.

399 He is asking questions to the town counsel about agenda procedures, recusal procedures,  
400 time limits in hearings, husband and wife serving on the board, alternates on  
401 subcommittees, minutes procedure, something about electronic devices, not restricting  
402 the use, but not communicating with anybody about Planning Board business.

403 Megan asked to include the issue of members receiving the same information at the same  
404 time in that list.

405 And not drabbing info out but sending out in packets – likely twice though – materials as  
406 soon as they were received and then with the agenda. The secretary said she did not  
407 always have control over when things came in. Or copiers did not work. There was a  
408 discussion about town copiers. Kal confirmed the Library did have a new copier and it  
409 would be there if needed.

410 7. New Business

411 (a) Greg said it was old business, about the code of conduct and ethics. The board had  
412 decided to see what comes from the Selectmen. The more he thought about it, he  
413 felt it should be a town wide function, with a code of conduct for everybody. He  
414 asked if there were other opinions. Logan agreed. Megan asked if it was something  
415 that would have to go to Town Meeting, Greg thought not but invited Scott to  
416 comment. Scott said they were weeks away from having a preliminary version. Beth  
417 has the draft at present. Greg said it was complex, he had talked to the NHMA and  
418 town counsel, it could run up against First Amendment issues. It should be town  
419 wide for all committees.

420 (b) Road waiver language – that is also for the next working session. He had several  
421 materials to be shared so that the Board could make a recommendation to the  
422 Selectmen. He, Hillary and Rich had attended the Hard Road to Travel workshop,  
423 where they learned that to be clear for road waivers, it has to be clear what type of

424 road it is. Our road waiver form now says Class VI or private, and there are very  
425 different issues for the different applicants.

426 (c) Logan asked if the Board was now doing transcripts as a norm. They hoped not. The  
427 Minutes should be a brief summary and have the transcript available. Lois said there  
428 had been some past difficulties with downloads and asked for access to at least a  
429 recording to check on things she puts question marks at the side. Logan felt strongly  
430 that the minutes should be more brief. Greg recalled Brendan making the point last  
431 time that there should be more detail if there was a hearing. Lois said if there was a  
432 delay in getting a recording and someone asked to see the minutes within the 5 days  
433 and it had been complicated then all she could do was show what she had at that  
434 time. Greg said he would ask more questions from counsel, about more summary  
435 minutes for general parts and more specific minutes for hearings. It was pretty clear  
436 from the law what has to be in them. Megan said it was not so much that an  
437 applicant wanted to go back and see the minutes accurately but if the decision for  
438 whatever reason goes to court it bolsters the justification for the decision, so it is  
439 helpful to have that level of specificity and the written decision is a legal  
440 requirement. Brendan said he had been back and checked after last week. It is  
441 slightly different, if the Board denies an application, they have to state their reasons  
442 for that decision so it could be even more narrow than a hearing, but it doesn't hurt  
443 on any hearing where abutters may want to challenge it. So, Greg said Lois will do  
444 more summary minutes but more detail for a hearing.

445 (d) Megan stated she will be writing a letter to this Board as requested, it will be publicly  
446 available, she was not expecting or asking for any discussion on it, it is for the  
447 record, because there were some serious misunderstandings of her letter, some  
448 mischaracterizations, so that can be expected probably some time this week. Greg  
449 said once they see the letter they will decide whether they just put it in the record or  
450 decide to talk about it.

451 Rich made a motion to adjourn, and Logan seconded. It was 8.44 pm.

452 Respectfully submitted,

453 Lois Scribner, secretary.