

1 Planning Board Meeting 7pm, December 10, 2024, Meeting House

2 **Members Present:** Greg Meeh (Chair), Rich Marcou, Joshua Gordon, Kent Ruesswick (BOS
3 rep), John Schneider (Vice Chair), Megan Portnoy

4 **Members Absent:** Hillary Nelson (Alternate), Logan Snyder, Brendan O'Donnell (Alternate)

5 **Others Present:** Clifton Matthieu, Matt Monahan, (Central New Hampshire Regional
6 Planning Commission)

7 **1. Agenda**

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9 **2. Call to Order**

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11 Greg called the meeting to order at 7:01 PM.

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13 **3. Previous Minutes from November 26, 2024**

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15 Approval of minutes postponed until the next meeting.

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17 **4. Old Business:**

- 18 • Meridian Construction Conceptual Consultation changed to Design Review
- 19 on January 14, 2025.
- 20 • Website update: The bylaws and how the planning board works, rules and
- 21 procedures need to be reviewed. The Chair would like **members to review**
- 22 **the PDF and discuss the next meeting.** Joshua suggested the “Want to Join”
- 23 to be more welcoming.

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25 **5. Master Plan Update:**

26 Master Plan Modified with feedback, help and pictures from Beth Blair.

27 **6. ADU, CUP and Condo Agreement:**

28 Matt spoke with the municipal association and clarified whether we could put
29 restrictions on ADUs in a condominium development and the answer is yes. Matt
30 said the easiest way to do this would be to put it into the table of uses as
31 condominium conversion accessory dwelling units as not permitted. See Table of
32 Principal Uses 3. A. A Detached Accessory Dwelling Unit: (board suggested
33 changing constructed to permitted, Matt edited) Lot size restricts. Article 18.1
34 Authority and Purpose: Accessory Dwelling Unit, (included in the full ordinance)
35 states ADU is an accessory use to a single family detached dwelling. “It is intended

36 to be secondary accessory to a principal single-family dwelling.” Greg pointed out
37 that there are condominiums that are single family dwellings. For example, The
38 Spruces. Joshua suggested adding single family attached dwelling that is not a
39 condominium, non-condominium dwelling. Matt felt the way it is written now with
40 the 1.75 acres and the table of uses change was clear, it does not address the form
41 of ownership but addresses what you can do physically. There was discussion and
42 debate on single family home specifics and types of condominiums. Questions will
43 be sent to the Municipal Association and then to the town counsel; Does the
44 condominium statute allow ADUs and does the Planning Board have the authority
45 to restrict ADUS in condominium development?

46 **C. Table of Principal Uses:**

- 47 • 3.A. A Detached Accessory Dwelling Unit: strike “constructed” and replace with
48 “permitted.” Keep language in the table, remove Condominium Conversion from
49 table as it is already addressed in the ordinance.

50 **2.1 Obnoxious Uses Prohibited:**

51 Sludge: RSA 485- A:2 XI-definition of sludge. The board agreed that the current
52 definition of sludge is sufficient.
53 Matt illustrated the Select Board Ordinance (health, speed, bi laws) versus Zoning
54 Board Ordinance (can be grandfathered if preexisting, variance). He explained
55 further that a biosolid is more like a speed limit, an act at one point and time. Matt
56 felt it would be best as a health ordinance and referenced a case through NHMA
57 that was successfully defended as a health ordinance. If the ordinance is a
58 selectboard ordinance (a health ordinance), it is more likely to stand if it is
59 challenged. The board decided to table until they review the Tilton Ordinance.
60 **(Michelle: Tilton Ordinance on sludge)**

61 **Farmstead Alternative:**

62 Not included in the table of uses before the updated version, it is now included. The
63 board presented allowing the farmstead alternative in the Ag zone. A warrant would
64 be needed for this change. More discussion at the next meeting on how to better
65 preserve open space in Canterbury.

66 **Conditional Use Permit (CUP):**

67 CUP Allows the board to make all kinds of conditions, very open ended. However,
68 the board cannot change what we can grant for incentives. What is written in the
69 ordinances states that we cannot give more allowances on dimensional

70 requirements that are written, and the ordinance says 50% must be open space.
71 Matt explained that the CUP sets up a back-and-forth process of negotiation with a
72 developer and suggested first consulting the ordinance and second talking to the
73 town attorney early in the process. Generally, the board can do a back and forth
74 which encourages collaboration.

75 **DATA Centers Definition:**

76 *Rich made a motion to propose a zoning ordinance as written in the table of uses*
77 *with further work on the data center definition to allow Data Centers in industrial*
78 *zone with special exception, banned everywhere else and Joshua seconded. All in*
79 *favor voted, Aye.*

80 **Commercial Solar Field- including battery storage:**

81 The board agreed that the definition has to include battery storage and concern and
82 getting advice from the fire dept on addressing battery fire, additional fire risk, ability
83 to put fire out. The goal should be to have battery storage included in the definition
84 and the board will work on amending battery storage definition for 2026.

85 *Greg made a motion to permit commercial solar fields in industrial zone only with*
86 *further work on the definition, Megan seconded, all voted in favor, Aye.*

87 **Matt: Master Plan Chapter 3:**

88 Content is done. Homework, **members review chapters.**

89 **Adjournment:**

90 John moved to adjourn at 9:10pm, Joshua seconded to adjourn, all voted in favor.

91 **Action Items:**

- 92 • **Michelle - Tilton Ordinance; sludge**
- 93 • **Members send definition bullets for Data Storage Centers and Commercial**
- 94 **Solar Storage to secretary**
- 95 • **Members review chapters**
- 96 • **Member review website PDF**
- 97 • **Matt will update with chapters ready for review**

98 *Next Meeting, December 23, 2024, at the Meeting House at 7PM*

99 Respectfully Submitted,

100 Michelle Hammond,

