

To: Building Code Review Board

March 17, 2024

In accordance with RSA 155-A:10 IV (d), the enclosed documentation is submitted to verify that the Canaan building code amendment public hearing was properly noticed and held, and that the provision was adopted by the local legislative body. Documentation enclosed includes 1) notice of public hearing for public places, 2) notice of public hearing on website, 3) minutes of public hearing, 4) submission to Town Clerk following public hearing, and 5) town meeting results of March 12, 2024. Article 3 was adopted by a vote of 445 to 170.

Sincerely,

A handwritten signature in cursive script, appearing to read "John H. Bergeron".

John H. Bergeron
Canaan Planning Board Chair

Public Hearing

This hearing is for a revision to building code to comply with state law, and to use a format consistent with other municipalities and consistent with other Canaan ordinances. Following the hearing, and possible changes resulting from the hearing, this will become a March town meeting warrant article. The hearing will be conducted by the Planning Board on January 11 at 6 PM at the Mascoma Community Health Center, 18 Roberts Road. Details and Zoom instructions may be viewed at this link <https://tinyurl.com/pb-agd> or at the town office.

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Subject: Re: Home Page Hearing
From: Ashley Davis <adavis@canaannh.org>
Date: 12/22/2023, 2:57 PM
To: John Bergeron <bergeronjh@gmail.com>

Hi John, changes have been made.

Happy Holidays!

From: John Bergeron <bergeronjh@gmail.com>
Sent: Wednesday, December 20, 2023 4:52 AM
To: Ashley Davis <adavis@canaannh.org>
Subject: Home Page Hearing

Hi Ashley,
Please replace the home page public hearing information with the item below.
Regards,
John

Public Hearing

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Canaan Planning Board
Meeting on January 11, 2024
Mascoma Community Health Center/Zoom
Approved Minutes

Call to Order:

6:02 pm. Tom Oppel called the meeting to order.

Members Present:

Tom Oppel, Corinne Morse, Michael Riese, Cody Hussey, Nicholas Lavalley, Nan Stone, Dan Collins (Selectboard Ex-officio).

John Bergeron joined the meeting at 6:07 PM.

Members Absent:

Claude Lemoi

Public Attendees: Amy and Ben Morse

Minutes Review, December 14, 2023 Meeting:

Corinne Morse *Moved* and Tom Oppel *Seconded the Motion* to approve the December 14, 2023 Meeting Minutes, subject to a final review for typo or other minor corrections.

** Motion was Approved 6-0. Collins abstained.

March Ballot Open Positions:

Tom Oppel reminded the Board that Planning Board member terms for Tom Oppel, Cody Hussey, John Bergeron and Michael Riese will expire at the Town Meeting. The filing deadline to be a candidate for election is February 2, 2024. All four indicated an intention to file for candidacy.

Drinking Water Ordinance:

Cody Hussey informed the Board of his meeting with Nicholas Lavalley for an initial discussion to research options for improving/expanding the current Canaan Drinking Water Protection Ordinance. Areas of interest may include adding definitions, buffer zone language and usage restrictions. Tom Oppel requested the discussion be continued to the January 25, 2024, meeting agenda to allow a scheduled Public Hearing to be held.

Public Hearing: Building Code Amendment and Warrant Article:

At 6:18 PM, John Bergeron opened a public hearing for discussion. He summarized the proposed changes to the Canaan Building Code Amendment crafted by the Planning Board

throughout 2023. There being no further discussion, the public hearing was closed. Tom Opper Moved and Corinne Morse *Seconded the Motion* to approve the final draft of the amendment and present to the Selectboard for subsequent presentation to the voters as a Warrant Article.
** Motion was Approved unanimously.

Correspondence Review:

John Bergeron informed the Board that a courtesy notice of a DES Dredge & Fill permit application on Canaan Street has been provided. No further action is required by the Planning Board.

Conceptual Review, Codfish Hill Rd, Map 8, Lots 90-1 to 90-17:

Public attendees Mr. and Mrs. Morse approached the Board to discuss concerns for possible development of the property they may purchase. Issues discussed included driveway and subdivision regulations, as well as an expired road bond from 2007. The Morse's were invited to return to a future meeting with any further concerns or questions they may have.

Regional Impact, 183 May St, Lot 5-21, Deb Miller:

The property owner is considering a subdivision application to create two lots from one. The remote Canaan parcel is accessible from a road in the Town of Enfield. Tom Opper *Moved* and Corinne Morse *Seconded the Motion* to notify the Town of Enfield of the potential for regional impact should a subdivision application be received.

**Motion was Approved 7-0. Bergeron abstained.

Approval Status, Sanbourne Subdivision:

While no further correspondence has been received about required conditions for the Subdivision approval, the Warrant Article to discontinue Rameor Rd as a Class VI road will be presented at the Town Meeting.

Class VI Private Road Policy:

John Bergeron reported that the town attorney has advised all private roads could require Selectboard approval for a building permit. John then suggested a hybrid policy for Selectboard members to provide automatic building permits on private roads deemed "satisfactory" and to require specific approval for "unsatisfactory" roads. Dan Collins and Michael Riese volunteered to traverse all private roads in Canaan and report an assessment of road conditions to the Board for further discussion at a future meeting.

Next Meeting:

The next Planning Board meeting is currently scheduled for January 25, 2024, at 6:00 PM at the Mascoma Community Health Center.

Adjournment:

7:20 PM. Tom Oppel *Moved* and Dan Collins *Seconded the Motion* to Adjourn so that members could attend the Budget Committee meeting scheduled for 7:30 PM. ** Motion was Approved unanimously.

Respectfully submitted,
Michael Riese, Planning Board Scribe

Canaan Planning Board

P.O. Box 38
Canaan, New Hampshire 03741

January 14, 2023

Ann Labrie, Town Clerk
Canaan Town Offices
Canaan NH 03741

Dear Ms. McAllister:

On January 11, 2024, the Planning Board unanimously approved a proposed building code amendment to be presented to the voters at the upcoming March town meeting, and that amendments is attached here in the final form.

RSA 675:3, V requires that official copies of the final proposal to amend the building code shall be placed on file and made available to the public at the town clerk's office not later than February 7, 2023. An official copy of the proposal shall be on display for the voters at town meeting.

Respectfully yours,



John Bergeron
Chair
Canaan Planning Board

Attachment: Amended Building Code dated January 11, 2024

2592 bde 1 ballots
648

SAMPLE BALLOT

ARTICLES CONTINUED

BALLOT 1 OF 3

OFFICIAL BALLOT
ANNUAL TOWN ELECTION
CANAAN, NEW HAMPSHIRE
MARCH 12, 2024

Ann M. Lelievre
TOWN CLERK

INSTRUCTIONS TO VOTERS

A. TO VOTE, completely fill in the OVAL to the RIGHT of your choice (s) like this: ●

B. Follow directions as to the number of candidates to be marked for each office.

C. To vote for a person whose name is not printed on the ballot, write the candidate's name on the line provided and completely fill in the OVAL.

<p style="text-align: center;">SELECTBOARD</p> <p style="text-align: center;">Vote for not For three years more than (1) one</p> <p>DANIEL COLLINS 250 ○</p> <p>SCOTT JOHNSTON 379 ○</p> <p style="text-align: center;">(Write-in) ○</p>	<p style="text-align: center;">TRUSTEES OF THE TRUST FUNDS</p> <p style="text-align: center;">Vote for not For three years more than (1) one</p> <p>CYNTHIA NEILY 570 ○</p> <p>1 WRITE IN ○</p> <p style="text-align: center;">(Write-in)</p>	<p style="text-align: center;">BUDGET COMMITTEE MEMBER</p> <p style="text-align: center;">Vote for not For one year more than (1) one</p> <p>BRYAN ARMBRUST 481 ○</p> <p>14 WRITE INS ○</p> <p style="text-align: center;">(Write-in)</p>
<p style="text-align: center;">PLANNING BOARD MEMBERS</p> <p style="text-align: center;">Vote for not For three years more than (2) two</p> <p>JOHN BERGERON 498 ○</p> <p>THOMAS OPPEL 465 ○</p> <p>5 WRITE INS ○</p> <p style="text-align: center;">(Write-in)</p> <p style="text-align: center;">(Write-in)</p>	<p style="text-align: center;">TRUSTEES OF THE TRUST FUNDS</p> <p style="text-align: center;">Vote for not For two years more than (1) one</p> <p>NICHOLAS LAVALLEY 512 ○</p> <p>2 WRITE INS ○</p> <p style="text-align: center;">(Write-in)</p>	<p style="text-align: center;">SUPERVISORS OF THE CHECKLIST</p> <p style="text-align: center;">Vote for not For six years more than (1) one</p> <p>ANGELIQUE ROBINSON 525 ○</p> <p>2 WRITE INS ○</p> <p style="text-align: center;">(Write-in)</p>
<p style="text-align: center;">PLANNING BOARD MEMBERS</p> <p style="text-align: center;">Vote for not For one year more than (2) two</p> <p>BRYAN ARMBRUST 254 ○</p> <p>MICHAEL RIESE 328 ○</p> <p>NICHOLAS LAVALLEY 311 ○</p> <p>10 WRITE INS ○</p> <p style="text-align: center;">(Write-in)</p> <p style="text-align: center;">(Write-in)</p>	<p style="text-align: center;">BUDGET COMMITTEE MEMBERS</p> <p style="text-align: center;">Vote for not For three years more than (3) three</p> <p>JOHN BERGERON 512 ○</p> <p>TOM D 29 ○</p> <p>MARK HOUSTON ○</p> <p style="text-align: center;">(Write-in)</p> <p style="text-align: center;">(Write-in)</p> <p style="text-align: center;">(Write-in)</p>	<p style="text-align: center;">LIBRARY TRUSTEES</p> <p style="text-align: center;">Vote for not For three years more than (2) two</p> <p>ANGELIQUE ROBINSON 510 ○</p> <p>DEREK HERRO 420 ○</p> <p>1 WRITE IN (Write-in) ○</p> <p style="text-align: center;">(Write-in)</p>
		<p style="text-align: center;">MODERATOR</p> <p style="text-align: center;">Vote for not For two years more than (1) one</p> <p>DALE BARNEY 530 ○</p> <p>4 WRITE INS ○</p> <p style="text-align: center;">(Write-in)</p>

ARTICLES

ARTICLE 2 Increase Size of Historic District Commission

Are you in favor of authorizing, pursuant to and in accordance with N.H. RSA 673:4 and 673:5, the Historic District Commission to be comprised of up to seven (7) Commissioners as well as up to five (5) Alternate Commissioners as appointed by the Canaan Select Board. At present, the Historic District Commission is allowed to have five (5) Commissioners (as established in 1986) and three (3) Alternate Commissioners (as established in 2006).

420
YES ○
NO ○
198

The Board of Selectmen Yes 3 No 0 Recommends this article

ARTICLE 3 Amendments to Existing Canaan Building Code

Are you in favor of adoption of the amendments, as proposed by the Canaan Planning Board, to the Canaan Building Code that seek to: a) modify building permit expiration criteria; b) amend appeals process to be more consistent with State law; c) remove most floodplain regulations (which are now contained in the Floodplain Management Ordinance); and d) merge the functions as well as the authority of Building Code Board of Appeals with that of the Board of Adjustment.

445
YES ○
NO ○
170

The Board of Selectmen Yes 3 No 0 Recommends this article

TURN BALLOT OVER AND CONTINUE VOTING