



MADBURY PLANNING BOARD

13 Town Hall Road, Madbury NH 03823
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Notice of Decision

Tax Map 1, Lot 16

On 5 October 2022, at a properly noticed public hearing, the Madbury Planning Board **CONDITIONALLY APPROVED** the following:

Application of Zeland Schwartz, Revocable Trust, Zeland Schwartz, Trustee/Owner for the three (3)-lot subdivision of Tax Map 1, Lot 16, located at 14 Huckins Road, Madbury, NH, as owned by Zeland Schwartz Revocable Trust and represented by Stephen Haight, PE, CivilWorks New England.

This approval was granted subject to the following conditions:

1. Future property owners shall be provided a copy of the *Homeowner's Informational Packet*, revised September 2022 and prepared by CivilWorks New England. A copy of the *Homeowner's Informational Packet* will be kept on file at the Town of Madbury.
2. The *Homeowner's Informational Packet* shall be updated to include Northern grasses.
3. No cut/no disturbance placards, which include the prohibition of fertilizer use, shall be installed at the 25-foot wetland buffer mark.
4. Any change of proposed driveway locations shall be reviewed and approved by the Planning Board.
5. All necessary state and local permits shall be secured.
6. The deed be updated to reflect all of the current information that has been provided.
7. The shared driveway currently in use shall not be used for construction access.
8. Any future development of Map 1 Lot 16 shall have no additional wetland impacts.
9. A letter from the Town Fire Chief or designee regarding any fire safety issues or concerns to be addressed by the applicant shall be submitted to the Planning Board. If the letter is not received within 30 days, the Board authorizes the Chair or designee to waive this requirement.

Additionally, the Madbury Planning Board **APPROVED** the following associated application:

Conditional Use Permit to allow a total of 1,176 square feet of wetland impact and 4,311 square feet of impact to the wetland buffer associated with two driveway crossings within the Wet Areas Conservation Overlay District.

Findings of fact: As part of this review and approval the Madbury Planning Board finds the following: A) The applicant submitted an application, supporting documents, and plans for the project; B) The Planning Board accepted the application as complete; C) The Planning Board held a public hearing on the application on June 1, 2022, July 20, 2022, August 4, 2022, September 7, 2022, and conducted a site walk; D) The Planning Board and contracted staff reviewed the application in accordance with the Madbury Zoning Ordinance and the Madbury Site Plan Regulations and found that the application meets all requirements; E) Proposed driveways cross wetlands and the applicant has submitted the required Conditional Use Permit application and State Wetland application; F) The applicant has minimized potential impacts to wetlands through crossing at the narrowest point and reducing the number of lots thus the number of driveway crossings; G) Potential impacts to wetlands and nearby water bodies, including the Bellamy Reservoir will be minimized through several methods including an educational handbook for homeowners and stormwater best management practices. H) The Planning Board considered ordinance violations on the existing lot and determined that the Board of Selectmen are handling them; F) The Planning Board duly approved the application as stated herein, including the conditional uses.

Douglas Hoff

10/17/2022

Douglas Hoff
Acting Chair, Madbury Planning Board

Date