

MADBURY PLANNING BOARD
13 Town Hall Road, Madbury, NH 03823

Official Business

Approved on: _____

Minutes of September 7, 2011

Motion by: ____ 2nd by: ____

Meeting convened at 7:04 p.m.

Members in attendance:

Robert Sterndale, Chairman
Wallace Dunham
Bruce Hodsdon, Selectman Representative
Douglas Hoff
Tom Burbank
Robert DiBerto
Fritz Green

Public in Attendance:
Please see attached sheet.

AGENDA

Correspondence:

The Chairman stated he received a CD from Strafford Regional. In addition, there was a letter from the Water Resource Board regarding the wetland crossing for Mr. Garvey's application. The letter indicated the crossing would have no adverse impacts.

Minutes:

The minutes from the August 3, 2011 meeting were reviewed. **Motion** made by Member Hoff to approve the minutes as corrected, seconded by Member Dunham. **Motion approved.**

Continued Application: 12-Lot Subdivision (Map 8, Lot 2). Submitted by Garvey & Co, Ltd for Dane N. Evans:

The Chairman summarized the continued hearing details for the public attendees. He noted that at the last meeting the Planning Board was hesitant to approve a wetlands crossing in order to access the septic system due to the 50-foot setbacks on test pits.

In regards to the test pits on lot 12, Mr. Garvey noted that everyone was under the assumption that these would be 50 feet apart, however the ordinance reads "atleast 50 feet apart". Therefore, test pits 32 and 38 are acceptable as far as the seasonal high water table as well as pit 40.

Member Hodsdon questioned if the septic reserve area would be configured within both pits. Mr. Garvey stated yes, and noted there are at least 2 other areas for a reserve. Mr. DiBerto noted that most of the times if you have a failed septic, it gets replaced in the same place.

The Chairman noted there are a few different requirements such as having the 80,000 square feet and the acceptable test pits. The Chairman stated according to Subdivision Article 4, Section 10 there must be a minimum distance between the pits of 50 feet. He noted that Mr. Garvey could meet both of those with the test pits in place.

Member Hodsdon questioned if the test pits, as designed, meet all other criteria such as the well radius, wetland setbacks, etc. Mr. Garvey stated yes.

The Chairman noted that Mr. Garvey doesn't need anything from the Planning Board. The Chairman noted that Board would need some updated plans that show the new well placement and the test pits.

For Pit 35 with a 20" seasonal high and no ledge, Member Hodsdon questioned if there would be a problem putting a septic system in? Mr. Garvey stated no.

With no further questions or concerns, Mr. Garvey stated he emailed the Impact Statement to the Chairman. He also indicated he sent the updated assumptions on the annual tax revenue, which was lowered, and an updated traffic impact for the inclusion of the duplex units. He referenced the new cover sheet which states that lot 1 and lot 7 can only be accessed from Evans Road. Mr. Garvey also referenced the note on the plans that indicates the shared driveway for lot 11 and 12 will be located on lot 11. The shared driveway maintenance agreement was also submitted via email to the Chairman.

Member Hodsdon inquired if the granite bounds to be set are on the plans and are there any existing pins? Mr. Garvey stated the entire frontage is a stonewall, which he will not disturb. Member Hodsdon questioned if lot 2 would have granite bound? Mr. Garvey responded yes.

Mr. Garvey requested a conditional use permit for the lot 11 and 12 shared driveway. He noted there is 2,567 square feet of wetlands impact in both crossings total. There are several encroachments in the setback but not the wetlands. He noted there are also 2 turnouts on the driveway for passing cars.

The Chairman noted that the major issues have been resolved. The Chairman would like to see the final plans before giving the conditional approval. Mr. Garvey noted it would be subject to the state wetlands crossing permit, the transfer of deeds at Evans Road, conditional use, and the certificate of monumentation.

Mr. Garvey thanked Mr. Cornwell (ZBA Chair) and The Chairman thanked the ZBA for their assistance.

The hearing was continued while Mr. Garvey returned to his office for the final set of plans.

Presentation by Chuck Goss:

Chuck Goss introduced himself. He owns 240 acres of land that stretches across Madbury, Durham and Lee. He stated his family has been in Madbury for the past 100 years. He is trying to come up with an innovative way to master plan the entire parcel for the next 40 years. Mr. Goss is trying to find

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answers for all the stakeholders, not just the 3 brothers, as to what to do with his land. He is looking at a greenway across Durham, Madbury and Lee.

He's hoping this will put Madbury, Lee and Durham on a footprint that demonstrates a sustainable community. Additionally, he wants to bring the farm back.

Lisa Henderson, Director of Workforce housing introduced herself. Ms. Henderson has been working with Mr. Goss to come up with options for the land. She explained that the local region is in need of accessible and affordable housing options for people going forward. This includes homeownership and rental options for modest, middle class folks. Ms. Henderson explained that they looked at 3 different sites in order to conceptualize options. However the land owned by Mr. Goss that expands over three towns is intriguing and challenging. In order to come up with ideas, they held an all day workshop that had 20 volunteers and planners involved in a process to sketch out possible designs.

Ms. Robbie Woodburn, of Woodburn & Company, had a stakeholders meeting to research what is important, what people want to see and not want to see. She discovered the number 1 comment was resource protection. Of this 240-acre parcel, 45 acres are in Lee, 28 in Durham, and 172 in Madbury. The Stakeholders wanted more protection for the Oyster River, more than exists now. They also expressed interest in a variety of housing options as well as housing without maximum build out.

Mr. Woodburn stated that Madbury is a low-density residential development (agricultural zone). She indicated that if the land were to be developed totally by the book, there would be 80 total lots. However, with 80 lots, Madbury risks losing its rural character. She explained that in another option, there could be a 500-foot setback from the Oyster River and a greenway between the towns from the river. This would also protect the farm. Ms. Woodburn stated that three architects worked together and came up with an extended farmhouse concept that could be a single family or multifamily units. This also enables a denser housing plan.

Ms. Woodburn indicated the real challenge was meeting the three different towns zoning regulations and protecting the rural character. She stated it is possible under RSA 674:53 for all three communities to treat this project as one and the three Planning Boards would work together. They could then go back as a Board and discuss based on their own towns' regulations.

The Chairman noted this could be a planning nightmare. Additionally, he noted the school system tax impact. He stated the school population would need to be equal between the three towns. Member DiBerto noted if Mr. Goss is looking to take the next steps, it would be beneficial to excavate the land a bit and make sure the land supports the concept. He suggested taking some steps in those dense areas to make sure the land is developable.

Member Hodsdon noted the road layout might be a problem with the Selectman given the roads crossing other towns. He also noted the septic systems with common units tend to have some problems. Mr. Goss noted this would be a covenanted property. Not going to be done as a rental property.

Mrs. Morong stated this is the first person with large property that has a plan.

Mr. Mettee questioned on the willingness of the Board to amend the cluster regulation to accommodate more than 2. Mr. Mettee inquired what is the willingness of the Board to meet with the other Towns?

The Chairman suggested maybe part of the Board could attend, such as send delegates, and it wouldn't happen very often due to schedule restrictions.

Mr. Goss inquired if he is going in the right direction. The Chairman noted it will be a long journey and he would need to proceed carefully.

Continued Application: 12-Lot Subdivision (Map 8, Lot 2). Submitted by Garvey & Co, Ltd for Dane N. Evans:

Mr. Garvey submitted the full set of final plans. The Board reviewed the plans. Mr. Hoff asked for clarification on which test pits were being using? Mr. Garvey noted pit 38 and 36.

The Chairman asked the Board how to move forward with this application. The list of pending items he drafted included: soil scientists stamp, conditional use permit for wetland crossing, deeds for the road will need to be finalized, wetland permit, and certificate of monumentation.

Mr. Garvey stated he would like a conditional use permit. Member Hodsdon noted there are time restraints and he suggested a conditional approval with a conditional use permit.

Motion made by Member Hodsdon for the Planning Board to approve, under Article IX, Section 8, a conditional use permit for the wetland crossing as proposed by the Evans Road subdivision, second by Member Green. All aye. **Motion approved.** The conditional use permit was approved.

Motion made by Member DiBerto to approve the Evans Subdivision conditional upon the following: 1. The soil scientists provide his stamp on the final plans. 2. Deeds for the road swapping to be completed between the subdivider and the Town of Madbury. 3. Applicant gets a state wetland permit for the proposed crossing. 4. Applicant receives state subdivision approval. 5. A certificate of monumentation from a surveyor. 6. Granite bounds to be set on lots 1 and 2 by the roads at 5 locations. Seconded by Member Dunham. All aye. **Motion approved.**

Agenda Planning:

The Chairman stated the Board would work on the Cluster subdivision. The Board will meet again in 2 weeks on Wednesday, September 21st at 7:00pm. The Chairman added if the cluster subcommittee could meet before the next meeting, it would be helpful in guiding the conversation.

Meeting adjourned, 8:44.

Respectfully submitted,
Tarah Beaupre, Recording Secretary, 4 pages.