

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

Official Business

Approved on: 3/16/16  
Motion by: WD 2nd: JM

February 3, 2016

Meeting convened at 7:00 p.m.

**Members in attendance:**

Fritz Green - Chairman  
Tom Burbank - Vice Chair  
Wallace Dunham  
Douglas Hoff  
Julie McCabe  
Bruce Hodsdon  
Marcia Goodnow

**Support Staff:**

Tarah Beaupre  
Jack Mettee

**AGENDA**

**Approval of Minutes from the January 20, 2016 Meeting:**

**Motion** made by Member Hoff to accept the minutes as corrected, seconded by Member Dunham. All aye. **Motion approved.**

**Public Hearing: Smith Driveway Conditional Use Permit (Map 1, Lot 22):**

The Chairman read the public notice. He shared that the Conservation Commission and Water Resource Board submitted letters in their favor.

Mr. Ken Berry, representing the Smiths, shared that after the last Planning Board meeting they made some revisions to the plans regarding the recommended sediment protection which was included in the letter to Mr. Price. In addition, Mr. Jakobs letter indicated no adverse impact. On January 25th, they met with Conservation Commission who voted affirmatively to write the letter referenced. They also met with the Water Board with the same result.

The Chairman opened the public hearing. With no further comments from the Board or the public, the public hearing was closed.

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**Motion** made by Member Hodsdon for the Madbury Planning Board to issue a Conditional Use Permit for the Smith driveway wetland crossing as proposed, seconded by Member Dunham.

**Motion approved.**

**Continued Application: Smith/Garvey Subdivision (Map 1, Lot 22):**

The Chairman stated that the Fire Chief extended the length of the turnaround. Mr. Garvey stated that he walked the property with Mr. Perley who indicated that the longest truck is 34 feet but he requested 50 feet in length. Mr. Garvey stated they are willing to do the 50 feet or put in a sprinkler system, the price will determine which direction they go.

Member Hodsdon questioned who would be responsible for the shared driveway. Mr. Garvey stated that there is a shared driveway maintenance agreement on file.

Mr. Mettee stated that if this becomes part of the record, the sketch shared by Mr. Garvey, should be better. Mr. Garvey agreed and indicated that was just a quick sketch and final plans would be included.

The Chairman pointed out a legend with a typo.

The Chairman referenced a note on the plan regarding the 300 foot setback. The Chairman asked if the applicant could change that to “300 Madbury Shoreland Protection setback”.

The Chairman addressed his concern with where a house might be placed once the land is sold and if that house location might not take into consideration the 300 foot setback. Mr. Garvey stated that the house location is already determined. Member Hodsdon stated that they won't be able to get a building permit if the house isn't in the right place.

Mr. Eric Fiegenbaum questioned if within that 300 feet setback, would everything to the right be covered under in the permitted/non-permitted uses and be subject to that ordinance. The Board and Mr. Garvey agreed.

Eric questioned what the elevation lines reference. Mr. Berry stated the 1988 sea level data.

Mr. Mettee stated that he has a problem with the term “reference lines” as it is nowhere in the ordinances, rather it is a State definition of shoreland. Now that we are only considering the Madbury Shoreland, the reference lines and legend should be eliminated. Mr. Mettee stated that reference line needs to be consistent and clear.

The Chairman stated “normal high water line” should be used instead of “reference line” to eliminate any confusion.

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The Chairman questioned on the status of the second test pit. Mr. Garvey stated he called Rockingham soil and that is in the works.

Mr. Mettee questioned the difference in buildable areas referenced on sheet. Mr. Berry stated the difference in the notes, 50 foot wetland setback did not count as buildable area. The Chairman stated that some of the shoreline can be used in that calculation. Member Hodsdon stated that page 1 should be “calculated buildable area” instead of “actual buildable area”.

Mr. Berry questioned removing it from sheet 1. Mr. Mettee stated that “buildable area” on sheet 1 isn't necessary.

Mr. Mettee stated that the legend with the 4,000 square foot septic can be removed on sheet 2.

Mr. Mettee questioned if the well easement is currently in effect. Mr. Berry stated that is proposed.

Mr. Mettee noted that on sheet 3, left hand side, there is a “Conceptual house location” label which points to a vegetative area. Mr. Berry stated they moved the house but not the label and will adjust that.

**Motion** made by Member Burbank to approve the Application for Subdivision for Laura and Mark Smith located at 218 Littleworth Road (Map 1, Lot 22) with the conditions as noted below, seconded by Member McCabe. **Motion approved.**

List of conditions:

1. The plan shall include a design for a 50 foot driveway pull-off;
2. The plan shall show a 42 foot turning radius at the intersection of new driveway with the existing driveway;
3. The plan shall include a reference to “Madbury Shoreland Protection Setback”;
4. The plan shall show the 300 foot “Madbury Shoreland Protection Setback” so labelled on sheet 1
5. The “NHDES Reference Line” will be replaced with “Seasonal High Water Line”;
6. An additional test pit will be dug and witnessed as “passed”;
7. “Buildable Area” designation shall be removed from sheet 1;
8. Note should read that it is a “Driveway and Well Easement Plan” on sheet 2;
9. The “Conceptual House” label will be extended to point to the house.

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Eric Fiegenbaum updated the Board regarding the NH Forest Society's Power Major Project. He stated that the Town bought the Schreiber property, which is surrounded by the project. The Project will conserve 195 acres of forest and about 30 acres of farmland. The town has been asked to contribute dollars, accept an easement on the forest area in Madbury, and grant an easement on the Schreiber property.

**Attendees:**

Peggy Wolcott  
Dave Garvey  
Kenneth Berry  
Eric Fiegenbaum  
Justin Currow

Meeting adjourned at 8:25 pm.

Respectfully submitted by Tarah Beaupre, February 8, 2016 - 4 pages.

APPROVED