

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

Official Business

Approved on: 9/21/16  
Motion by: TB 2nd: DH

BH Abstained, all aye

Minutes of September 7, 2016

Meeting convened at 7:00 p.m.

**Members in attendance:**

Fritz Green - Chairman  
Robert Sterndale  
Tom Burbank  
Doug Hoff  
Marcia Goodnow  
Mark Avery  
Julie McCabe

**Support Staff:**

Tarah Beaupre  
Jack Mettee

**AGENDA**

**Approval of Minutes from the August 17, 2016 Meeting:**

The minutes from August 17, 2016 were reviewed. **Motion** made by Member Hoff to accept the minutes as presented, seconded by Member Burbank. All aye. **Motion approved.**

**Lot Line Adjustment Application for Map 1, Lot 22:**

The Chairman read the rules of procedure for a public hearing as well as the public notice for the application. The Chairman noted that the conditions of approval have been met on the new plan.

Laura Smith, applicant, stated that the original line didn't make sense as it didn't match up with the natural lay of the land. The proposed line sits on a gully and is a natural place for it.

The Chairman opened the public comments at 7:04 and closed it immediately after hearing no comments.

Member Hoff questioned what approval is pending. The Chairman stated it was a wellhead location, sheet 2. The plan hasn't been registered yet.

**Motion** made by Member Hoff to approve the amended application for Map 1, Lot 22. Seconded by Member Burbank. All aye. **Motion approved.**

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**Motion** made by Member Hoff to allow the Chairman or his designee sign the Mylar's, seconded by Member Avery. All aye. **Motion approved.**

**Preliminary Hearing: Lao Temple/Community Center:**

Sam Marino, realtor, addressed the board. He stated his client is looking to purchase 181 Littleworth Road for a Lao Temple and/or community center and he is seeking to determine if that use would be allowed.

Member Sterndale stated the current property is the motorcycle shop. He stated that the location is a pre-existing non-conforming use. It is in a residential/agricultural zone which doesn't allow churches. However, since this is a non-conforming use, the ordinances (Article 8, Section 1.c) do allow non-conforming uses to be changed under a special exception with the ZBA and site plan approval with the Planning Board.

Member Goodnow questioned the capacity. The applicant responded 20-30 people.

The Chairman reminded the applicant that Madbury is not on town water and sewer so keep that in mind while considering options. Member Sterndale added that the Planning Board can hear preliminary applications if the applicant would like to talk through the plans prior to submitted the application.

The Board discussed the history in Madbury surrounding why churches are now allowed only in the civic zone. Mr. Mettee stated under law, a town can't prohibit churches, so the Board should consider that if even under a special exception. If the Board considers churches, they should look at other uses as well to reconsider. He suggested that the town doesn't want to get in trouble legally as churches are a constitutional right.

**Review Proposed Language for Site Plan Review (re: RSA 674:43):**

The Board reviewed the revised site plan review regulation language proposed by Jack Mettee.

**Motion** made by Member Sterndale to accept the proposed changes for presentation at the next public hearing for future adoption in the site plan ordinance, second by Member McCabe. **Motion approved.**

**Review Potential 250' vs 300' Reservoir Setback:**

The Board discussed the reservoir setback and whether they should change it to be consistent with the state standard of 250 feet. Eric Fiegenbaum shared that Madbury has some vegetation setback rules. The State has a 250-foot setback plus others for impervious. After a quick review of buffer setbacks, Eric pointed out that once the 300-foot setback is reached, the concern is pesticides reaching water and not so much sediment.

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Mr. Mettee stated there are multiple setbacks and perhaps the Board should reevaluate based on new state law. Eric Fiegenbaum created a chart documenting all setbacks that he shared with the board.

Member Burbank asked what the Town gains by changing the setback. The Chairman stated the issue arose when the Smiths had the setback question.

The Chairman stated that the Board can review further at another meeting.

**Review Estimate of Build Out Analysis from Matt Sullivan of SRPC:**

The Chairman shared with the Board an estimate for the build out analysis from Matt Sullivan.

**Review Progress of Master Plan Update:**

Member Avery stated that the committee was unable to meet.

Meeting adjourned at 7:36.

**Meeting attendees:**

Wally Dunham  
Justin Co,rrrow  
Peggy Wolcott  
Khmakec Bone  
Syvone Chan Thakorimane  
Kongthong Frichittavong  
Darika Frichittavong  
Sam Marino  
Lorraine Morong  
Laura Smith

Respectfully submitted by Tarah Beaupre, September 14, 2016 – 3 pages