

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

Official Business

Approved on: 5/17/17
Motion by: WD 2nd: TB

Minutes of May 3rd, 2017

Meeting convened at 6:58 p.m.

Members in attendance:

Mark Avery - Chairman
Robert Sterndale
Marcia Goodnow
Doug Hoff
Tom Burbank
Casey Jordan
Wallace Dunham (seated)

Support Staff:

Desirea Owens
Jack Mettee

AGENDA

Approval of Minutes from the April 19th, 2017 Meeting:

The minutes from April 19th, 2017 were reviewed. **Motion** made by member Dunham to accept the minutes as amended, seconded by member Hoff. **Motion approved.**

Public Hearing: Janelle Lot Line Adjustment:

The Chairman read the rules of procedure and the public notice for the application.

William Janelle, of 6 Jenkins Road, presented his lot line adjustment. He and his wife Tracy own two parcels on Jenkins Road; one lot has their home, the other lot is vacant. They would like to deduct 17.17 acres from lot 14A which holds their home and add it to lot 14C. 14A would become 1.84 acres and 14C would be 19.23 acres.

At the preliminary hearing it was suggested that Mr. Janelle have an alternate septic location noted. He had two alternate locations shown on the plan. He also had a soil test on each side of the current system. A letter containing the results was sent to Town Hall.

Public comments opened at 7:02pm.

Mr. Chuck Goss of Cherry Lane questioned how many acres the newly created lot would be.

Public comments closed at 7:02pm.

Motion made by member Jordan to approve the lot line adjustment, member Goodnow seconded. All aye. **Motion approved**

Public Hearing: Goss Conditional Use Permit:

The Chairman read the public notice for the application.

Chuck Goss began by presenting to the public the recent history between Powder Major Farm and the Town of Madbury. 3 years ago an agreement was made, on a handshake per se, that if the town would purchase the back 60 acres of the Schreiber property then the Gosses would seek all other alternatives to conserve their property instead of developing subdivisions out of the land which could have anywhere between 60-70 lots on their property and 80 home lots between their property and what used to be the Schreibers. They are still trying to avoid that option. To sustain the farm they need to move forward with the agritourism.

The chairman mentioned that two new letters, in regards to this hearing, had been received. One from Jack Mettee and the other from the Madbury health officer.

Member Jordan questioned the 200 guests and the 11pm time frame. With his recent personal experience he found that it was common for venues have a maximum of 100 guests and an earlier time frame.

Beth Goss explained that the 250 guests isn't going to be a regular occurrence. It is the maximum allowed but most weddings are half that. As for the time, they based that off of Madbury town ordinance. Town ordinance states noise is not prohibited before 8pm and not after 11pm.

Public comments opened at 7:13pm.

Carey Ayer of Cherry Lane reiterated her original concerns which include noise, traffic, decreased property value, and decreasing quality of life. She stated that she was pleased with the letter from the health officer expressing concern about noise and alcohol. She also wanted to point out that the Gosses application mentioned several other local farms that use their properties in an agritourism way. She felt the farms they had mentioned were not comparable in locations. The farms are all on a state or town highway and not in a quiet residential area like Cherry Lane.

Public comments closed at 7:16pm.

Member Goodnow question Mr. Mettee's report on noise ordinance. Why such variants and why did Merrimack not follow through with enforcing a noise ordinance? Mr. Mettee explained that noise ordinances are complex and usually do not work. Noise is very subjective. A measuring device would be very expensive. Ultimately, for a small town like Madbury he doesn't feel like it would be the right fit.

Mrs. Goss commented that issues with noise usually occur with outdoor events or with the use of tents. At their venue the noise will be contained inside the barn.

Member Jordan expressed his concerns for traffic, potential noise, and potential nuisance. He is suggesting earlier hours for the event and for a smaller max numbers of guests. He pointed out that since the Gosses will not be a full service venue there would not be a dramatic profit loss from 250 guests to 100 guests.

Member Goodnow stated that she is not comfortable with the board giving the Gosses an arbitrary number in regards to how many events or maximum guests. It needs to come from a baseline that they find viable.

Mr. Goss said they are comfortable having a maximum of 15 weddings per season, May - October. 200 guests as a maximum and the venue closes at 9pm. 150 guests or less and the event can go until 11pm. These numbers do not include support staff.

On the subject of noise he explained to the board that they are doing everything in their power to minimize the sound.

Mrs. Ayer said 150 guests, 15 times a year is not okay with her. The barndoor doors face her house and she doesn't feel those doors will be closed to contain the sound on hot summer days. The Gosses said the doors will be closed.

Member Hoff stated the number importance isn't as pertinent to him as the vagueness of the application.

Mrs. Goss addressed member Hoff's concern about the vagueness of the application. She explained that was it was purposeful to avoid having to come before the board with every event. Until they move forward with agritourism they do not know what specifics could be involved with the events.

Mr. Mettee voiced that the activity itself isn't as critical as the effect that it could have on the neighborhood. The higher intensity events should receive more scrutiny and conditions and lower intensity should have less. He also pointed out that Flag Hill Winery, another nearby wedding venue, has three weddings a week during summer and there has never been any complaints from the nearby housing subdivision.

Member Sterndale stated there is public interest in seeing the conservation of Powder Major Farm. But there needs to be balance for the abutters. Ultimately if large wedding receptions are going to take place then he needs to know how many of these events are going to happen and how many guests. Low impact events that do not disrupt the neighbors can happen more frequently.

Eric Fiegenbaum suggested that a conditional use permit is put in place that the venue can only hold events if the owner is living at the property and is on site for all events.

Member Burbank suggested having a condition for high impact events that an officer or a form of security staff is hired to help direct parking and ensure that the noise is contained in the barn.

Member Sterndale is recommending the hearing is continued with a revised application. Mrs. Goss asked for specifics. Member Sterndale listed the following:

- Septic capacity
- Parking specifics
- Emergency access information with written approval from the fire chief
- Stormwater management
- Alcohol specifics
- Curfew
- Vegetation buffer preserved indefinitely
- Amount of high impact events per season, how many guests
- Parameters to define low impact events
- A plan for communication with a cemetery trustee
- How the property line will be defined between the farm and cemetery
- Designs need to be stamped
- On site owner occupied
- Specific insulations plans for barn noise
- Security or staff to direct parking, prevent cemetery disturbances, etc
- Approximate start date of operations
- Specific lighting information

Motion made by member Hoff for the hearing to be continued May 17th at 7:00pm. Member Goodnow seconded. All aye. **Motion approved.**

Planning Board Goals

Member Sterndale made a list, in priority, of goals for the Planning Board.

- A handout created that assists the public in determining which board they should speak with first
- Enforcement of conditional use permit followups
- Buildable land update
- Progress on Master Plan
- Recreation
- Should certain roads be converted to municipal trails?
- 2 acre lots
- Rising sea level - culvert sizes
- Residential agriculture zones
- Innovative land use

New/old business:

The chairman spoke with Gordon Clark. He is interested in moving his business, Vinyl Fences, into the Elks Club that sits behind his current location, and move The Elks Club into the white house for sale on Highway 108.

Will he need to go through the Zoning board? The board did not have any specific guidance.

Meeting adjourned at 8:54pm.

Meeting attendees:

Lorraine Morong

Eric Fiegenbaum

Beth Goss

Chuck Goss

Carrie Ayer

Holly Morris

Peggy Wolcott

Bill Janelle

Respectfully submitted by Desirea Owens, May 20th, 2017 – 5 pages