



# MADBURY PLANNING BOARD

13 Town Hall Road, Madbury NH 03823  
Tel: 603 742-5131 • Fax: 603 742-2502

## Final

### OFFICIAL BUSINESS

**Minutes of:** April 17, 2019

**Approved On:** May 15, 2019

**Meeting Convened:** 7:00 p.m.

#### **Members in Attendance:**

Mark Avery – Chair  
Tom Burbank  
Michael Card  
Fritz Green – Ex Officio  
Marcia Goodnow - Vice Chair  
Doug Hoff  
Casey Jordan

#### **Support Staff in Attendance:**

Laurie Plantamuro - Recording Secretary  
Elizabeth Durfee - Contract Planner

### Agenda

#### **1. Seating of Alternates:**

None

#### **2. Approval of Minutes:**

The Minutes from March 6, 2019 were reviewed and corrections made. **Motion** made by Member Jordan to accept the minutes as corrected. **Seconded** by Member Green. 5 Aye. Members Burbank and Hoff Abstained. **Motion Approved.**

The minutes from March 20, 2019 were reviewed and corrections made. **Motion** made by Member Green to accept the minutes as corrected. **Seconded** by Member Burbank. 5 Aye. Members Goodnow and Jordan Abstained. **Motion Approved.**

#### **3. Correspondence:**

None

#### **4. Informal Hearing on Change to Wetland Setbacks for Septic Design - Hayes Road Subdivision, Map 5, Lot 8, M1 and M2:**

(Note: application is under Maple Heights on Planning Board Website)

Mr. Steve Smith, the property owner, inquired if it's possible to change the approved wetland setbacks from 75 feet to 50 feet for the septic design. Discussion had about what the 50 foot setback is in the state of NH. The board could not recall why 75 foot setbacks

were required for this subdivision. Member Green asked if the 75 foot setbacks are listed on the plat. The board confirmed that they are. The board discussed soil types on the property and the waiver of the HISS during the subdivision's approval. Consultant Durfee asked why there wasn't a wetland stamp on the plan. Chair Avery mentioned on the copy posted to the web, the stamp is shown. Member Hoff asked if all of the properties in that subdivision had the same setback as Mr. Smith. The board confirmed that they do. Member Jordan commented that if we amend one setback that would mean others in that subdivision could file an application for plan modification. Mr. Smith asked if he could apply for a variance. Member Hoff answered that he could, but he would have to show a hardship. Ultimately, the board determined that it could not reduce the previously approved setbacks from 75 to 50 feet, without holding a public hearing and recommended that Mr. Smith file to amend the subdivision plan.

### **5. Legislation Update:**

Chair Avery read the updates for the board on:

- SB 152 Third Party Inspections for Planning Boards
- SB 306 Housing Appeals Board
- SB 143 Incompatible Offices
- SB 312 Tiny Houses

Consultant Durfee also provided information on:

- HB 245 Planning Board's Authority to Specify Filing Deadlines
- HB 136 Zoning Board of Adjustment Public Hearing Timelines

### **6. Other New Business:**

DOT and Road Side Stands: Member Card discussed his road side stand and his conversation with NH State offices about requirements.

In-Law-Suite versus Accessory Apartment: Chair Avery held a discussion with the board about differentiating between each.

### **7. Other Old Business:**

Land Care Site Plan Status: Chair Avery said we will re-engage at the end of April.

Route 108 Hair Salon Home Occupation Status: Chair Avery said they are still working on it.

Johnson Creek Status: Chair Avery said it was done.

**Meeting Adjourned:** 8:04 pm

### **Meeting Attendees:**

Mr. Stephen Smith, PO Box 228 Strafford, NH

Mr. Eric Feigenbaum

Lorraine Morong

Respectfully Submitted by Laurie Plantamuro