



MADBURY PLANNING BOARD

13 Town Hall Road, Madbury NH 03823

Tel: 603 742-5131 • Fax: 603 742-2502

Approved

OFFICIAL BUSINESS

Minutes of: March 17, 2021

Meeting Convened: 7:00 p.m.

Members in Attendance:

Mark Avery - Chair
Tom Burbank (Zoom)
Michael Card
Fritz Green - Ex Officio
Marsha Goodnow - Vice Chair (Zoom)
Doug Hoff (Zoom)
Casey Jordan (Zoom)

Support Staff:

Laurie Plantamuro -Recording Secretary (Zoom)
Elizabeth Durfee - Contract Planner (Zoom)
Eric Fiegenbaum - Town Administrator

Agenda

1. Seating of Alternates:

None

2. COVID-19 Note

Chair Avery announced that the Board will be using Zoom as allowed under COVID-19 Executive Orders to help conduct this meeting and that all votes will be taken by roll call.

3. Approval of Minutes:

The minutes from March 3, 2021 were reviewed. **Motion** by Member Jordan to accept the minutes as amended. **Seconded** by Member Card. **Member Vote:** Jordan - Y, Goodnow - Y, Hoff - Y, Burbank - Y, Hodsdon - Y, Card - Y, Avery - Y, Green - Abstained. **Motion Approved.**

4. Correspondence:

None

5. Election of Board Officers:

The board held its annual election of officers.

Motion to nominate Chair Avery for Chair made by Member Burbank. **Seconded** by Member Green. **Member Vote:** Jordan - Y, Goodnow - Y, Hoff - Y, Burbank - Y, Hodsdon - Y, Card - Y, Avery - Y, Green - Y. **Motion Approved.**

Motion by Chair Avery to nominate Member Goodnow for Vice Chair. **Seconded** by Member Card. **Member Vote:** Jordan - Y, Goodnow - Y, Hoff - Y, Burbank - Y, Hodsdon - Y, Card - Y, Avery - Y, Green - Y. **Motion Approved.**

Motion by Chair Avery to nominate Member Card as Secretary. **Seconded** by **Member** Hoff.
Member Vote: Jordan - Y, Goodnow - Y, Hoff - Y, Burbank - Y, Hodsdon - Y, Card - Y, Avery – Y, Green – Y. **Motion Approved.**

6. 3rd Preliminary Site Plan Review Consultation: Landcare Associates Inc., 282 Knox Marsh Road (Map 9 Lots 3 and 4):

- Daniel Gordon, Owner
- Christopher R Berry, Berry Surveying & Engineering, Representative

Mr. Berry addressed the board regarding updates for this project. Mr. Gordon did not attend.

Mr. Berry reviewed updated site plan drawings and said they were working on understanding how the plan as a whole will come together when they bring it to the board officially. He emphasized that the plan is intended to protect the Bellamy River, which adjoins the property, while improving LandCare operations.

Mr. Berry went over the existing conditions and what happens on that site at this time. He said they wish to modify the existing site by making it flow better and work better for both the town and the environment. As part of this, he indicated that they would like to fill a small wooded wet area in the center of the property. He also noted that they were reviewing what materials would be stored at the site and had decided to no longer store compost there due to possible leaching of nitrates into the wet areas.

He said they intend to take their current plans to DES and then onto FEMA for possible reassessment of flood plain areas on the property. He said the largest part of the project is the storm water management system they are working on. They propose a storm water system between the wetlands edge and the developed site. Another portion of this project is to work with DOT to push a second access to the site further to the west to ensure better traffic flow.

Chair Avery opened the discussion up to the Board members. The Board discussed LandCare's plans and asked several clarification questions on the plan.

Consultant Durfee asked if they had considered merging the lots as part of the proposal. Mr. Berry indicated that might be too complicated.

Member Green questioned a second driveway on the property. The board briefly discussed how driveway rules are scattered in the town's ordinances and regulations and their interpretations.

The board also asked if the new site plan would include retail sales as the existing site plan for the first lot limits this significantly. Mr. Berry indicated that this would be an entirely new Site plan and the issue would be addressed in the new plan.

The board also asked if the neighboring residence in the Residential and Agricultural Zoning District was still being used by LandCare for storage. Mr. Berry indicated that it was not.

Chair Avery then emphasized to Mr. Berry that, while Mr. Berry has been brought on fairly recently and is focused on engineering the site plan, LandCare does not have an approved site plan for its second lot and is not in compliance with Town ordinances. Chair Avery explained that because of that, this is not a project that can be stretched out.

Chair Avery stated that this issue has been forwarded to the Select Board for possible enforcement but believes enforcement is being held off while progress is made. Given that, Chair Avery asked Mr. Berry to keep the board informed of activities and progress with DES, FEMA, etc. He also encouraged considering concurrent applications to speed the project since DES and FEMA approvals do not guarantee town approval.

7. Other New Business:

Chair Avery announced that since Article 2 passed on Election Day, the board and the public should post and use Change 2 to Zoning Ordinances when referencing the Wellhead and Aquifer Overlay District until an updated book is published. The board noted that Change 2 is posted to both the Town's and Planning Board's web sites.

8. Discussion:

The Board discussed updating subdivision and site plan submission requirements and checklists to include what Zoning and Overlay districts affect an application. Currently checking if a property is in an overlay district is a "memory" item. Adding a listing requirement could help both applicants and the board to ensure that applications are complete. The board also discussed creating a database that would show all the districts affecting each parcel.

9. Other Old Business:

- The Tillman Subdivision (1 Mill Hill Rd.) public hearing will be held at the next meeting.

- The Kahr Home Occupation (46 Moharimet Dr.) application has been received and a public hearing will be scheduled.

- The research into the Zoning Ordinances' Hazardous Materials Definition has not found a definition that was previously published in the Town's Zoning Ordinance Definitions. The board requested Consultant Durfee to research and offer possible appropriate definitions.

Meeting Adjourned 7:51 pm

Meeting Attendees:

Christopher R Berry, Berry Surveying & Engineering

Respectfully submitted by Laurie Plantamuro