



MADBURY PLANNING BOARD

13 Town Hall Road, Madbury NH 03823
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Approved

OFFICIAL BUSINESS

Minutes of: October 6th, 2021

Meeting Convened: 7:00 p.m.

Members in Attendance:

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

Support Staff in Attendance:

Elizabeth Durfee – Contract Planner
Eric Fiegenbaum – Town Administrator

Agenda

1. Seating of Alternates:

None seated.

2. Approval of Minutes:

The minutes from September 15th were not ready for review.

3. Correspondence:

No Correspondence.

4. Site Plan Review Public Hearing: Construction of and Improvements to, Well Buildings at the Portsmouth Water Treatment Plant, Freshet Rd. (Tax Map 10, Lot 12)

- *Albert Pratt, PE, Water Supply Operations Manager*
- *Lynnette Carney, Project Manager, Underwood Engineers, Inc.*

Chair Avery noted that this site plan review is not being presented for approval by the Board but is being reviewed under RSA 674:54 “governmental use” of land. Accordingly, any advice the board may have is non-binding.

Chair Avery then read the rules of a public hearing and Public Notice for this hearing.

Albert Pratt presented the proposed construction and improvements to the Portsmouth water treatment plant well buildings. Mr. Pratt first reviewed the history of the five wells on the property and the past construction projects. He then noted that the reason for this project is to connect the new wells, upgrade buildings at wells two and three, add a new 16’x25’ building for processing with a submersible pump at well four, reconstruct the gravel road, and to add an emergency generator with 2 propane tanks. He noted that the project is currently projected to be complete June 2022.

Ms. Carney presented the potential impacts by reviewing Madbury's site plan standards. She noted there should be no impact to the abutters, traffic, landscaping, parking, loading, water/sewer, emergency services, and highways.

She also noted that there is a small stream or ditch, so they will need a wetlands permit, and a groundwater protection plan. The erosion and sediment control will include silt fencing and socks, and stormwater and environmental inspection.

She doesn't feel there will be any nuisance to neighbors as the lot is heavily wooded. The only additional sounds will come from the submersible pump located within a building, and the standby generators. The hazardous materials will not increase but the current 50 gallons of phosphate will move from one building to another.

Member Green asked what percentage of water will be going to Portsmouth after this project. Mr. Pratt said that the same amount of water will likely be taken, but it will be spread out through the wells more efficiently. Member Green then asked how this impacts the draw from the reservoir. Mr. Pratt noted that the well water makes up about 15% of the Portsmouth water supply and the reservoir provides about 65%.

Member Burbank asked if there has been any issue withdrawing water in the past. Mr. Pratt noted that in the 1990s they over pumped and have since strictly monitored withdrawals to make sure they do not overdraw.

Member Green noted there is a large "Construction" sign he would like to see gone as soon as the project is over. Mr. Pratt agreed to remove the sign when finished.

Chair Avery noted that any lighting on the buildings should be dark sky compliant.

Chair Avery opened public comments at 7:25.

Garret Ahlstrom, an abutter, noted that they can hear construction and specifically inquired about the generator noise and frequency. Mr. Pratt noted that the generators would run 20-30 minutes on tests cycles. Consultant Durfee asked if the generators could be indoors. Mr. Pratt said no, but that he can work with the abutters to have the generators run at convenient times.

Chair Avery closed public comments at 7:25.

Motion Made by Member Green that Chair Avery write a memo that the Board had heard this issue and recommends working with the abutters on generator noise and timing. **Motion Seconded** by Member Goodnow. All Aye. Motion approved.

5. Site Plan Review Preliminary Consultation: LandCare Associates Inc., 282 Knox Marsh Road (Map 9 Lots 3 and 4)
- *Christopher R. Berry, Berry Surveying & Engineering, Representative*

Christopher Berry presented a 4th preliminary consultation for this project, but this will be a new site plan.

Mr. Berry noted that this site plan was developed due to the space and usability changes as well as number of permits needed for the previous site plans. The new plan requires no stormwater or FEMA approval. There is also an additional 50' of vegetation, and the bins will be set on a line to not get any

closer to the river. The salt and sand storage will be outside the shoreline protection area. There will be employee parking with lighting, and they will be looking for an 8' path through a wetland for accessibility to the parking. Mr. Berry is looking for a list of conditional use permits (CUP) needed.

Member Green asked what percent of the business will be relocated offsite. Mr. Berry said the owner has not found a site yet, but the idea is that small contractors could still come here, and larger purchases and bulk would be at the new site.

Member Burbank asked about more details on the need for a walkway through a wetland. Mr. Berry said that the wetland has a point that is naturally raised, and the walkway will be there.

Consultant Durfee asked about the common line and why the 2 lots are not combined. Mr. Berry said the landowner has two separate lenders and combining the lots would be logistically very difficult.

Administrator Fiegenbaum asked for conformation that some of the current practices are not conforming. Mr. Berry confirmed this. Member Green asked about information on the dotted line road. Mr. Berry said this is the current road and will also be the future road.

Chair Avery asked about the previous plans for Quonset Huts. Mr. Berry said there will be one hut for cutting stone.

Consultant Durfee noted several issues. First, the town's shoreline protection is 100ft, and the bins are currently located within that distance. The paved wetland crossing would need a CUP. The salt storage cannot be within a public wellhead radius. Finally, the snow storage proposed cannot be within the buffer. Mr. Berry said that the wellhead is no longer a public water supply.

Mr. Berry then asked at what point does the history of use create an exemption and are there any areas of exemption or a dating of the ordinance. Chair Avery and consultant Durfee said they can look into this: however, it's in our practice to bring a lot towards conforming.

Administrator Fiegenbaum asked for the reason of looking back 10 years. Mr. Berry said that an alteration of terrain looks back 10 years.

Member Green asked if there is a septic. Mr. Berry noted the septic is in the front and was replaced last year.

Mr. Berry then asked about the approximate application timeline. Chair Avery said that we need an application to be submitted at least 3 weeks before a hearing date. Mr. Berry noted that they will try for this as soon as possible.

6. Other New Business

Chair Avery gave the board a letter from the DOT noting the planning for a culvert rehabilitation project on Madbury Road. The board is to look over this and provide future feedback.

Regarding "the Crossings / Mulhern" subdivision, Chair Avery shared that the Town's lawyer advised that Madbury lacks the language to regulate condominiums as Consultant Durfee suggested. He noted that we could send a letter with our thoughts and suggestions to the town of Durham and the Applicant. Consultant Durfee added that we could also request copies of the easements. Member Green wanted to reinforce the request for road runoff to be diverted away from Madbury wetlands. Chair Avery agreed to write up a memo with these concerns,

The board then discussed adding language to regulate condominiums to the Town's ordinances.

The board then generally discussed the two site plans and found that the fire department should be notified of where the 50 gallons of phosphate is going to be located at the water treatment plant. Consultant Durfee noted the LandCare site plan could require a 3rd party wetland review. Member Hoff noted a walk-through seems appropriate.

7. Other Old Business

None

Meeting Adjourned: 8:15

Meeting Attendees:

Al Pratt, City of Portsmouth

Lynnette Carney, Underwood Engineers Inc.

Chris Berry, Berry Surveying and Engineering

Kevin Poulin, Berry Surveying and Engineering

Deb Ahlstrom, Drew Road

Garret Ahlstrom, Drew Road

Respectfully Submitted by Michael Card