



MADBURY PLANNING BOARD

13 Town Hall Road, Madbury NH 03823
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Approved

OFFICIAL BUSINESS

Minutes of: November 3rd, 2021

Meeting Convened: 7:00 p.m.

Members in Attendance:

Mark Avery – Chair
Tom Burbank
Michael Card
Fritz Green – Ex Officio
Casey Jordan
Bevie Ketel – Alternate

Support Staff in Attendance:

Elizabeth Durfee – Contract Planner

Agenda

1. Seating of Alternates:

Bevie Ketel seated at 7:27.

2. Approval of Minutes:

The minutes from October 20th were reviewed. **Motion** made by Member Green to accept the minutes as presented. **Seconded** by Member Jordan. All Aye except Member Ketel, as she was not present for the vote. **Motion Approved.**

3. Correspondence:

No Correspondence.

4. Review of Amended Site Plan Conditions of Approval: Little Tree Education 314 NH Route 108 (Map 10, Lot 7)

- Sarah Greenshields, Owner

Chair Avery updated the board on two conditions for approval completions submitted for Little Tree Education's application. First, the Fire Department emailed, fulfilling Fire Department approval, and secondly Mrs. Greenshields found a stormwater management plan.

Mrs. Greenshields noted that she repaired the driveway in the past and in doing so the driveway permit required a stormwater plan. She then introduced engineer Eric Saari who noted that the stormwater plan seems to be working and appears to be adequate. Member Green asked Consultant Durfee if she had any input on this information. Consultant Durfee noted that she is not an engineer and cannot note on the effectiveness, but can note that this is not a full stormwater management plan. Chair Avery noted that although this is not a full stormwater plan, it seems acceptable for this project. However, any further changes would require a full plan.

Chair Avery then noted that a memo or correspondence between Mrs. Greenshields and the abutters showing an agreement on the vegetation plan would be the last condition needed to be met before construction could begin. Member Green asked on the status of the fence. Mrs. Greenshields noted that the fence was removed since it was in the wrong location. Mrs. Greenshields noted the difficulty of getting a memo since they are currently working on the details of the easement, and she wants to start her project before winter. Member Jordan noted that she would simply needs a memo showing that she discussed with the neighbor what she intends to plant and their agreement to this plan.

After discussion the Board decided to vote on acceptance of the Fire Department approval and stormwater plan. Consultant Durfee noted that the board needed to consider that the condition of approval language actually called for a variance from the ordinance's a stormwater plan requirement.

Motion made by Member Jordan to accept the stormwater management plan in place of receipt of a variance from the Madbury Zoning Board of Adjustment for the requirements of Zoning Ordinances, Article IX-A, Section 7, Paragraph B. **Seconded** by Member Green. All Aye except for Member Ketel was not yet seated. **Motion Approved.**

Motion made by member by Member Card to accept the Fire Department note as a fulfilled condition. **Seconded** by member Hoff. All Aye. **Motion Approved.**

Motion made by Member Jordan that Chair Avery can act for the Board in approving the remaining conditions of Mrs. Greenshields application. **Seconded** by Member Burbank. All Aye. **Motion Approved.**

5. Discussion Proposed Addition of Condominium Regulation Language to Zoning Ordinances:

Chair Avery showed the suggested changes in order to update the ordinance definitions to include condominium. Member Green asked about the meaning and reason for the wording "Condominium Conveyance". Chair Avery noted the reason for the word "Conveyance" is to regulate possible future conveying or transfers or ownership. Member Burbank asked what other towns' regulations look like. Consultant Durfee noted that this is standard language.

Member Hoff asked if the language "all owners" would invite possible issues or work-arounds. The board discussed these thoughts along with whether or not we would need the lawyer to weigh in and what our timeline looks like. Chair Avery mentioned that he will check language from other towns and we will revisit this soon in order to meet our timeline goals.

The Board also discussed the timeline for Public Hearings so that any changes can appear on the ballot.

6. Other New Business:

Chair Avery noted that Old Stage Campground may present a site plan as they would like to replace a building with a larger unit. He also noted that this is a pre-existing non-conforming use lot. Peggy Wolcott noted that lots 2, 3, and 4 have new signs up. The Board had no information on this.

Chair Avery noted that Landcare has formally applied for their site plan. He also noted the need for a site walk and public notice.

Chair Avery noted that 10 Lee Rd. apartments have also submitted their site plan application.

7. Other Old Business:

Member Hoff noted the issue that Landcare has recently brought up the thought that if they have been doing something in the past that they should get a pass for the future. He noted that it is the Board's responsibility is to get the owner to get back towards conformity. The board agreed and spoke briefly about this issue.

Meeting Adjourned: 7:58

Meeting Attendees:

Peggy Wolcott, Old Stage Rd.
Sarah Greenshields, Route 108
Eric Saari, Altus Engineering

Respectfully Submitted by Michael Card