



# MADBURY PLANNING BOARD

13 Town Hall Road, Madbury NH 03823

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## Approved

OFFICIAL BUSINESS

Minutes of: December 15<sup>th</sup>, 2021

Meeting Convened: 7:00pm

**Members in Attendance:**

Mark Avery - Chair  
Tom Burbank  
Michael Card  
Fritz Green - ex officio  
Marcia Goodnow  
Doug Hoff  
Casey Jordan

**Support Staff:**

Elizabeth Durfee - Contract Planner  
Eric Fiegenbaum - Town Administrator

**Seating of Alternates:**

None.

**Approval of Minutes:**

**Motion** made by Member Green to accept the minutes of 12/1/2021 as amended. **Seconded** by Member Hoff. **All Aye. Motion Approved.**

**Motion** made by Member Green to accept the minutes of 12/4/2021. **Seconded** by Member Burbank. **All Aye. Motion Approved.**

**Correspondence:**

Chair Avery noted an online meeting is available to board members on Unitil's emergency response plans.

**Public Hearing - Proposed Addition of Condominium Language to Zoning Ordinances:**

Chair Avery read the rules of a public hearing. He then read the public hearing notice. Chair Avery then opened board discussion for comments and thoughts. Board members read over and discussed our proposed language compared to other NH towns.

Chair Avery opened the discussion the public at 7:10. Seeing no public comment he closed it at 7:10.

**Motion** made my Member Jordan to accept the proposed addition of condominium language to be presented to the town for voting. **Seconded** by Member Goodnow. **All Aye. Motion Approved.**

**Discussion - Inclusion of Enforcement Language in PB Decisions:**

Chair Avery opened board discussion about potential language to help the enforcement of planning board decisions.

The board reviewed the tools available to enforce decisions, and talked about ways to implement them. Member Jordan noted that these could be part of the application packet informing applicants that these enforcement tools may apply. Member Goodnow noted that this list could be given out as an awareness to the applicant in the case an applicant that does not comply. Consultant Durfee presented the option of requiring the applicant to submit evidence that they are in compliance after acceptance of a board decision. Member Hoff noted that if we make something a condition of approval, it doesn't necessarily place the board in the enforcement role. Member Jordan brought up the idea of including the list of enforcement possibilities in a check box form that the applicant must read and check before applying. Chair Avery noted the issue of applicants not realizing that after a decision is approved, they must continue to operate under those conditions. Consultant Durfee noted the possibility of discussing options with the selectmen to find out what would make their enforcement more effective.

Chair Avery asked the board to think this over and we will revisit this topic.

**Other New Business:**

None

**Other Old Business:**

The board briefly mentioned the LandCare Site Walk and what the board may need to consider in the future such as a timeframe for compliance, current violations, changes since the last site plan, and the fact that they are operating on an unapproved plan. No decisions were considered or made.

**Meeting Adjourned:** 7:45

Respectfully submitted by Michael Card