



MADBURY PLANNING BOARD

13 Town Hall Road, Madbury NH 03823

Tel: 603 742-5131 • Fax: 603 742-2502

Approved

OFFICIAL BUSINESS

Minutes of: February 2nd, 2022

Meeting Convened: 7:00 pm

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

1. Seating of Alternatives:

None

2. Approval of Minutes:

The minutes from 01/19/2022 were reviewed. **Motion** made by Member Green to accept the minutes as amended. **Seconded** by Member Burbank. **All Aye. Motion approved.**

3. Correspondence:

None.

4. Preliminary Consultation - Waiver of Subdivision Regulation's Requirement for Underground Utilities - 8 Jenkins Rd. (Tax Map 11 Lot 14-C):

- Parker Eastman, Owner

Chair Avery presented this preliminary consultation to the board. He noted that Parker Eastman is currently building a home and would like to have above ground utility lines but was turned down by the Building Inspector. Mr. Eastman then went to the Zoning Board (ZBA) for relief but has not been granted relief and is here for a consultation in case the ZBA suggests he come to the Planning Board.

Mr. Eastman said that underground utilities are financially prohibitive since the distance of the required line is quite long. He also noted that underground utilities would need to cross wetlands.

Chair Avery noted that when the property was originally subdivided in 1988 underground utilities were

not required; however, underground utilities were required starting in 1992 and the lot had Lot Line Adjustments, which are a form of subdivision, in 1992 and 2017. As such, Chair Avery said that underground utilities may be required as part of the Lot Line Adjustment; however, he's not sure since the utilities were not explicitly mentioned in the Lot Line Adjustments.

Consultant Durfee noted that the owner did not go the ZBA for a variance. He was actually at the ZBA because he was denied a building permit and was appealing that administrative decision. She added that the ZBA will be consulting with the town attorney.

Member Green asked how far the utilities would need to go under vs above the ground in each scenario. Member Hoff noted that the underground utility rule was originally formed to fit into the town's master plan for Madbury's rural character.

Chair Avery reminded the board that right now this issue isn't our issue to solve since the ZBA continued its hearing, but we should be thinking about possible avenues for relief from a decision that is well passed its timeline to appeal.

Consultant Durfee noted possible avenues include appealing the subdivision rule, appealing to the ZBA, or amending their subdivision plan. Member Hoff asked the board at what point in time do the rules of a previous subdivision apply going forward and how do present owners get relief?

Chair Avery stated that he will contact the Town's attorney for advice. Member Hoff asked if we could combine our questions with the ZBA to create one lawyer consultation. Chair Avery agreed with this and told Mr. Eastman that the Board will have more information after the legal consultation.

5. Site Plan Public Hearing - Lee Road Apartments, 10 Lee Rd. (Tax Map 8, Lot 9):

- *John Chagnon, Ambit Engineering (Owner's Agent)*
- *Derek Durbin, Durbin Law (Owner's Agent)*
- *Sean Peters (owner)*

John Chagnon of Ambit Engineering updated the board with their progress with NHDOT for permitting and trip generation reports. He then showed the board the updates to the site plan with landscaping, picnic tables and benches, setbacks, snow storage, and postal box location. Mr. Chagnon then addressed each of Consultant Durfee's memo comments.

Chair Avery asked about off-site noise impacts and Member Green asked about lighting. Mr. Chagnon noted the lighting is dark sky compliant downward shoebox style.

Mr. Chagnon then addressed trip generation. He noted that the total trips are quite low. Chair Avery asked what guidelines are used to determine this. Mr. Chagnon detailed the ITE's formula and graphs based on data collected. Chair Avery asked the board if we are comfortable not requiring a full traffic study. The Board concurred.

Mr. Chagnon reviewed the stormwater plan noting that they looked into the 50 and 100 year events. He

presented the data for the pre and post 50 year event noting that that the drainage mitigation is sufficient. Chair Avery then noted minor corrections to the stormwater management system's maintenance plan regarding onsite trash and inspection logs.

Mr. Chagnon then addressed subdivision access. He noted that they are taking driveway design suggestions from the DOT. Chair Avery suggested coordinating with Fire Department to be sure that they can get their equipment in and out of the site.

Mr. Chagnon noted that the special exemption note can be taken off the site plan. Consultant Durfee noted that the when the condition is met it could be added back into the plan.

Mr. Chagnon then addressed if the board needed more renderings. Chair Avery asked the board if they would require further images. The board was content with the current renderings.

Mr. Chagnon addressed the question with how to physically delineate the property line along the Tasker Lane neighborhood. The board found that the planned foliage should be sufficient.

Chair Avery asked for the property landscape plan. He also asked if there is a date that the landscaping is planned for. Mr. Chagnon noted that the planting is typically at a time that the plants would respond well to transplant (usually spring). The board was content with the landscaping plans.

Mr. Chagnon then asked the board for what part of the plan would the board consider getting a 3rd party engineering review? Consultant Durfee noted the grading and stormwater drainage could be reviewed. Chair Avery and Member Jordan both noted the size and scope of this project and they felt it would be helpful to get another opinion.

Member Hoff noted that the building inspection could be overwhelmed. Chair Avery agreed that the board needs the Building Inspectors input and that the Board may need to plan for inspection assistance.

Mr. Chagnon clarified the total number of bedrooms in each unit. There will be 6 – 4 bedroom units, 3 – 3 bedroom units, and 2 – 2 bedroom units.

The final item Mr. Chagnon commented on is the applications consistence with Madbury's master plan. Member Jordan asked if there could be an opportunity for workforce housing. Mr. Chagnon noted the difficulties and challenges for builders to provide workforce housing projects and that this is not a possibility for this project. Member Green noted that workforce housing should be a regional goal not a town goal. Member Goodnow noted that she had been one of the first people to ask about the design and she's content that the structure will fit well into Madbury's character.

Chair Avery then reviewed all nine standards of Article 7. The board found the parking spaces adequate, but will require a note from the Fire Department confirming the emergency services has good access to the property. Consultant Durfee noted that we are approaching the 65 day decision date. The applicant agreed to extend the deadline.

Motion made by Member Hoff to continue the hearing to March 2nd at 7pm at Town Hall. **Seconded** by Member Green. **All Aye. Motion approved**

6. Other New Business:

Chair Avery informed the board that secretary Laurie Plantamuro has resigned. Eversource is planning on tree cutting on Cherry and Nute Roads. Delasola sold her property so a Johnson Creek associate.

7. Other Old Business:

None.

Meeting Adjourned: 8:35

Meeting Attendees:

Peggy Wolcot, Old Stage Road

Leah Eastman, Jenkins Rd.

Parker Eastman, Jenkins Rd.

Bill Janelle, Jenkins Rd.

John Chagnon, Ambit Engineering

Derek Durbin, Durbin Law

Sean Peters, Owner 10 Lee Rd Apartments

James Petrovitsis, Owner 10 Lee Rd Apartments

Respectfully submitted by Michael Card