

MADBURY PLANNING BOARD

13 Town Hall Road Madbury, NH 03823

Tel: 603 742-5131 Fax: 603 742-2502

ACCEPTED

OFFICIAL BUSINESS

Minutes of: June 1st, 2022

Meeting Convened: 7:00 pm

Members in Attendance:

Marcia Goodnow - Chair
Mark Avery-Ex Officio
Tom Burbank
Michael Card
Casey Jordan

Support Staff:

Liz Durfee- Town Planner
Eric Fiegenbaum - Town Administrator

1. Seating of Alternatives

None Seated.

2. Approval of Minutes

The minutes from 05/18/2022 were reviewed. **Motion** made by member Jordan to accept the minutes as amended. **Seconded** by member Burbank. All Aye. **Motion approved.**

3. Correspondence

None

4. Public Hearing - Subdivision and CUP 14 Huckins Rd. (Tax map 1, Lot 16)

Chair Goodnow reviewed the application with the applicant for completeness according to the checklist in Article XII, Section 2. The only incomplete item was the impact statement. Mr. Haight noted that the statement is on his desk, but he would be happy to read the statement, and submit the statement to the board as soon as he is in his office again. After hearing the statement, and finding the application to be complete, a **Motion** was made by member Avery to accept the application for consideration, pending the attachment of the impact statement. **Seconded** by member Jordan. All Aye. **Motion approved.**

Chair Goodnow read the notice and rules for the public hearing. The applicant explained the subdivision proposal detailing the plans for a 4 lot residential subdivision. The

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applicant will need a CUP for wetland and buffer impacts for the driveways. Member Jordan noted that there are three large driveways crossing the wetlands. He asked if there is a reason the applicant is not using the existing gravel driveways or using shared driveways.

Member Avery suggested sharing at least one of the driveways. The applicant responded that they would prefer individual driveways, but will consider this idea. Member Avery asked if the test pit trench on lot 3, test pit 9, is in the septic reserve area, and which test pits failed and which passed. Mr. Haight explained that there is a 10-15' radius when they test, and the radius extends into the area in question. The test pit results are on the test pit plan, and not the site plan. Member Avery and Jordan suggested that these are included on the site plan to make it easy to see which tests passed and which failed. Planner Durfee asked what resources of 50' vs 75' buffer are you merging on the site plan. Mr. Haight said that the very poorly drained soil and poorly drained soil are merged. Planner Durfee noted that these are typically 2 distinct lines. Member Jordan agreed the lines should be separate so they are easier to see.

Chair Goodnow opened the public hearing to public comment at 7:30. Bill Taylor is in favor of this site plan, and feels that it is a reasonable use for the land. Al Pratt, Water Resource Manager for the city of Portsmouth, spoke against this site plan as he feels this will impact the Bellamy reservoir, and the water supply for Portsmouth. He submitted a letter detailing his issues. He noted that the property drains to a tributary that flows to the reservoir. The stormwater flow and runoff from increased impervious surfaces would migrate to the reservoir. Also, materials like salt, sand, and fertilizer would migrate to the reservoir. Andrew Losee asked if the electrical would be underground or above the ground. Mr. Haight said that it would travel with the driveway. Mr. Haight addressed Al Pratt's issues by agreeing to include a stormwater management plan, and have a restriction on fertilizer, salt, and sand. Planner Durfee asked what stormwater document would be included. Mr. Haight said that, typically, residential plans don't have a full stormwater management plan, but a wetland buffer system to restrict and redirect flow. Chair Goodnow asked the applicant to have a plan to enforce the stormwater plan and restriction of materials. Member Avery noted that a no mow buffer would help decrease the possibility of flow toward the reservoir. Planner Durfee added that a 25' no disturb buffer or a no cut buffer would help. Chair Goodnow closed the public comment opportunity at 7:38.

Planner Durfee noted that the town has minimum lot size standards with the wetlands and very poorly drained soil. The board needs to see the the numbers after the area of wetlands and very poorly drained soils are removed from the total area. Member Jordan noted that a chart with total area vs. qualifying area would be helpful. Planner Durfee noted that the applicant should review Article IV section 9 and Article IX section 8 when applying for the CUP. Chair Goodnow noted the the water-board and conservation commission will be evaluating the wetland crossing CUP. Chair Goodnow helped review the suggestions for the

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application. They included: a 25' no disturbance buffer, a prohibited uses list of materials not allowed on wetlands; an effort to minimize the number of driveways; the notation of all overlay districts, flood hazards and the local town overlay district on the plan; inclusion of, the language and location of the easements; the creation of a stormwater plan, as well as a plan to restrict fertilizer, salt, and sand. **Motion** made by member Avery to continue this meeting to July 20th 2022. **Seconded** by member Jordan. All Aye. **Motion approved.**

5. Site Plan Public Hearing - LandCare Associates Inc. - 282 and 284 Knox Marsh Road (Tax Map 9, Lot 3 and 4).

Chair Goodnow noted that this public hearing is a continuation from May 4th 2022. Mr. Berry noted the minor changes to the plan. The containers of the western side of the property are now behind the building, and farther from the river. These containers are for dry storage. The proposed cut shop will stay in its current location, since it already lies in the flood zone. The applicant added times and uses to the site plan. They expanded the notes to include a 50/50 wholesale/retail business, and operating hours. The applicant added the businesses, operating hours, and employee numbers to the site plan. Member Jordan noted that the applicant may want to change these notes to general office space instead of listing the businesses. That way if the businesses change over the years, they would not need to come get a new site plan unless the type of businesses changed. He suggested they look towards what could potentially be there, not what is currently there. Attorney Baum agreed, and will revise the terminology to small office and repair shop. Planner Durfee noted that the board should be clear on what or when the applicant would need to revisit for a change of use. Member Jordan noted that additional language for snowstorm operation could be added. Member Avery added that additional businesses still need to fit within this site plan. If Allegro lawn care is storing their equipment or hazardous material, it needs to conform. Member Jordan and Avery asked when the cut shop was built, since it is built in the shoreline flood zone. Mr. Berry was not sure when it was built. Member Avery asked how the applicant is progressing with DOT permitting. Mr. Berry said that the package is ready; they are just waiting on final approval. Planner Durfee was looking for clarity on the progress of a 3rd party review. Mr. Berry felt that the site plan is far enough along that they are ready to engage and start the review process. Planner Durfee said that she will prepare the scope and estimate to get things started. **Motion** made by member Avery to continue the meeting to August 3d 2022. **Seconded** by member Burbank. All Aye. Motion approved.

6. New Business

Chair Goodnow notified the board that Melissa Walker inquired whether or not her business needed a home business permit. Member Avery noted that since they are zoned for agriculture none is needed.

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7. Old Business

Member Avery updated the board on the progress of the selectmen with the applicant of 10 Lee Rd. Apartments.

Meeting Adjourned at 8:20

Meeting Attendees:

Peggy Wolcott - 98 Old Stage Rd.

Bill Taylor - 242 Littleworth Rd.
Zeland Schwartz - 14 Huckins Rd.
Steve Haight - Civil works
All Prat - Portsmouth water resources
Jose Gregoire - Civil works
Andrew Losee - 16 Huckins Rd.
Dan Moynahan - 68 Sargents Laine
Eliot Moynahan
Chris Berry - 32 Shakespeare Road. Roch
Keven Baum - HPGR 127 Parrott Ave. Ports
Dave Gordan 175 BF Rd. Durham

Respectfully submitted by Michael Card