



# MADBURY PLANNING BOARD

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## Approved

### OFFICIAL BUSINESS

**Minutes of:** April 5<sup>th</sup>, 2023

**Meeting Convened:** 7:00 pm

**Members in Attendance:**

Marcia Goodnow - Chair  
Douglas Hoff - Vice Chair  
Tim Burt -Ex Officio  
Michael Card - Secretary  
Tom Burbank  
Andrew Losee  
Casey Jordan  
Bill Courtemanche

**Support Staff:**

Daphne Chevalier - Recording Secretary

**Meeting Attendees:**

Peggy Wolcott

**1. Seating of Alternates**

No alternates to seat this evening. Chair Goodnow introduced Bill Courtemanche as a new alternate.

**2. Approval of Minutes**

**Motion** by Member Card to accept the minutes for March 15<sup>th</sup>, 2023 as presented.

**Seconded** by Member Burbank. **Motion passed unanimously.**

**3. Correspondence**

Chair Goodnow shared an email the Board received from Mr. Berry regarding LandCare's progress on their Precedent Conditions of Approval. Another correspondence received was from Eversource addressing the impact on wetlands. The Conservation Committee also sent a memorandum indicating they don't believe there will be an adverse impact as a result of Eversource's project.

**4. Welcome to Tim Burt, ex officio Select Board representative to the Planning Board**

Chair Goodnow introduced Tim Burt and welcomed him to the Board. She shared that the Select Board would like the Planning Board to follow up with the Philbrick case. The minutes from the last meeting on the Philbrick case indicate the issue was tabled. The biggest concern is the number of deliveries taking place at the property and the subsequent impact on traffic. Member Burt shared that Selectman Avery would like the Board to take a look at that issue again.

Member Hoff stated he believes this to be an enforcement issue rather than a planning board issue. Chair Goodnow suggested the Board may begin by asking if the landowners intend to continue to use that land for part of the business. Member Jordan believes the letter should come from the Selectmen, as the Planning Board doesn't have enforcement powers. Chair Goodnow provided a history of the issue for the new members of the Board. Member Card agreed with Member Casey that checking in with the business' activities is not within the scope of the Planning Board. Member Burt said the Selectmen are asking the Planning Board to untable the issue. Member Card said the Board would be happy to address the issue, but he doesn't feel it is the PB's job to determine what is happening with the business on the property. Chair Goodnow said this Board hears applications but doesn't seek them out. If the Board were to untable the issue, they would need to post for a public hearing again and would need to know what the applicant is planning to do. The issue can't be untabled without reopening a public hearing. After further discussion, the Board believes the appropriate next step is for the Selectmen to reach out to the property owner to determine if there are still zoning violations occurring at that address. Chair Goodnow would like someone from the Select Board to contact Philbrick and find out what the status is: are they behind schedule for their timeline of moving out or are they intending to continue business there? If they are intending to continue to do business, Philbrick will need to submit a new application to resolve the zoning issue.

#### **5. Upcoming Business**

There are two applications for the Schwartz property that will be coming before the Board. As per the conditions of approval, the platts will be delivered sequentially, as approval needs to be signed off first as one is moving and the other is taking an edge. On the 19<sup>th</sup>, Chair Goodnow will give the Board the information to review prior to the May 3<sup>rd</sup> meeting. Vice Chair Hoff asked if it is a lot line adjustment or a new subdivision application. The Board determined Chris Wyskiel will need to answer that question.

#### **6. Discussion of application fees for Subdivision Lot Line adjustments**

Chair Goodnow shared a schedule of fees related to zoning ordinances, subdivision regulations, and site plan review regulations. She asked if the application fees of \$200 for subdivision and site plan review regulations should be adjusted to include an asterisk and indicate that amount would cover 30 abutters. This would cover a situation like Eversource who had over 70 abutters. Vice Chair Hoff believes those costs also include administrative costs (for example for the Town Administrator and Town Planner). There was a discussion about how to best adjust the fees to prevent the town from incurring a cost greater than the fee.

**Motion** by Member Burbank to **accept** the recommendation to increase the schedule of fees to a total of up to 20 abutters as part of the \$200 application fee with an asterisk indicating a \$10 fee for each additional abutter.

Vice Chair Hoff suggested adding that the applicant provide two sets of abutter mailing labels based on the current official town tax maps as part of the application. Member Burt reviewed the RSA to determine if the Board can increase the fee; based on the language in the RSA, the Board determined a fee adjustment could be made.

**Motion seconded** by Member Card. **Motion amended to include an effective date of May 1st. Motion passed unanimously as amended.**

### **7. Other Business**

Chair Goodnow asked if there are any other items that need to be addressed in the future. Vice Chair Hoff recommended the Board begin thinking about the other chapters of the Master Plan and determine the order they'd like to work on those.

Chair Goodnow shared information about the last Housing Academy meeting she attended. The last meeting for the towns currently participating will take place prior to the summer, and a second cohort of towns will begin. Chair Goodnow stated she found most of the towns attending reported the same problems. The Housing Academy meeting also included information about how to practice having interviews with people. Member Jordan suggested housing discussions could be another workshop topic for the Board. The Board discussed the accessory building language and agreed it would be good to evaluate that language at a future meeting.

Chair Goodnow suggested the Board look again at the policy regarding the timeline requirements for entering an application and having a hearing for that application.

### **8. Election of Officers**

Chair Goodnow informed the reelected members of the process for being sworn in again.

The Board discussed who might take the role of Chair moving forward. Chair Goodnow and Vice Chair Hoff expressed concerns about their availability and how that would impact their ability to continue in the roles. Overall, the Board felt comfortable with how Chair Goodnow and Vice Chair Hoff have shared responsibility for the Board this past year.

**Motion** by Member Jordan to elect Chair Goodnow as Chair, Vice Chair Hoff as Vice Chair, and Member Losee as Secretary. **Seconded** by Card. Vice Chair Hoff **amended the motion** to elect Member Card as secretary instead of Member Losee. **Amended motion seconded** by Member Jordan. **Motion passed (5 - 0 - 2)**, with Chair Goodnow and Vice Chair Hoff abstaining.

**Motion** to adjourn by Member Card. **Seconded** by Member Jordan. **Motion passed unanimously.**

**Meeting adjourned:** 8:48 p.m.

Respectfully submitted by Daphne Chevalier.