



# MADBURY PLANNING BOARD

13 Town Hall Road, Madbury, NH 03823

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## Approved

### OFFICIAL BUSINESS

**Minutes of:** February 7, 2024

**Meeting Convened:** 7:00 pm

**Members in Attendance:**

Doug Hoff - Vice Chair  
Tim Burt -Ex Officio  
Michael Card - Secretary  
Casey Jordan  
Andrew Losee  
Bill Courtemanche  
Greg Merrell - Alternate

**Support Staff:**

Elizabeth Durfee - Contract Planner  
Daphne Chevalier - Recording Secretary

**Meeting Attendees:**

Dave Garvey  
Jennifer O'Donnell  
Ethan Ash  
Peggy Wolcott  
Justin Corrow, Building Inspector

**1. Call to Order**

Vice Chair Hoff called the meeting to order at 7:00 pm.

**2. Seating of Alternates**

Alternate Merrell was seated in Chair Goodnow's absence.

**3. Approval of Minutes**

**Motion** by Member Burt to accept the minutes for 17 January, 2024 as presented.

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

**4. Preliminary Discussion Tax Map 9 Lot 31A for proposed work at Tax Map 9, Lot 31 A; probable need for a Conditional Use Permit due to wetlands**

*-Dave Garvey for applicant Robert O'Donnell*

Mr. Garvey described the 38-acre lot for the proposed single-family home. The owners eventually would like to have horse barns. Mr. Garvey stated the DOT permit for the proposed work is in hand. He reported the engineers and wetland scientists are working on a submission to DES. Because of the existing culvert (an old farm crossing believed to be perhaps a 24", but is now warped), a full hydrogeologic study of the acreage that feeds into the culvert will be conducted. They hope to have the wetlands application submitted this week.

Mr. Garvey explained the wetlands and buffer impacts on the property and that they designed the plan for as minimal an impact as possible. There will be some cutting near where the house will be, and the owners will likely use the open field for hay for the horses. Mr. Garvey explained

that in conversations with Eversource, they believe the best practice is above ground power lines as there will be less of a wetland impact.

Vice Chair Hoff explained the Board needs to have an application submitted before a hearing can be noticed and scheduled. The applicant will get the application submitted and appear before the Water Commission and Conservation Commission as soon as possible, as they hope to begin construction this summer.

Member Jordan encouraged the applicant to use the application checklist to ensure all the necessary information, including well locations, is submitted. Vice Chair Hoff reminded the applicant to be sure to notice the Durham abutters. Member Jordan encouraged the applicant to submit planned construction details for mitigation strategies to ensure best practice will be followed. Mr. Garvey explained they probably won't have the construction drawings until they hear back from DES.

Vice Chair Hoff encouraged the applicant to ensure they have all the necessary information for the utilities and to provide a letter from the fire chief attesting to the review of the plans.

#### **5. Town Inspector LandCare Report**

Vice Chair Hoff explained that LandCare is in the process of meeting their subsequent conditions. A number of the subsequent conditions involve the consulting work conducted by Tom Ballestero. The folks at LandCare are getting to the point where they want to get the subsequent conditions checked off. Mr. Corrow explained he met with Mr. Ballestero and the LandCare owners. There will be a gravel drainage bed with an outlet higher up. He explained the idea is to have the nitrogen release into the air rather than the waterway. Mr. Ballestero and Mr. Corrow will conduct the inspections together to ensure the project is completed properly. Vice Chair Hoff explained that Mr. Corrow and Mr. Ballestero are putting together a scope of work and associated costs for Mr. Ballestero's work. Vice Chair Hoff said that the other conditions in the conditional approval must also be met. Mr. Corrow said some of those items will be completed after the mitigation is complete. He's not sure of the timeline, but the applicant wants to get going on it.

#### **6. Master Plan work: Liz Durfee**

*--Housing and Demographics chapter, further edits and refinement*

Before beginning the discussion, Ms. Durfee explained that if the Tax Map 9 Lot 31A applicant is not making a new subdivision, they wouldn't need to submit a waiver for the underground utilities because that is a requirement for subdivisions. Vice Chair Hoff explained the history of the property. Ms. Durfee explained the applicant can't submit a waiver for the utilities because they are not submitting a request for a subdivision.

Select Person Burt said there is an opening on the Select Board and anyone on the Planning Board would be welcome to run, as they would bring a lot of knowledge to the Select Board.

The Board discussed the recommendations for the Housing chapter of the Master Plan. Ms. Durfee explained that each of the recommendations should be related to something within the chapter, so if the Board notices anything that isn't referenced, they should flag that item. She presented her Recommendations draft.

Regarding the fourth regulatory recommendation, Ms. Durfee explained the Inclusionary Zoning law requires the town allow for multi-family dwellings of five (RSA 674:21) somewhere in Madbury. For this reason, she feels including the multi-family housing item in is important as the Town is not currently in compliance. She said one option is for the board to create an overlay or a new district in a certain area of town that would make sense for a multi-family development. She said she has a contact that could come in to determine what areas in Madbury would be possible locations for multi-family housing. The Board discussed the potential for allowing multi-family housing in the civic district. Ms. Durfee explained there would be a process for working toward this recommendation.

The board discussed Planning and Policy recommendation P2 and how to define sprawling. Ms. Durfee will remove that item for now. Member Jordan suggested combining recommendations 3, 4, and 6, as they have to do with trail systems. Select Person Burt suggested cutting recommendation 5, as the Select Board is already working on making this happen. Regarding P7, the Board feels a recreation chapter should be included, and this item should be included in that chapter. Select Person Burt suggested P6 also be moved to a recreation chapter.

The Board paused the review of recommendations and will continue their discussion at the next meeting.

Ms. Durfee said has some additional edits to complete from the feedback she received at the previous meeting. She said Jackson is available mid to late Feb to do the modeling once he gets the go-ahead. She will put together a list of options for the board to review.

## **7. Other Business**

Ms. Durfee asked about the short term rental survey and webpage. She stated that Chair Goodnow sounded concerned about using the term regulation. Member Card said Chair Goodnow asked him to delete that word from the website, which he has done, and provided replacement language for some of the places where the word regulation was used. In some places, he used the word ordinance instead. Michael will share the link to the website so the board can review it, and they will discuss it next meeting.

## **8. Adjournment**

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

**Meeting adjourned: : 8:40 p.m.**

Respectfully submitted by Daphne Chevalier.