



# MADBURY PLANNING BOARD

13 Town Hall Road, Madbury, NH 03823

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Approved 4/16/2025

## OFFICIAL BUSINESS

**Minutes of:** April 2, 2025

**Meeting Convened:** 7:00 pm

### Members in Attendance:

Bill Courtemanche - Chair

Casey Jordan - Vice Chair

Mark Avery - Ex Officio

Andrew Losee

Michael Card

Doug Hoff

Greg Merrell - Secretary/Alternate

### Support Staff:

Elizabeth Durfee - Contract Planner

Daphne Chevalier - Recording Secretary

### Meeting Attendees:

Justin Corrow, 22 Nute Rd

Deena Peschke, 81 Old Stage Road

Brenda Worden, 222 Calef Hwy, Lee

Jason Lajeunesse, 33 Palm Dr, Greenland

Patrick Nopier, 15 Moharimet Dr

Eric Fiegenbaum, 6 Moharimet Dr

Edison Losee

### 1. Call to Order

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

### 2. Seating of Alternates

Member Merrell was seated as an alternate, as he hasn't been officially sworn in as a full member yet.

### 3. Approval of Minutes - March 19, 2025

*Motion by Member Card to **accept** the minutes for March 19, 2025 as amended.*

*Seconded by Vice Chair Jordan. **Motion passed unanimously (7-0-0).***

### 4. Correspondence

Chair Courtemanche shared that Madbury Motors has a new owner and is going through the process of being licensed as a business. The new owners need to ensure they are in compliance with the town. It is a non-conforming lot, so the Board will need to review that status. Chair Courtemanche asked the board to review the section on non-conformance in preparation for the next meeting.

### 5. Accessory Dwelling Unit CUP Application, 81 Old Stage Rd (Tax Map 3, Lot 15)

*Applicants: Deena Peschke & Brenda Worden*

Chair Courtemanche read the procedures for public hearing and reviewed the checklist items.

*Motion by Selectperson Avery to accept the application for consideration. **Seconded** by Member Card.*

***Motion passed unanimously (7-0-0).***

Jason Lajeunesse with River Birch builders stated he is working with the applicant, civil engineer, and architect on the ADU. He explained the applicant is proposing to build a detached structure off the left hand side of the existing driveway. The square footage meets the percentages allocated in the zoning ordinances. Septic design is being completed in pocket, as a new septic system that will meet state standards for both buildings is required. The new tank will feed into the current leach field.

Chair Courtemanche opened the meeting to public comment at 7:14pm.

No members of the public rose to spoke on the application.

Chair Courtemanche closed the meeting to public comment at 7:15pm.

Vice Chair Jordan asked if there are any wetlands on the property, as none are listed on the plans. Mr. Lajeunesse said the property is an upland property. Ms. Durfee stated she reviewed the wetlands map on the town page and noticed the entire property shows up as a wet area. She recommended the board review for wetlands on the property. A survey may be needed to determine if there are wetlands in the area where the property is going. Mr. Lajeunesse said they will need to review the property for wetlands prior to presenting septic plans to the state for approval. Vice Chair Jordan said more investigation is needed. Mr. Fiegenbaum explained the map on Fritz' website is not designed to be site specific but that is what the town uses unless the applicants bring in a site specific plan.

The Board reviewed the ordinance to ensure compliance. Selectperson Avery asked how the applicants plan to install power to the site. Mr. Lajeunesse stated the plan is for underground utilities. He also stated the septic plan is in the process of being finalized and is not sure if the plan has been submitted to the state. Member Losee asked if there are two test pits within the reserve area separated by at least 50' that passed. It appears two were dug but only one passed. Mr. Lajeunesse stated the principle unit will be owner occupied.

Vice Chair Jordan stated the three outstanding items for the application are as follows: wetlands (identified and confirmed), two valid test pits, DES permit. Given the absences of wetlands noted on the plans, the board opted for a continuance of the public hearing so the applicants can address the outstanding items. The applicants believe they could get that information to the Board by the next meeting.

***Motion*** by Vice Chair Jordan to ***continue*** the public hearing on the application for a conditional use permit for 81 Old Stage Rd (Tax Map 3, Lot 15) to May 7th, 2025, 7pm, Madbury Town Hall. ***Seconded*** by Selectperson Avery. ***Motion passed unanimously (7-0-0).***

## **6. Fernald Lot Correction**

Chair Courtemanche shared a letter from Mr. Wyskiel, Mr. Fernald's attorney. He explained there is a difference in two maps: the subdivision map signed by the board and the conservation map. There is a discrepancy in the numbers, though the pins appear to be the same. Another difference is in the noted acreage and another in the angle point in water measurement.

Ms. Durfee recommended asking the town's attorney about the best way to proceed and perhaps to have the applicants file an amended subdivision. She believes it is an issue that should be a public hearing with

abutters notified. Chair Courtemanche explained there is only one abutter impacted by the errors. Ms. Durfee said the attorney would know if there is a separate process that could be followed for just the two impacted parties in lieu of noticing all abutters. Vice Chair Jordan wondered who would pay for the public noticing in this case. He agreed a noticed meeting would be the best approach. Chair Courtemanche asked who bears the liability for the error. Ms. Durfee said it seems like the surveyor caught the error.

The board discussed whether to ask the attorney if there is an administrative approach or if they should request an amended subdivision plan. The board decided to ask the Selectboard to reach out to the town attorney to determine if this issue could be addressed in the other business portion of a planning board meeting as a clerical issue. Chair Courtemanche will inform the Fernalds about the Board's action on this item.

#### **7. HOP Topic: Land Use Survey: finalize, advertising; Community Engagement Housing/Zoning related regulation update**

Ms. Durfee said the survey is up and running and postcards were mailed. There are hard copies of the survey at the town hall and the library. She offered to share a flyer if the board wants to share it on social media. There are also business cards board members could pass out at athletic games or other community events. Mr. Fiegenbaum will put a notice about the survey in the next Madbury Post. Ms. Durfee expects keeping the survey open for about a month, at which time, if there isn't good engagement, they board could opt to run it longer. She will touch base with the Gosses about sharing information at the Historical Society event next week at Powder Major Farm.

Ms. Durfee suggested holding a family-friendly fun event either at Town Hall or the Library, something along the lines of a collage and pizza night focused on land use.

Ms. Durfee shared some information with the board regarding current legislation related to housing. She will email to the board a copy of her handout with the hyperlinks and some articles. She also shared an ADU land use survey that UNH is conducting and recommends replying to the survey request. They are looking for a town-based response rather than an individual one. Chair Courtemanche asked if anyone would be interested in replying to the survey. He will reach out to UNH to ask what their time frame is.

#### **8. New Business**

Chair Courtemanche asked for feedback from the Board about using digital materials at meeting in lieu of print. Member Hoff said for a full application, he recommends having paper copies for the board to review. Ms. Durfee liked having access to the electronic copies ahead of the meeting. The board agreed having an individual member folder is helpful, but it should be on the individual member's responsibility to maintain that folder after receiving printouts.

Chair Courtemanche shared the Is This a Meeting? Flowchart to guide communications among board members. He would like to push information out to the board as he receives it and wants to ensure if he does so, it won't prompt an email chain that could constitute a meeting. The board agreed not to reply to all in response to the chair's emails. Ms. Durfee shared she can aggregate responses and bring that data in to share for the board if that is needed.

Member Hoff asked about the progress on Land Care. Mr. Fiegenbaum shared he doesn't believe the work is complete. Member Hoff believes they are close to the deadlines on their conditions of approval.

Selectperson Avery reported the Hazard Mitigation Plan, required to receive FEMA money if there is a disaster, is out for public comment now. He encouraged the board to review the action items in the proposed plan. Chair Courtemanche will send the Hazard Mitigation Plan to the board members to review.

**9. Adjournment**

***Motion to adjourn by Vice Chair Jordan. Seconded by Member Merrell. Motion passed unanimously (7-0-0).***

**Meeting adjourned: 8:43 p.m.**

Respectfully submitted by Daphne Chevalier.