



Mark Avery <madplanboard@gmail.com>

Re: LTE Site Plan Review Application for Deck & Office Remodel

1 message

Sarah Greenshields <sarah@little-tree.me>

Thu, Sep 9, 2021 at 6:40 PM

To: Liz Durfee <efd.planning@gmail.com>

Cc: Mark Avery <madplanboard@gmail.com>, Madbury Admin Asst <adminmadbury@comcast.net>

Hi Liz,

Thank you for your email. I don't believe that the provisions of the newly adopted Aquifer and Wellhead Protection Overlay District apply to what I am proposing to do at the property. As you know, I am proposing to replace the existing exterior deck due to its poor condition with a new deck that will include an ADA ramp. This is a pretty minimal change and does not affect the purpose or manner in which we use the building. As a result, it is my understanding that RSA 674:19 is applicable.

RSA 674:19 says two things (it's actually two sentences long). The first sentence says:

"A zoning ordinance adopted under RSA 674:16 shall not apply to existing structures or to the existing use of any building."

If that is all the statute said, a reasonable interpretation might be that an application for a site plan amendment (changing an existing structure) would trigger the applicability of a newly adopted zoning ordinance provision. However, the second sentence of RSA 674:19 provides further instruction on how to apply new zoning ordinance provisions to proposed alterations of an existing building. The second sentence says:

"It shall apply to any alteration of a building for use for a purpose or in a manner which is substantially different from the use to which it was put before alteration."

I don't believe that my proposed replacement of the exterior deck amounts to "a use or purpose or in a manner which is substantially different from the use" of the existing deck. As a result, I don't believe that the new ordinance applies to my replacement project.

Thank you for considering the above. Let me know if you have any questions.

~ Sarah

On Wed, Sep 8, 2021 at 2:52 PM Liz Durfee <efd.planning@gmail.com> wrote:

Sarah -

I'll be preparing a plan review memo for the Planning Board in the next few days. Mark typically emails these out to applicants in advance of the Planning Board meeting, so look for this early next week.

Because your property is located in the Aquifer and Wellhead Protection Overlay District, as I think you are aware, the performance standards of Section 7 apply (triggered by the Site Plan amendment). Section 7(B) would require a stormwater management plan if over 15% of the lot is impervious (buildings, parking, driveways, etc). If you can provide either the area or percentage of imperviousness on the lot in advance or at the Planning Board meeting, that would be helpful. Here is a link to the updated version of this overlay ordinance: <http://www.madburynh.org/Madbury/docs/Approved%20Land%20Use%20Changes%202021-03-09.pdf>.

Thank you,

Liz

On Thu, Aug 26, 2021 at 8:46 PM Mark Avery <madplanboard@gmail.com> wrote:

Hi Sarah,

We have your application. A formal notice to you and the abutters will be sent out tomorrow for a public hearing on 15 Sep. I haven't had a chance to review the application carefully yet, but I should be able to over the weekend.

Hope that helps,
Mark

On Thu, Aug 26, 2021 at 5:31 PM Sarah Greenshields <sarah@little-tree.me> wrote:
Excellent! Thank you.

Sent from my iPhone

On Aug 26, 2021, at 4:39 PM, Liz Durfee <efd.planning@gmail.com> wrote:

Hi Sarah - I believe that Eric confirmed that someone dropped off the application and that we had discussed that you would be on the second agenda in Sept (third Tues).
Mark- could you please confirm this? Thank you, Liz

On Thu, Aug 26, 2021 at 11:16 AM Sarah Greenshields <sarah@little-tree.me> wrote:
Hello Liz, Eric, and Mark,

Hope this email finds you well. Touching base to confirm receipt and checking on the timeline for a meeting.

Thank you,
Sarah

On Thu, Aug 19, 2021 at 12:00 PM Madbury Admin Asst <adminmadbury@comcast.net> wrote:

A fellow just dropped off three copies of the application. They will be on the desk in the mail slot conference room.

Eric

Eric Fiegenbaum, Administrator
Town of Madbury
(603) 742-5131 x1

From: Sarah Greenshields [mailto:sarah@little-tree.me]
Sent: Thursday, August 19, 2021 10:48 AM
To: Liz Durfee <efd.planning@gmail.com>; Mark Avery <MadPlanBoard@gmail.com>;
Eric Fiegenbaum <adminmadbury@comcast.net>
Subject: LTE Site Plan Review Application for Deck & Office Remodel

Good morning, Liz, Eric, and Mark.

Attached you will find my application for Site Plan Review for our replacement & remodeled deck. I am also enclosing information about the remodeling of the office. We will be using this space as an infant and twos age-group classroom.

Attached you will find:

1. Application
2. Abutter List
3. Waiver Request letter & supporting information about the project
4. The approved Site Plan from 2015 & support documents
5. Proposed Site Plan & enlarged version to make it a bit easier to read with the deck and egress details
6. Elevations of the replacement & remodeled deck to increase life safety on our property, including a second means of egress

We will be bringing 3 copies of all of these documents to Town Hall by noon.

If there are any last-minute requests, please let me know, but I think I got it all! This is a very detailed application. I appreciate your support while navigating this process.

Could you please confirm receipt of this email & the following steps? I am a bit worried because I will undergo knee surgery in September in Colorado, but this application cannot wait as we have parents in dire need of care - there simply are not enough infant care options. My team, including our Executive Director and Chief of Staff, will be available and will attend the meeting. I am optimistic that I will be able to attend, too.

Thank you!

--

Sarah J Greenshields

|

<image001.jpg>

www.little-tree-education.com

(603) 742-TREE

"If the whole of humankind is to be united into one brotherhood, all obstacles must be removed so that humans, all over the surface of the globe, should be as children playing in a garden."

Dr. Maria Montessori

--
Sarah J Greenshields

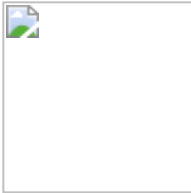


www.little-tree-education.com
(603) 742-TREE

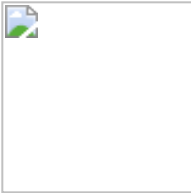
"If the whole of humankind is to be united into one brotherhood, all obstacles must be removed so that humans, all over the surface of the globe, should be as children playing in a garden."

Dr. Maria Montessori

--
Liz Durfee, AICP
EF | Design & Planning, LLC
www.efdesignplanning.com
efd.planning@gmail.com
603.969.4594



--
Liz Durfee, AICP
EF | Design & Planning, LLC
www.efdesignplanning.com
efd.planning@gmail.com
603.969.4594



--
Sarah J Greenshields



www.little-tree-education.com
(603) 742-TREE

"If the whole of humankind is to be united into one brotherhood, all obstacles must be removed so that humans, all over the surface of the globe, should be as children playing in a garden."

