

MADBURY PLANNING BOARD  
13 Town Hall Road, Madbury, NH 03823

Official Business

Approved on: 10/19/16  
Motion by: DH 2nd: JM

Minutes of October 5, 2016

Meeting convened at 7:00 p.m.

**Members in attendance:**

Fritz Green - Chairman  
Bruce Hodsdon  
Tom Burbank  
Doug Hoff  
Marcia Goodnow  
Julie McCabe  
Mark Avery

**Support Staff:**

Tarah Beaupre  
Jack Mettee

**AGENDA**

**Approval of Minutes from the September 21, 2016 Meeting:**

The minutes from September 21, 2016 were reviewed. **Motion** made by Member Hoff to accept the minutes as amended, seconded by Member McCabe. All aye. **Motion approved.**

**Hearing: Amended Application for Jaspers Corner (Map 2, Lot 20):**

The Chairman read the rules for a public hearing followed by the public notice.

Christian Smith, with Beals Associates representing Mr. Catapano, addressed the board. He stated that he met with the Selectmen, Planning Board Chairman, and the Assistant Fire Chief to come up with an acceptable plan. Since the Fire Chief was not interested in a 15,000 cistern, Mr. Smith stated they are proposing a 30,000-gallon cistern. A nearby landscape fence will be undisturbed and the entire cistern is in the right of way. Mr. Smith provided a detailed drawing of the cistern specifications and indicated everything that the fire chief was looking for was addressed.

Member Hoff questioned what agreement was reached at the joint meeting. Mr. Smith stated they agreed to put in a 30,000-gallon cistern instead of a 15,000-gallon cistern and sprinklers in the homes. The cistern is within 1,000 feet of the existing homes.

In addition, Fire Chief Perley had 4 conditions regarding the plan:

1. Filling the tank prior to and immediately following the performance flow test shall be the responsibility of the contractor.
2. Padlocks shall be provided by the contractor and shall be a Knox model 3770 or 3772 exterior padlock.

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3. The Madbury Fire Department will perform the 1000 GPM flow test with the cistern half full, for 10 minutes to simulate drafting after draw down, rather than 20 minutes from full.
4. Upon completion of the 1000 GPM flow test, the cistern will be filled and allowed to sit for no fewer than 3 more days to check for leakage. Any change in level would be a sign of leakage and would be cause for the tank not to be acceptable.

Mr. Smith stated that he agreed to the terms proposed by Chief Perley.

Member Hodsdon question if the new plan will need to be filed with the Registry of Deeds. The board discussed that perhaps a notice of amendment with the approval would be acceptable.

Member Hodsdon questioned the timeline. Mr. Catapono stated the cistern has been ordered and it takes about 6 weeks. The only delay might be on paving the turnoff because of the weather.

Member Hodsdon stated that if the Planning Board agrees on this amendment, the Board of Selectmen decided to allow the Building Inspector to give an occupancy permit to the one house under agreement assuming that the cistern is completed within the timelines specified.

The Chairman opened the meeting for public comment at 7:16 pm. Hearing no comments, the Chairman closed the public comment session.

**Motion** made by Member Hodsdon for the Madbury Planning Board to amend approval for the subdivision submitted by One Home Builders, LLC and approved on June 4, 2014 to reflect that sprinkling of homes is no longer required and it is being replaced by the requirement of a 30,000-gallon underground cisterns with conditions of approval of 4 conditions as presented by the Madbury Fire Chief (listed above). Seconded by Member Burbank. **Motion approved.**

**SRPC Assignment:**

The Chairman stated that Member Burbank has been the SRPC representative for the Planning Board. Member Burbank stated he can no longer continue due to his work demands and Member Avery volunteered to take over. The Chairman appointed Member Avery as the representative.

**Endorse Annual Capital Improvement Plan (CIP):**

The Chairman stated that the board received an update at the last meeting on on the CIP from Deb Ahlstrom. The Chairman asked for feedback on the CIP as it stands. Member McCabe stated that it was very nicely done.

**Motion** made by Member Hoff to endorse the CIP, seconded by Member McCabe. All aye. **Motion approved.**

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**Discuss Agritourism in Madbury:**

The Chairman referenced the agritourism documents provided by Beth Goss. Member Hodsdon stated that having read the article several times, they still have not defined agritourism exactly. It is unclear as to whether it would extend to wedding venues or not. He added that even with this new RSA, it is still lacking a direction as to what limit things are allowed.

The Chairman suggested that the board solicit feedback from Jack Mettee and Chris Wyskiel. Mr. Mettee stated that this is part of a broader discussion, and open up the research and contains all the possibilities that Madbury might consider agritourism in the community.

Beth Goss stated that the RSA was purposely left very broad as to not pigeon hole activities or municipalities as farming is evolving and there might be uses that farms want to get involved in that aren't included. She shared that some communities are adopting agritourism as allowed based on the state definition while others are adopting and amending to include specifics for their town.

Member Burbank stated that each lot is different – a larger lot could accommodate more, based on septic, etc. Mr. Mettee stated that the Planning Board probably doesn't have jurisdiction to specify based on each parcel. Member Hodsdon agreed that he Planning Board can indicate guidelines.

Beth Goss questioned if adopting agritourism would require a town meeting vote and how to get the language conditionally approved. The Chairman stated that he and Jack Mettee could come up with a draft ordinance to present. Member Hodsdon reminded the board of the tight timelines to get ready for town meeting.

Member Hoff questioned when the state adopted agritourism. Beth Goss stated in June. Member Hoff suggested that a good starting point would be reviewing other towns definitions. Part of the job is to figure out what the community wants and create conditions. Member Hoff questioned how the board can put parameters on certain situations. For instance, if dinner is served and some of what is eaten has come from the farm, that's acceptable. Serving food on a farm that is not from the farm is a restaurant.

Beth Goss stated that they have an interest in getting this done and presenting at town meeting and is happy to work with the board. The Chairman stated with 25 signatures a resident can put it on the docket.

The board discussed process/timeframes for the town meeting. The Chairman stated that he will begin working on this topic, Member McCabe offered to help as well.

**Discuss Updates to Accessory Apartments Language:**

Mr. Mettee shared that when looking to adopt the accessory apartment, the board agreed to limit to 1 bedroom to keep character of the house as well as it would encourage school kids. However, now with the state law, it indicates you may not limit it to 1 bedroom. He indicated that the board could do a conditional use permit as a way to have some control the bedrooms.

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Member Hoff stated that the board could allow more than 1 bedroom but with conditional use permit. Mr. Mettee stated the square footage is no greater than 750 sq. feet based on the state, and this really limits to a maximum of 2 bedrooms.

The Chairman suggested the board could restrict to no larger than 750 sq. feet with no reference to bedrooms. Member Burbank added that an extra bedroom would also impact the septic system. Member Hodsdon suggested that as the apartment reaches 750 sq. feet, it is getting close to a duplex, as some are only 1000 sq. feet. When the board initially approved this it was for in-laws or older children. Mr. Mettee shared this specificity in state legislature is unusual.

Member Goodnow stated that she thinks the number bedroom is moot and there are creative sleeping arrangements not limited to an actual bedroom. It may be more of an issue with the number of residents or septic size.

**Review Progress of Master Plan Subcommittee Update:**

Member Avery stated the subcommittee is meeting October 6, 2016.

**Other Business:**

There will be a presentation on the Solar Array at the next meeting.

Meeting adjourned at 7:51pm.

**Meeting attendees:**

Peggy Wolcott  
Lorraine Morong  
Deb Ahlstrom  
Eric Fiegenbaum  
Justin Corrow  
Wally Dunham  
Chuck Goss  
Beth Goss  
Christian Smith  
Frank Catapano

Respectfully submitted by Tarah Beaupre, October 11, 2016 – 4 pages