

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

Official Business

Approved on: 1/18/17
Motion by: MA 2nd: TB

Minutes of January 4, 2017

Meeting convened at 7:01 p.m.

Members in attendance:

Fritz Green - Chairman
Robert Sterndale
Tom Burbank
Doug Hoff
Mark Avery
Wallace Dunham (seated)

Support Staff:

Tarah Beaupre
Jack Mettee

AGENDA

Member Dunham was seated.

Approval of Minutes from the December 7, 2016 Meeting:

The minutes from December 7, 2016 were reviewed. **Motion** made by Member Hoff to accept the minutes as amended, seconded by Member Burbank. **Motion approved.**

Public Hearing – Changes to Land Use Regulations:

The Chairman read the public notice. The Board outlined all the proposed changes.

1) Remove Reference to Fees (ZO, SR, SPR):

Currently the Zoning ordinance has 5 references to fees, Subdivision Regulations has 2, and Site Plan Regulations has 2. The Chairman stated that the Planning Board would like to put all the fees in a separate document that allows for easy updates without a Town Hall meeting. All the changes are available from viewing at the town hall.

2) Update Text for Accessory Apartments:

Member Hoff stated the purpose of updating the text is to bring the Madbury Accessory Apartment ordinance in line with the state RSA. The changes include the addition of an interior door between the principal dwelling unit and the Accessory Apartment, increasing the maximum living area to 750 square feet, and allowing one bedroom “by right”. Additional bedrooms are permitted with a Conditional Use Permit.

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3) Resolve SPR Requirements (ZO):

Member Sterndale stated that there are questionable references to site plan review in the ordinances and referenced 3 things that should be changed. First, Article V-A, Residential Cluster Development Overlay District, Section 5, Procedures – the Board proposes to remove “site” and change it to “subdivision”. In Article XIII, Nonconforming Uses, Structures, and Lots, Section 1.C – the Board proposes to remove “and following Site Plan approval by the Planning Board as required by Article XV, Section 2.B.1”. State law dictates that the Planning Board is not authorized to do that.

In Article XV, Board of Adjustments, Section. 2, Grant of Authorities. The Planning Board proposes adding “where authorized by RSA” in the criteria for a Special Exception approval.

Mr. Mettee stated that this clarifies the scope of review and makes it consistent with the ordinance.

4) Update Text for Agritourism (ZO, SPR)

Member Avery shared with the Board the proposed state definition of agritourism that was added in Article III, Definitions. He stated that small farmers are seeking an additional source of income. Given this, the Town of Madbury has tried to accommodate agritourism.

Mr. Fiegenbaum indicated that the Board is expanding the list of approved uses and asked if the Board is removing the accessory use clause? Member Sterndale stated that the uses the Town indicated for agritourism are subject to review by the Planning Board. Mr. Fiegenbaum questioned if the owner of an existing farm wants to build a building that is going to be used by 50 people, who looks at the septic? Member Sterndale stated that the Planning Board or the Building Inspector. Eric confirmed that the conditional use permit will cover the 4 items plus more.

Member Sterndale stated that the conditional use permit gives the board further review. Mr. Mettee stated that there would be some conditions on the approvals. Each applicant must have state and local permits before moving forward.

Member Sterndale stated the conditional use permit is for a defined use and any change of use would require another permit.

5) Update Test for Redundant Statements (ZO, BR):

Tom Burbank explained the changes proposed for Article V Section 2 of the Zoning Ordinances. Item J will be removed as it is covered in Article IX Section 5B. Item L will be moved to Article VI Section 3. Item M will be removed as it is implicit in the building code (and life safety code).

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The Chairman requested feedback from the public. The public hearing was closed at 7:29.

Review Draft of MPB Annual Report:

The Chairman stated folks can email him with any feedback on the annual report. Mr. Mettee suggested that it might be a good idea to tally the number of subdivisions. The Chairman stated that was done.

Meeting adjourned at 7:45pm.

Meeting attendees:

Lorraine Morong
Peggy Wolcott
Eric Fiegenbaum

Respectfully submitted by Tarah Beaupre, January 9, 2017 – 3 pages

Approved