



MADBURY PLANNING BOARD

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Dear Ways and Means members and Madbury Representatives,

We, the members of the Madbury Planning Board, are writing to express our alarm at unintended consequences of SB412. This bill proposes to support agritourism in New Hampshire; however, as introduced it would instead impinge unduly on neighbors' rights.

Madbury supports agritourism and its intent to diversify farm income and foster rural spaces. As such, the vast majority of Madbury is zoned residential/agricultural. Moreover, the Town has invested considerable effort to shape our zoning ordinances to accommodate agritourism with the local characteristics of Madbury. Our ordinances provide for Planning Board review of such uses via the Conditional Use Permit mechanism. This approach allows us to fairly consider the impacts of an agritourism project on abutters and neighbors and the Town in general while still providing robust opportunities for agritourism.

Agritourism's potential impacts on neighbors' rights to "quiet enjoyment" of their property are not trivial, but such concerns would be swept away by SB412. Our Planning Board was able to establish limits for agritourism that balanced the displeasure of all involved (limitations on commercial use on one side vs noise, traffic, etc. on the other). SB412 would deprive local government of the opportunity to achieve such compromise and to protect both agritourism operations and the property rights of neighbors.

We strongly advise that any bill ensure that agritourism is accessory to farming activities and that municipalities retain their ability to balance the frequency and scale of agritourism operations with other local conditions.

We support the need to preserve open space and agricultural land but SB412 is not the way to do it. Please find this bill inexpedient to legislate.

Thank you for your consideration.
Madbury Planning Board