

20 Jan 21

MEMORANDUM FOR: Madbury Planning Board

FROM: Chair, Madbury Planning Board

SUBJECT: Aquifer and Wellhead District Citizen Meeting and Recommendations

On 13 Jan 21, I met with Sarah Greenshields of Little Tree Education, 314 Route 108. The purpose of the meeting was to explore possible areas of agreement and suggestions for change regarding Madbury Zoning, and the Wellhead and Aquifer District in particular (see attached e-mail date 7 Jan 21).

The meeting lasted approximately one and a half hours and included a useful exchange of information. Ms. Greenshields was particularly interested in the timing of our proposed changes, the use of hydrological studies in approval / permitting processes, and with septic system siting and approval approaches. She provided the following examples to illustrate some of her proposals:

Rye NH's Article III, Overlay Districts, Section 190-3.6 Aquifer and Wellhead Protection District (<https://ecode360.com/33984227#33984227>)

Kingston NH's Article 209, Groundwater Management Zone.
(<https://www.kingstonnh.org/sites/g/files/vyhlf741/f/uploads/200-209.pdf>)

DES's list of Communities that require local approval prior to RSA 485-A'32, I & II and an extract of the referenced RSA.
(<https://www.des.nh.gov/sites/g/files/ehbemt341/files/documents/town-prior-approval.pdf>)
and (<http://www.gencourt.state.nh.us/rsa/html/l/485-a/485-a-32.htm>)

I reviewed each of these documents in full. Regarding the Kingston document, it appears to be for a "Superfund" site so I also reviewed Kingston's Article 201: Aquifer Protection Ordinance (https://www.kingstonnh.org/sites/g/files/vyhlf741/f/u73/20150220_article_201_aquifer_protection.pdf).

In general there seems to be a good deal of commonality with Madbury's Aquifer and Wellhead ordinance. For example all give the Planning Board the authority to require a hydrologist's review when issuing Conditional Use Permits, all have an appeals process when the borders of the district are in question, and all have similar permitted and prohibited uses. Regarding our current Section 6, I only found a similar rule in Rye and that was only for Rye's three large municipal wells.

However, there are differences that I believe are worth Madbury's consideration. For example, larger permitted uses (loosely defined by septic loading rate and or number of lots in a subdivision) automatically require a hydrological study, rules for lots that are only partially in

the district were set, and some additional specifics in regulating the discharge of water were established. I believe these different approaches are worth considering.

I also reviewed RSA 485-A:32. This RSA requires applicants for sewage systems to prove that they have met local regulations. Currently, under our Building Regulations, Madbury should be notified of any new septic systems. However, this RSA may provide another avenue to ensure we are notified.

Given the above I recommend that all board members and our Professional Consultant review these examples for discussion. I also recommend that we consider establishing a committee to conduct a more in depth review and provide recommendations to the board for ongoing improvements to our ordinance.



Mark Avery
Chair, Madbury Planning Board

Atch: 7 Jan 21 e-mail exchange

Re: Follow-up

1 message

Mark Avery <madplanboard@gmail.com>
To: Sarah Greenshields <sarah@little-tree.me>

Thu, Jan 7, 2021 at 10:53 PM

Hi Sarah,

Thanks for reaching out. Yes I'm open to a conversation.

Please understand though that I can't change the Board's vote and that I can only speak for myself and not for the Board as a whole. However I can bring ideas forward to the town and applicable boards.

I'm available to meet next week at town hall.

Thanks,
Mark

On Thu, Jan 7, 2021 at 9:04 AM Sarah Greenshields <sarah@little-tree.me> wrote:

Good morning, Mark.

Thank you for the meeting last night. Thank you for allowing me to speak as much as I did, and I know Bruce and others were not thrilled.

I have to be honest; I am exhausted by all of this. I fully understand the Board's desire, but truthfully, I need to spend my time, energy, and resources focusing on Little Tree. We currently have 125+ families on the waitlist and facing a crisis in a shortage of high-quality care as more and more center shutter their doors. Finding ways to open more schools or expand is where my attention must reside.

My question, would you be open to a conversation, outside of a planning board meeting, that's more appropriate to talk through all these nuances? I would much rather focus my time and energy on forward progress, but I really want to make some momentum soon to support the vote when placed on the ballot. As is, I do feel compelled to defend again. With a collaborative effort, I am game to support and promote change, but they must coincide. Plus, building community involvement prior to the vote just makes good sense, while rebuilding goodwill with the voters.

Thanks for your consideration. I would love to give you a tour of our school sometime too. We have a wonderful program, and I'd be delighted to show you how we are truly supporting the children in our community and employees, too.

Be well,

--

Sarah J Greenshields



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"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