



**TOWN OF MADISON  
PLANNING BOARD  
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**PLANNING BOARD APPROVED MINUTES  
JANUARY 2, 2019**

**MEMBERS PRESENT:** Chairman Marc Ohlson, Paul Littlefield, Paul Marks, Dave Cribbie, Selectman John Arruda, Alternate Phil LaRoche

**MEMBERS EXCUSED:** None

**OTHERS PRESENT:** Tim Nolan- Madison TV, Colleen King – Land Use Administrator, Paul King, Ron Briggs

**POSTING DATES & LOCATIONS:** December 13, 2018 at the Madison and Silver Lake Post Offices and the Madison Town Hall, upper and lower levels.

**CALL TO ORDER:** Chairman Ohlson called the meeting to order at 7:02pm.

**ELEVATION OF ALTERNATES:** Mr. Arruda made a MOTION to elevate Alternate Mr. LaRoche to a full member of the Board; Mr. Marks seconded. All Approved.

**APPROVAL OF AGENDA:** Mr. Marks made a MOTION to approve the agenda; Mr. Littlefield seconded. All Approved.

**APPROVAL OF THE DECEMBER 5, 2018 DRAFT MINUTES:** Minutes were reviewed with minor edits made. Mr. LaRoche made a MOTION to approve as amended; seconded by Mr. Cribbie. All Approved.

**PUBLIC COMMENT:** Mr. Ohlson opened the meeting for Public Comment. Hearing none, Mr. Ohlson closed the meeting for Public Comment.

**PUBLIC HEARING: Case# 19-01 Two (2) Lot Subdivision** – for agent Ronald Briggs of Briggs Land Surveying, for property located at 680 Tasker Hill Road, Map 203/Lot 19, owned by Jane A Hubbell, Franklin Hubbell, Kent Hubbell, Jane Hubbell, in the Rural Residential Zone, to subdivide a 22+/- acre parcel into one (1) 5+ acre lot with existing buildings and one (1) vacant 17- acre parcel, using existing frontage.

Mr. Ohlson recused himself from this hearing as he is an abutter of another piece of property which is owned by the Hubbells. Mr. Littlefield presided as Chairman for this hearing. Mr. Ohlson removed himself from the Board and sat in the audience.

Mr. Briggs, the surveyor for the property owners, reminded the Board that his waiver request to not survey the entire 22 acre lot was granted at the Preliminary Review in late 2018. He surveyed only the lot line between the 2 new lots and set the monumentation markers. The Madison regulations call for a minimum of 200' of road frontage and a minimum of 2 usable acres ; lot #1 with 16 acres has 1470' of frontage and lot #2 with 5.3 acres and the house, has 484' of frontage. Both lots exceed the 2 acre minimum of usable land.

Mr. Marks inquired about the driveway cut for Lot #1 onto Tasker Hill Rd. Mr. Briggs stated that there are no driveway cut on Lot #1 and there are no plans for future development. The whole purpose of this project was to settle an estate by taking 5 acres from one lot and adding it to the other lot.

Mr. LaRoche asked for a clarification of the waiver request to not survey the entire lot and Mr. Briggs explain it.

**PUBLIC COMMENT:** Mr. Littlefield opened the Public Comment portion of the Hearing. Hearing none, he closed the Public Comment portion of the Hearing.

**DELIBERATION:** None

**MOTION:** Mr. Cribbie made a **MOTION** to Approve this application with the lot corners set and allow the Chair to sign the mylars out of session; Mr. Marks seconded. All Approved.

**CASE # 19-02 -** The Chair used his discretion to move this case to later during the hearing as the applicant was not present.

**CASE# 19-03 Boundary Line Adjustment** – agent Paul King of Paul King Surveying, for property located at 180 Lead Mine Road, Map 246/Lots 12 & 13, owned by the Robert E. McNair Trust, in the Rural Residential Zone, to add 10 acres to Lot 12 from Lot 13. The proposed size for Lot 12 would be 15.6 acres and Lot 13 would be 243acres.

Mrs. King confirmed that all abutters were notified by Certified Mail.

Mr. King presented the plans to the Board. The McNair Trust owns 260 acres on Lot 13, which has a Conservation Easement on it. The adjacent lot 12 has the house on it with the same owner, has 5.6 acres. There is an agreement between the parties that a 10 acre parcel from Lot 13 will be given to Lot 12.

Mr. King stated that the 10 acres will not be part of the Conservation Easement.

Mr. Ohlson asked about the location of the Conservation Easement on Lot 13 and how does Mr. King know that it will not be affected by this proposed lot line adjustment. Mr. Ohlson asked for documentation and confirmation of such because the Plan presented does not address the location of the Easement.

Mr. King stated that the note on the drawing 'Plan Reference #1' shows the Conservation Easement.

Mr. Ohlson disagreed and stated that the note does not confirm the location of the Easement.

Mr. King agreed with Mr. Ohlson and suggested that a conditional approval be given and that a copy of the plan be presented to show which part of the lot will be encumbered with the Conservation Easement and does not impact the 10 acre lot.

Mr. Ohlson stated that there should be a note on the Plan stating that no land will be taken from the land in the Conservation Easement. Mr. King stated that he would do that.

**PUBLIC COMMENT:** Mr. Ohlson opened the Public Comment portion of the Hearing. Hearing none, he closed the Public Comment portion of the Hearing.

**DELIBERATION:**

Mr. Marks asked how the corners would be set and marked. Mr. King set a 4” x 4” granite post. The Chair expressed his concern that the boundaries of the Conservation Easement needs to be shown on the Plan.

Mr. Littlefield agreed that the only way a conditional approval could be given, is to show the boundaries of the Conservation Easement on the plan and that the Easement is not affected the proposed boundary line adjustment.

Mr. Cribbie stated that the new Plan needs to clearly show where the Conservation Easement is located and how many acres are in the Easement.

Mr. King stated that a new mylar and copies of the new plan would have to submit if conditional approval were given tonight. He would submit a copy of the Conservation Easement Deed to confirm that it complies with note ‘Plan Reference #1’ on mylar.

Mr. Ohlson stated that the limit of the Easement needs to be shown on the Plan.

**MOTION:**

Mr. Marks made a **MOTION to Conditionally Approve** this application with the following conditions:

- 1)The limits of the Conservation Easement on Lot 13 needs to be shown on the Plan,
- 2)The Conservation Easement on Lot 13 does not interfere with the new Lot 12,
- 3)The Conservation Easement is shown on the Subdivision Plan and Mylar and
- 4)The Deed, which identifies the limits of the Conservation Easement referenced in ‘Plan Ref #1’, is submitted. The Chair will sign the mylars out of session.

Mr. Littlefield seconded. **All Approved.**

**CASE # 19-02 Boundary Line Adjustment**– for agent Wesley Smith of Thaddeus Thorne Surveys, Inc, for property located at 2 West Bergamo Road/Little Shore Drive, Map 104/Lot 101, owned by William and Lynne Oxford and for property located at 4 West Bergamo Road, Map 104 /Lot 103 owned by Oxford Madison Realty Trust in the Village District of Eidelweiss, to exchange an equal amount of land for the construction of a garage on 2 West Bergamo Road Map 104/Lot 101.

The Chair inquired about this case as the applicant for Case # 19-02 was not present at the Hearing. Mrs. King confirmed that all abutters/agents were notified by certified mail, all fees were paid, notices were made in the Conway Daily Sun, the Silver Lake and Madison Post Offices and Town Hall upper and lower levels. The Chair asked if the Board wanted to continue this case until the February 6, 2019 meeting.

Mr. LaRoche made a **MOTION to Continue** Case 19-02 until the February 6, 2019 meeting; seconded by Mr. Cribbie. All Approved. The Chair will contact the applicant.

**CHAIRMAN'S REPORT:** Nothing to report.

**SELECTMEN'S REPORT:** Mr. Arruda reported that the last Budget meeting will be held January 22 at 6pm and the Municipal Deliberative session is scheduled for February 5 at 7pm. The School Deliberative meeting will be on February 4.

**ADMINISTRATIVE/CORRESPONDENCE:**

**1.Change of Use Form** - The Chair read the final draft and the Board made final comments. Mr. Cribbie made a **MOTION** to forward this form to the Selectmen for their review and comment. Mr. LaRoche seconded; **All Approved.**

Mrs. King will change the date on the bottom of the form to reflect tonight's date and then forward to the Board of Selectmen for final approval.

**2. Ordinance Work Session** - Mrs. King clarified that the Subdivision Regulations require signature approval. Each month there will be an Ordinance work session on the agenda to review specific zoning articles.

**ADJOURNMENT:** Mr. LaRoche made a **MOTION** to adjourn; Mr. Cribbie seconded. All Approved. The meeting adjourned at 8:02pm.

**MINUTES TAKEN BY:** Colleen King

*These Minutes were Approved at the February 6, 2019 meeting.*