



**TOWN OF MADISON
PLANNING BOARD
PO BOX 248
MADISON, NEW HAMPSHIRE 03849
planning@madison-nh.org
Phone: 603-367-4332 x303 Fax: 603-367-4547**

**PLANNING BOARD MINUTES
January 7, 2026**

MEMBERS PRESENT: Marc Ohlson, Chairman; Paul Marks, Vice Chair, Paul Littlefield, Karl Nordlund, Donna Hempel, Alternate – Tia Gagnon, Alternate - Joe Viana

MEMBERS EXCUSED: Adam Price

PUBLIC PRESENT: Evan Woss, MadTV, Katharine Young, Land Use Boards Administrator and Nicole Nordlund, Robert Boyd

POSTING DATES & LOCATIONS: Notice was posted on December 31, 2025 at the Madison and Silver Lake Post Offices, in the Madison Town Hall – Upper and lower levels.

CALL TO ORDER: Chairman Ohlson called the January 7, 2026 meeting of the Madison Planning Board to order at 7:00 PM.

ELEVATION OF ALTERNATES: Chairman Ohlson asked for a motion to elevate alternates, Gagnon and Viana to full voting members.

Motion by Littlefield, seconded by Marks to elevate Gagnon and Viana to a full voting members. The motion passed 5-0.

APPROVAL OF AGENDA: Chairman Ohlson asked for a motion to approve the Agenda as presented.

Motion by Marks, seconded by Littlefield to approve the agenda as presented. The motion passed 7-0.

APPROVAL OF MINUTES: Chairman Ohlson asked for a motion to approve the December 3, 2025 minutes as presented.

Discussion: Gagnon stated that on Page Three of Five, the surveying company is HEB Consultants, not HB Consultants.

Motion by Marks, seconded by Littlefield to approve the December 3, 2025 minutes as amended due to the discussion above. The motion passed 7-0.

PUBLIC COMMENT/NEW BUSINESS: Chairman Ohlson asked if there was any public comment. N. Nordlund asked if the board would consider, and stated we passed a warrant article, she believes, two meetings ago for building permits necessary without a change in footprint if it is over \$8,500. She further stated, that based on the Planning Board's conversation earlier, she is asking if the board would consider rewriting that to \$15,000 and that a permit is not necessary unless you spend over \$15,000. Chairman Ohlson asked if this was a planning function or a Selectmen's function? She believed it was a planning function, but stated she could be wrong and thought it was planning and zoning.

Boyd, Code Enforcement Officer/Building Inspector stated that it went to town meeting and was amended and was originally proposed at \$5,000 and amended and the town voted to make it \$8,500. N. Nordlund explained that since that was two years ago and costs have risen, she believes this would be less burdensome on the taxpayer and it would be fair to reconsider this. Board members discussed whether this falls under Planning Board or Select Board jurisdiction. Chairman Ohlson believed this is a Select Board function. Boyd stated his concerns from a code perspective and safety viewpoint that, there could be a lot of remodeling that can be done and possibly not having egress windows, proper smoke detectors and those things could be done in keeping the \$15,000 and with no permit required, comes no inspections and from a safety point, that is his concern. N. Nordlund stated her concern is that, "their safety is not my business because this is New Hampshire." Chairman Ohlson stated that he does not recall this board making this decision ever so he is assuming this is under the Select Board's permitting authority. N. Nordlund stated that she looks at the Select Board as the executive branch rather than the legislative branch. Chairman Olson stated he believes this is a Select Board issue with regard to fees and that Boyd should be included. N. Nordlund stated she would check with the Select Board and that she would let the Planning Board know because they will have to rewrite it if that is the case.

Chairman Ohlson stated that since there was no one else present for public comment, he was closing the public comment.

NEW BUSINESS: Chairman Ohlson explained that this public hearing is to consider and accept public input on the following Zoning Ordinance changes and that there are quite a few Warrant Articles that need to be dealt with tonight. He further explained that most of the changes were generated from New Hampshire Laws.

Chairman Ohlson read aloud the following:

AMEND ARTICLE IV: DISTRICT REGULATIONS - 4.2 Rural Residential District Permitted Uses 4.

A. Permitted Uses:

- 4. Multiple housing (cluster housing; townhouses, condominiums, apartments) as regulated by subdivision regulations with a minimum of two (2) acres of contiguous land for each dwelling unit (not applicable to ADUs).**

Discussion: Boyd explained that you cannot require two acres to have a detached Accessory Dwelling unit (ADU) and this eliminates the two-acre requirement. The board was in agreement with this language.

Chairman Ohlson read aloud the following:

Amend Article XI Accessory Dwelling Unit (ADU) – 11.3 Restrictions on Accessory Dwelling Units and Amend 11.4 Requirements.

11.3 Restrictions on Accessory Dwelling Units The single-family dwelling and the accessory dwelling unit and lot shall remain in common ownership at all times and shall not be converted to a condominium or any other form of ownership. ADUs associated with multiple single-family dwellings attached to each other, such as townhouses, are prohibited. In order to ensure compliance with this requirement, the property owners, at the time the ADU is established, shall be required to execute a restrictive covenant which shall be recorded at the Carroll County Registry of Deeds, with a copy provided to the Building Code Inspector, prior to the issuance of the Certificate of Occupancy. The Town shall have the right but not the obligation to enforce this restrictive covenant.

N. Nordlund asked if all townhouses are owned by the same person and if there is plenty of space to put a cabin on their property, they cannot do that now and asked what is the reason for that? Chairman Ohlson did not have answer for that question. N. Nordlund stated she is just wondering if it is just restrictive just for the sake of being restrictive. K. Nordlund stated he did not understand what the reason would be to add this? Chairman Ohlson believed this all came out of the RSAs. Gagnon chimed in that we are allowed to restrict it and the state does not restrict it and this is how she reads it. Young, stated she had previously given the board the document entitled "The Revised Law on Accessory Dwelling Units – 2025 Edition" which is self-explanatory and that the new law went into effect on July 1, 2025. Young read the revised definitions of an "Accessory dwelling unit", "Attached unit" and "Detached unit" aloud to the board. K. Nordlund stated he wanted to strike that language out. Boyd stated that what Young just read aloud are state definitions and that he is suggesting that we replace our accessory dwelling unit definition with this one so it matches with the state. Boyd further stated that the definition as to accessory dwelling unit definition that Young just read aloud, the town is allowed to restrict one ADU per lot.

Chairman Ohlson stated that our accessory dwelling unit is "a residential living unit that is located on a lot containing a single-family dwelling that provides independent living facilities for one or more persons including provisions for sleeping, eating, cooking and sanitation on the same parcel of land as the principle dwelling unit it accompanies. Accessory dwelling units may be constructed at the same time as the principle dwelling unit." Chairman Ohlson stated this would be the proposed definition. Boyd stated that you may want to add "only one ADU per lot." Young, stated that is already included in 11.4 noted below.

Chairman Ohlson read 11.4 aloud as follows:

Amend 11.4 Requirements – Strike existing language and replace with:

- A) One ADU is permitted per detached single-family dwelling, provided the lot is an existing legal lot of record.**
- B) The ADU shall comply with all the zoning regulations for a single-family detached dwelling including, but not limited to, setbacks, height limits, and lot coverage.**
- C) An ADU shall require a Building Permit and a Certificate of Occupancy.**
- D) An ADU shall not be considered to be an additional dwelling unit for the purposes of determining minimum lot size or development density of the property.**
- E) The structure and lot shall not be converted to any form of legal ownership distinct from the ownership of the principal single-family dwelling.**
- F) The applicant shall make adequate provisions for water supply and sewage disposal in accordance with NH RSA 485-A: 38. Separate utility connections are not required.**
- G) Both the ADU and the primary residence shall comply with the state Building Code and Fire Code regulations for construction, minimum living space, fire exits and smoke alarms.**
- H) The owner of an ADU shall reside in either the principal dwelling or the ADU as their principal place of residence and shall provide proof of such when applying for a Residential Building Application for the ADU; such proof shall include an affidavit (signed and notarized) stating that the principal dwelling or**

the ADU is the owner's principal place of residence and shall also include documentation such as vehicle registrations, voter registration, driver's license, or other similar conclusive documentation.

- 1. For purposes of this section "principal place of residence" shall mean that one place where a person, more than any other place, has established a physical presence and manifests an intent to maintain a single continuous presence for domestic, social, and civil purposes;**
- 2. If the property owner is not a natural person/persons, the term "property owner" shall mean as follows (if the defined property owner below is not a natural person, the "property owner" definitions below continue to apply until a natural person is identified):**
 - i. For a trust - the creator or beneficiary of the trust**
 - ii. For a corporation - the principal, or majority, shareholder/stockholder**
 - iii. For a partnership - a partner**
 - iv. For a Limited Liability Company (LLC) – a member**
- 3. By September 1st every two years, the property owner shall submit a signed and sworn affidavit to the Hebron Compliance Officer certifying that either the single-family dwelling or the ADU serves as their principal place of residence and that the ADU remains in compliance with the provisions of this ordinance. The first affidavit shall be submitted within two years of the issuance of the occupancy permit for the ADU.**
 - I) The maximum size of an ADU shall not exceed 800 sq. ft. area.**
 - J) There shall be no more than two bedrooms in an ADU.**
 - K) No more than four persons shall occupy an ADU.**
 - L) ADUs that are attached to the single-family dwelling shall have either an independent means of ingress and egress, or ingress and egress through a common space shared with the principal dwelling.**
 - M) One off-street parking space shall be provided per ADU, in addition to those required for the primary residence. The required ADU may be provided either on-site or at a legally dedicated off-site location, at the property owner's discretion.**
 - N) ADUs associated with rented or leased land are prohibited.**
 - O) RVs, campers or mobile homes are not allowed for use as an ADU.**

Chairman Ohlson explained that a natural person has to live in one of the units, whether it is the primary or the ADU. He further stated he is not sure he likes this. N. Nordlund stated she was not in favor. He further stated, that if the point is to add additional dwelling units, who cares who lives in them. K. Nordlund asked how this would be enforceable? Boyd stated he hears about this a lot about bad actors who are renting or whatever and it is because of those people doing whatever they want and if the owner lived on the property, there would likely be less unruly behavior and these are just comments that he hears. Boyd stated he is not for or against this. Boyd gave an example of a few years ago when the Madison Police Department made numerous visits to a property over a weekend and after

contacting the owner, who lived in Rhode Island, the police were told that is why I pay taxes and the owner did not take care of the unruly behavior because he was not physically there. K. Nordlund asked so if there is one bad actor, then every actor needs to be penalized? Hemple stated she believes there is more than one bad actor. K. Nordlund asked Hemple if she had an example? Hemple responded she did not, but people are people. K. Nordlund stated that based on that comment, it is saying that you are looking at the worst of people right away, saying people are people and there are more good actors than bad actors. Hemple stated that laws are in place to protect good people. Gagnon asked if this changes the use to a rental for profit business? K. Nordlund used an example that if he had an ADU on his property and his relative still lives in the ADU and now, K. Nordlund wants to move out of his house and rent his house, am not allowed to do that and is that what this is saying and if that is what this is saying, that is against my rights as a property owner. Viana stated that you would still be the property owner. K. Nordlund stated that this is not what this is saying and it is saying that I have to be there and I cannot rent my home out. He further stated that he is being told that he cannot rent his own home and that this is criminal and against your property rights. Boyd stated that all the board is looking at is the state laws and the state laws say that the town may issue this as part of their rules and the town does not have to do this, it is just allowable. K. Nordlund stated why would we want to be that punitive.

Chairman Ohlson stated that now would be the opportunity to make a motion.

Motion by K. Nordlund, seconded by Gagnon to strike “H” in its entirety.”

Discussion: Gagnon stated if it needs to be changed, we can change it. Chairman Ohlson stated he would not know how you would enforce it and if the motivation is to create dwelling units, who cares who lives in them. Gagnon stated that you would still be the owner and would be responsible for the property. K. Nordlund sees this as some sort of overreach and restricting my rights as a property owner and I should be able to leave and rent my home even if I have an ADU that is legal and someone is living there and now you are telling me that I cannot and it is my property and I can come as go as I please. N. Nordlund stated she is not favor of the state telling people what they can do and she is not in favor of the town telling people what they can and can't do with their property. She further stated that the spirit and the intent of the law is to create more housing and she does not believe the ADU laws, in general, around long enough, especially in the Town of Madison, to be taken advantage for us to have data to go on and we are only basing our discussion on ADUs, not rentals, in general, because I have been a landlord for 25 years and I know my way around that kind of thing and stated Chairman Ohlson probably does also. She further stated she is in favor of striking “H” completely and not in favor of having an affidavit every two years and this is government overreach.

Chairman Ohlson stated a motion is on the floor and has been seconded to strike. Gagnon interjected and thought it would also change “G”, as the primary residence. Chairman Ohlson stated “H” Gagnon asked if it would change the wording throughout through “G” before it? Chairman Ohlson stated we could remove “H” and also take out one, two and three. K. Nordlund asked that in “H”, how is three enforceable?

Chairman Ohlson conducted a Roll Call Vote on the motion on the floor to “strike “H” in its entirety” as follows: Marks - Nay; Viana – Aye; Littlefield – Aye; Ohlson – Aye; Hempel – Aye; Gagnon – Aye and K. Nordlund - Aye. The motion passed **6-1**.

Chairman Ohlson read “I” aloud to the board.

K. Nordlund explained that with regard to “I” as noted above in “Amend 11.4 Requirements”, he does not agree with 800 square feet and would like to replace that with 950 square feet and will put us in line with what the state says. K. Nordlund further stated, how can we make an argument to go with the

state and the next regulation, say we don't want to go with the state and asked what is another 150 square feet. Marks explained that this was discussed before and it was defeated and asked, why are we bringing it up again? K. Nordlund stated no, it was discussed last time, and then we were told to bring it up at the public hearing and he stated, so that is why I am bringing it up, at the public hearing. Gagnon interjected and would like to see 1,200 square feet and it is not a maximum of 950 square feet by the RSA, and if we wanted to change it, we could increase it. She further stated it can be 750 square feet and up to 950 square feet, unless we say otherwise. K. Nordlund asked what is the spirit of limiting it and he asked the board to tell him. Chairman Ohlson stated he believes it is to have a primary and secondary versus a duplex. K. Nordlund asked, so 150 square feet is going to tell you what that is? Marks stated he believes it is trying to control some growth. K. Nordlund stated the state has done that by mentioning 950 square feet and why do we, as a town, have to be so restrictive and say 800 square feet. He further asked, what would the reason be to limit it to 800 square feet? Boyd explained that 800 square feet is 50 feet over what the state law was at 750 square feet and it was meant for people caring for family members, not rentals. K. Nordlund asked, what business is it of the town what people do? N. Nordlund stated she likes ADU's and it was not to help "mom and dad" but to help people pay taxes and provide housing. She further stated that the intent was to create workforce housing so people can stay in their homes to pay taxes.

Viana explained he is in favor of ADU's and he agrees with increasing the existing 800 square feet to 950 square feet. He also explained he was in agreement with striking "H" but that we need to be careful how we project in the future.

Boyd stated from what he has seen with ADUs, it has gone from caring about a family members, creating space to have them move in with you to greed and it is not about mom and dad anymore, it is about rentals and that is fine if that is what is allowed. K. Nordlund asked what business is that of the town? Boyd stated is not but he is just making a statement. K. Nordlund reiterated twice it is not the town's business. Boyd stated he also sees a lot of selfish people push their own personal agendas. N. Nordlund stated she was very excited when the ADUs came around and she attended all state meetings that were held and the actual spirit and intent was not to take care of mom and dad, it was to help us pay taxes that were increasing and so that younger people would have an affordable place to live and it would open up more rentals for the workforce and that is the mainstream of every seminar she attended by the Housing Coalition in North Conway which brought the state people in. She further stated she did not remember that in-law apartments were mentioned at all in those discussions, not that it is not an option and a great option for some and maybe your children so they have their own space. She stated she is hopeful one day to have an ADU.

N. Nordlund also stated that the state does not require you to put in a new septic but what it does require is, that you have to provide a septic plan that should your current septic fail if you want to use it, that you actually have and you know the space compare to the well. She further stated that some non-conforming lots are so tiny that they cannot get the 75-foot set back from the well and that our town made it more restrictive. She further stated that you need to have a licensed septic planner approve and stamp the plan so then if your system fails, you have the capability to replace it immediately for your home and ADUs. Littlefield stated that those only last for two years and you have to go back to the designer and pay them again to do it again. N. Nordlund was not sure if that is the case. N. Nordlund stated that the town requires it. K. Nordlund stated that Madison is more restrictive than the state.

Boyd stated that the only time you have to get a new septic system or upgrade is if you exceed the number of bedrooms for the system that you already have that you are using. He further stated that if you have an ADU and a three-bedroom house and a three-bedroom septic system, and you add an ADU with an additional bedroom, then you either need to do one of two things, upgrade your system or as

our ordinance says, need a letter from a licensed septic designer that says this current system is adequate to handle the extra bedroom and that is what our ordinance says.

Viana stated he agrees with that and this amendment also says that the applicant shall make adequate provisions for water supply and sewerage disposal and separate utility connections are not required. He explained that they need to go back again to the intent of the ADUs. He believes that originally, it was for workforce development so we could have people coming into community and state and being able to have affordable housing and this is critical but he also believes that in surveys, it was noted that we want to preserve the town atmosphere and that this town is about and that this town is not about high rise apartments and it is not about having a strip mall in the center of town and it is about our community and rural development. He further stated that we want it to have a primary residence and we may have to have a place for our parents. He believes the responsibility of the Planning Board is to look at that future and preserving our town of what we want it to be ten years and twenty years from now and what housing will be like and we need to be cautious about it and he is in agreement with 950 square feet.

Boyd stated that a lot of permits he issues are for under 2,000 square feet and some are 1,600 square feet or even 1,200 square feet and if you are expanding the ADU to the point where it is almost that big, it is almost two houses. He further stated he is not opposed to going to 950 square feet but believes the intent with the ADU is to be accessory to the primary and not to become almost as big as and he believes that is where the state is coming from.

Gagnon stated that she has seen some ordinances that have a percentage so it cannot be more than 50% of the primary house, not that she likes being more restrictive, but that is also an option and she has seen some ordinances that allow for two ADUs, an attached and a detached if you have the space and they are allowing people to repurpose their barns and fashion them into it.

Littlefield asked if we have ever run into more than one ADU on a residential lot and he always thought it was just one ADU per residential lot. Boyd stated that this is the way it has been. Littlefield state he always thought that was the intent and that we are not looking for apartment buildings. K. Nordlund stated he is just questioning the square footage.

Motion by K. Nordlund, seconded by Viana to change "I" to increase the maximum size of an ADU from 800 square feet to 950 square feet.

Chairman Ohlson conducted a Roll Call Vote to increase "I" from 800 square feet to 950 square feet as follows: Marks - Aye; Viana - Aye; Littlefield - Aye; Ohlson - Aye; Hempel - Aye; Gagnon - Aye and K. Nordlund - Aye. The motion passed **7-0**.

Chairman Ohlson read "J" aloud to the board as follows: "There shall be not more than two bedrooms in an ADU.

Gagnon stated that "J" should be removed in its entirety. She further explained that the RSA reads that you cannot limit an ADU to one bedroom. K. Nordlund referred the board to "K" where it says "No more than four persons shall occupy and ADU." Chairman Ohlson interjected and stated we are going to finish with "J" first. Gagnon said that the RSA says that we cannot limit it to one bedroom so we are just saying we are going to limit it by two bedrooms. She stated that she does not see the point. K. Nordlund stated he thinks it is unenforceable. Viana stated he believes it has to do with the square footage and we have the sewage systems and a two bedroom seems reasonable to him, keeping it small. Chairman Ohlson stated that bedrooms could equal cars pretty quickly and we only have one parking space, at least one.

Motion by Gagnon, seconded by K. Nordlund to strike “J” in its entirety.

Discussion: K. Nordlund explained it is unenforceable. Chairman Ohlson stated “J” should be left alone because two bedrooms is two cars and we are only requiring to add one car. K. Nordlund questioned why? Chairman Ohlson stated because in the big city, if you had to have two parking spaces, you would really be restricting.... K. Nordlund stated he understood, but as other people on the board have argued in the past too, we are trying to keep this not the big city. Chairman Ohlson stated that we cannot enforce that. He further stated that if there are three bedrooms and one parking space, that would be legal and if that was your neighbor, you might not be happy. K. Nordlund stated look at “K” which is four people, so those four people are going to be driving around in one car? K. Nordlund added that it no one else’s business but the property owners.

Chairman Ohlson conducted a Roll Call Vote to strike “J” in its entirety as follows: Marks - Nay; Viana – Nay; Littlefield – Nay; Ohlson – Nay; Hempel – Nay; Gagnon – Aye and K. Nordlund - Aye. The motion failed 5-2.

Chairman Ohlson read “K” aloud to the board as follows “No more than four persons shall occupy an ADU.”

Motion by Gagnon, seconded by K. Nordlund to strike “K” in its entirety.

Discussion: K. Nordlund stated again, how many times are you going to see four people driving around in the same car if you are limiting it to one parking spot and two bedrooms. K. Nordlund stated again, this is an overreach and as Gagnon was saying, what happens if you have two parents that have multiple children. Chairman Ohlson does not believe it is enforceable. K. Nordlund agreed and stated this should not be left in. K. Nordlund stated that it seems that we have these regulations that are unenforceable and it ends up getting in trouble.

Chairman Ohlson conducted a Roll Call Vote to strike “K” in its entirety as follows: Viana – Aye, Littlefield – Aye; Marks – Aye; Ohlson – Aye; Hempel – Nay; Gagnon – Aye; K. Nordlund – Aye. The motion passed 7-1.

Chairman Ohlson read aloud “L” as follows: “ADUs that are attached to the single-family dwelling shall have either an independent means of ingress and egress, or ingress and egress through a common space shared with the principal dwelling.” Chairman Ohlson asked the board if they were in agreement of leaving “L” as is. The board all agreed.

Chairman Ohlson read aloud “M” as follows: One off-street parking space shall be provided per ADU, in addition to those required for a primary residence. The required ADU may be provided either on-site or at a legally dedicated off-site location, at the property owner’s discretion.” Chairman Ohlson asked the board if they were in agreement of leaving “M” as is. He iterated that this is now state law. The board all agreed.

Chairman Ohlson read aloud “N” as follows: “ADUs associated with rented or leased land are prohibited.” The board all agreed.

Chairman Ohlson read aloud “O” as follows: “RVs, or campers or mobile homes are not allowed for use and an ADU.” Chairman Ohlson asked the board if they were in agreement of leaving “O” as is. Gagnon questioned why mobile homes are not considered and ADU and a lot of mobile homes are 950 square feet or less? She further questioned why would you not be able to put a mobile home on the back of

your property and is it considered an ADU? Chairman Ohlson stated that is what this says. Boyd stated that the current Zoning Ordinance prohibits mobile homes as ADUs. K. Nordlund asked why and Gagnon interjecting stated that we can change it right now. Boyd stated it was put in, in 2015 that mobile homes should be considered as an ADU. K. Nordlund stated that if he wanted to live on his property for the summer have the right septic hookup... Chairman Ohlson interjected and stated if it is there for the summer, then it is not an ADU. K. Nordlund stated what if it was an airstream with its own hookup and I wanted to live in it and have someone live on my property so that would be an ADU and I am not allowed to do that? Chairman Ohlson stated that is what this says. K. Nordlund stated he does not understand the spirit of that argument. Chairman Ohlson stated it is the character of the neighborhood and if you lived in a place.... K. Nordlund stated what if I lived on twenty acres and you could not see either dwelling unit from the road? Chairman Ohlson asked if he was suggesting that on lots greater than 20 acres, you can do that? K. Nordlund stated he is not suggesting 20 acres, he was just using that as an arbitrary number but he just finds that... maybe you are correct and he understands it and he is not promoting campgrounds or whatever, but he sees over and over again, properties that have an extra dwelling unit that is a mobile home or an airstream and you are telling me that I cannot do that on my own property. Boyd, stated that the ordinance is mobile homes are considered manufactured houses and they are prohibited in the Zoning Ordinance in the Village District and Eidelweiss. Gagnon asked if they can remove "mobile homes" from "O." Boyd stated that as the ordinance is written now, you cannot put a mobile home on property. Hempel asked about the age of the unit. K. Nordlund stated the manufactured housing ordinance is ten years or less. N. Nordlund stated she was unaware that you could not live in an RV as her home. K. Nordlund stated he wants to strike "mobile homes" from "O."

Motion by Gagnon, seconded by K. Nordlund to remove "mobile homes" from "O."

Chairman Ohlson conducted a Roll Call Vote to remove "mobile homes" from "O": Viana – Nay; Littlefield – Nay; Ohlson – Nay; Marks – Nay; Hempel – Nay; Gagnon – Aye; K. Nordlund – Aye. The motion failed 5-2.

Chairman Ohlson read aloud the definition of an ADU as follows:

Amend APPENDIX A – Definitions:

ACCESSORY DWELLING UNIT (ADU)– *A residential living unit that is located on a lot containing a single-family dwelling that provides independent living facilities for one or more persons, including provisions for sleeping, eating, cooking, and sanitation, on the same parcel of land as the principal dwelling unit it accompanies. Accessory dwelling units may be constructed at the same time as the principal dwelling unit. Any accessory unit in a principle building or accessory structure that provides independent living facilities with provisions for sleeping, cooking, eating and sanitation and whose interior is designed, adapted or used to accommodate human habitation, and located on the same parcel of land as the principle dwelling unit it accompanies.*

Chairman Ohlson asked the board if they were all in agreement with "Amend APPENDIX A – Definitions." The board was in agreement.

Chairman Ohlson read the following proposed Warrant Article aloud as follows:

Warrant Article # , Zoning Amendment, Class VI Roads.

Are you in favor of the adoption of **Amendment No. 2** as proposed by the Planning Board for the Madison Zoning Ordinance as follows (Note: New text underlined and italicized. Deleted text ~~struck through~~):

Amend ARTICLE I: GENERAL PROVISIONS

1.3 Existing, Non-conforming Uses.

- A. Any existing lots of record at the time of passage of this Ordinance, March 1987, but not conforming to present minimum lot size, minimum frontage requirements, or minimum dimensional requirements, shall have the right to continue in their present use indefinitely, as well as being used for any other conforming use for the district in which it is located, so long as sufficient off-street parking for any such proposed use is provided within the property boundaries. Undeveloped nonconforming lots may be developed with any use permissible in the zoning district without compliance with minimum lot size, frontage or dimensional requirements, so long as sufficient off-street parking for any such proposed use is provided within the property boundaries; provided however that lots whose sole frontage is upon a Class VI or private road not shown on a plan approved by the planning board must first successfully complete the permit process as set forth in RSA 674:41. No such lot may be permitted to be further subdivided or otherwise made less conforming in nature.

Chairman Ohlson asked the board if they were in agreement of leaving 1.3 as is. The board was in agreement.

Chairman Ohlson read aloud the following:

Amend ARTICLE V: OTHER REGULATIONS

5.7 Minimum Frontage.

- B. Lots located on Class VI roads. Lots having at least two hundred (200) feet of frontage on a Class VI road may, upon successful completion of the permit process as set forth in RSA 674:41, be developed within one use within the district. Subdivision of lots whose sole access or frontage is on a Class VI road shall not be permitted.

Boyd stated that the town cannot do maintenance on a Class VI road and that a road waiver is needed and the occupants on that road are responsible for the road.

Chairman Ohlson explained that the intent of this is that the state is saying that you have to allow building on Class VI roads. The board agreed to add to 5.7 B. "within one use within the district." The board agreed to have the Planning Board attorney review adding the above language. Chairman Ohlson explained we should let our attorney know the intent is to let any lot on a Class VI road have the same rights as any other lot in town.

Chairman Ohlson read aloud the proposed Warrant Article, Zoning Amendment, Recreational Vehicles, Amendment No. 3 as follows:

Warrant Article # , Zoning Amendment, Recreational Vehicles.

Are you in favor of the adoption of **Amendment No. 3** as proposed by the Planning Board for the Madison Zoning Ordinance as follows (Note: New text underlined and italicized. Deleted text ~~struck through~~):

Insert a new Article, **Article XII Recreational Vehicles**

A) The following applies to Recreational Vehicles outside of Recreational Vehicle Parks and Campgrounds.

1. **Storage.** Storing (and not occupying) an unregistered single recreational vehicle is allowed in any zoning district, however, only on lots where there is an existing permitted principal residential use, or located on a lot that is adjacent or abutting to a lot under the same ownership which has a principal residential use.
2. **Accessory Use.** Occupancy of a recreational vehicle as accessory to a principal dwelling unit is limited to a duration of thirty (30) days within a calendar year. Recreational vehicles which are accessory to a principal dwelling unit shall maintain current vehicle registration.
3. **Temporary Use on A Vacant Lot.** Unless otherwise prohibited or restricted by this Ordinance or state law, no more than one (1) recreational vehicle may be temporarily occupied on a vacant lot between April 15th and December 1st for a duration of thirty (30) days within a calendar year for recreational purposes. Occupancy is limited to the property owners, owner's family, or owner's friends. The recreational vehicle shall maintain current registration and not be permanently attached to utilities.
4. Prior to placing a recreational vehicle on a lot, a permit from the Building Inspector is required. While the temporary recreational vehicle is in use on the lot, the permit must be prominently displayed (with protective covering from the elements) at the edge of the lot so that it is visible from the right of way/road for inspection by the Building Inspector without requiring access to the property. Failure to post the permit shall result in revocation of the permit.
5. No other recreational vehicle use is permitted on any lot except as specifically allowed by this Article. Recreational vehicles are not permitted as primary dwelling units or as ADUs.

The following words or phrases are hereby defined for the purpose of this Article XII:

RECREATIONAL VEHICLE. A vehicle that is designed to be self-propelled or towed and is equipped to serve as, or intended by the manufacturer for use as, temporary living quarters for recreational, camping, travel or seasonal use. It includes, but is not limited to a mobile home, trailer, camper, and motor home.

Boyd explained that a recreational vehicle cannot be more than ten years old.

Motion by K. Nordlund, seconded by Gagnon to strike “mobile home” from the definition of Recreational Vehicle. The motion passed **7-0**.

Chairman Ohlson conducted a Roll Call Vote to strike “mobile home” from the definition of Recreational Vehicle as follows: Marks - Aye; Viana – Aye; Littlefield – Aye; Ohlson – Aye; Hempel – Aye; Gagnon – Aye and K. Nordlund - Aye. The motion

Chairman Ohlson read aloud the new Article, **Article XII Recreational Vehicles, (A) 1. Storage and 2. Accessory use** as follows:

1. **Storage. Storing (and not occupying) an unregistered single recreational vehicle is allowed in any zoning district, however, only on lots where there is an existing permitted principal residential use, or located on a lot that is adjacent or abutting to a lot under the same ownership which has a principal residential use.**

2. **Accessory Use. Occupancy of a recreational vehicle as accessory to a principal dwelling unit is limited to a duration of thirty (30) days within a calendar year. Recreational vehicles which are accessory to a principal dwelling unit shall maintain current vehicle registration.**

1. **Storage**

K. Nordlund asked how is it enforceable and is it 30 days? Boyd stated it is enforceable by a complaint from someone. K. Nordlund stated that if there is a recreational vehicle on a property and Boyd cannot see it, it becomes unenforceable.

2. **Accessory Use**

K. Nordlund explained he does not like 30 days and that is limiting people.

Motion by K. Nordlund, seconded by Gagnon to change 30 days to 90 days.

Discussion:

K. Nordlund stated that we are suggesting the rules. Hempel suggested make it a **permitting** process.

Chairman Ohlson conducted a Roll Call Vote as follows: Viana – Nay; Littlefield – Aye; Ohlson – Nay; Marks –Aye; Hempel –Aye; Gagnon – Aye; K. Nordlund – Aye. The motion passed **5-2**.

Chairman Ohlson read aloud **Article XII Recreational Vehicles (A) 3. Temporary Use on a Vacant Lot.** N. Nordlund stated that you cannot restrict someone and it is their choice of housing. Chairman Ohlson explained that zoning is to make property consistent.

Motion by K. Nordlund to eliminate “Article XII Recreational Vehicles A) 3. Temporary Use on a Vacant Lot” in its entirety.

Discussion: Viana explained that we need to come up with reasonable zoning and that we are here to protect the integrity of town and its future and we are not here to enforce it. K. Nordlund explained the charge of this board is health, safety and well-being. Gagnon stated that this is preventing a campground. Chairman Ohlson explained that we can change the thirty (30) days and that this regulates the neighborhood. N. Nordlund stated they should remove "days" and instead, use "consecutive days." Boyd explained changing the wording to consecutive days then means you start all over again. Marks questioned what is consecutive, leave the unit there?

Motion by Gagnon, seconded by K. Nordlund to change one recreational vehicle to "no more than three recreational vehicles" and strike April 15th and December 1st and change thirty (30) days to ninety (90) days.

Chairman Ohlson conducted a Roll Call Vote as follows: Viana – Nay; Littlefield – Nay; Ohlson – Nay; Marks –Nay; Hempel –Nay; Gagnon – Aye; K. Nordlund – Aye. The motion failed 5-2.

Motion by K. Nordlund, seconded by Gagnon to "allow one recreational vehicle for ninety (90) days."

Chairman Ohlson conducted a Roll Call Vote as follows: Viana – Nay; Littlefield – Nay; Ohlson – Nay; Marks –Nay; Hempel –Nay; Gagnon – Aye; K. Nordlund – Aye. The motion failed 5-2 leaving Article XII Recreational Vehicle (A) 3. Temporary Use on a Vacant Lot as is.

Chairman Ohlson read aloud Article XII Recreational Vehicles (A) 4. As follows:

4. Prior to placing a recreational vehicle on a lot, a permit from the Building Inspector is required. While the temporary recreational vehicle is in use on the lot, the permit must be prominently displayed (with protective covering from the elements) at the edge of the lot so that it is visible from the right of way/road for inspection by the Building Inspector without requiring access to the property. Failure to post the permit shall result in revocation of the permit.

Boyd explained that he is not in favor of this as it will be adding more permits, inspections and enforcements.

Motion by K. Nordlund, seconded by Gagnon to remove "Article XII Recreational Vehicles (A) 4." in its entirety.

Discussion: K. Nordlund asked Boyd why he is not in favor of (A) 4? Boyd stated that permitting does show up and the assessor sees it and that this would create more work for him. N. Nordlund noted that that the assistant line in the budget was removed. Marks asked if notification would be easier? Boyd stated the building permit software notifies the assessor and the assessor goes and does the assessment.

Chairman Ohlson conducted a Roll Call Vote as follows: Viana – Nay; Littlefield – Aye; Ohlson – Aye; Marks –Aye; Hempel –Nay; Gagnon – Aye; K. Nordlund – Aye. The motion passed 5-2 removing (A) 4. in its entirety.

Boyd explained that in the Zoning Ordinance 4.6A Eidelweiss Permitted Uses, this would also need to be removed and that it is on Page 15 of the Zoning Ordinance. He further explained that you can create an ADU and you cannot prohibit an ADU in non-conforming pre-existing and can make use of the structures there.

Young explained that she had received a call from Sean Wadsworth at Bergeron Technical Services and that in the current Zoning Ordinance under ARTICLE VII: GROUND WATER PROTECTION REGULATIONS 7.2 A. District Boundaries, (Page 30), it refers to plan entitled "Drinking Water Resources and Potential Contamination Sources for the Town of Madison" dated April 8, 1999, by NHDES." Wadsworth inquired if the town had a copy of this plan. After much research, it is determined that the town does not have a copy of this plan. Wadsworth contacted NHDES and they do not have a copy of this plan.

The Board discussed using the existing aquifer maps entitled "Draft Base Map (Stratified Drift Aquifer) dated 200" that is currently on the wall in the Town Hall meeting room. It was decided by the board to have Young contact the Planning Board attorney and ask her if we need to go to town meeting to change the plan referenced in the current Zoning Ordinance on Page 30. It was also discussed to send her a copy of the "Draft Base Map (Stratified Drift Aquifer) dated 2004."

Chairman Ohlson passed his duties to Marks and Chairman Ohlson stepped down from the board and sat in the audience.

Vice Chairman Marks read **Case #25-07** aloud as follows:

Case #25-07 – (Continued from October 15, 2025 and November 5, 2025) – Site Plan Review request from Francis D. Parisi, Esquire, authorized agent for Vertex Towers, LLC, 0 Tasker Hill Road (off Oak Ridge Road), Tax Map 206, Lot 71 – The proposed project is construction of a wireless communications facility consisting of 100-foot-tall monopole tower on top of a 1-foot foundation (105 feet to top of lightning rod) inside a 70-foot x 40 foot fenced in compound – Planning Board to make decision on Waiver Request provided from Attorney Parisi AFTER the December 3, 2025 Public Hearing and decision.

Vice Chairman Marks stated that at the December 3, 2025 Planning Board meeting, Attorney Parisi was sitting in the audience writing up a Waiver Request and that Young did not receive that request until after the meeting which ended at 9:00 pm when she returned to her office as it was sent via email from Attorney Parisi at 7:19 pm during the Planning Board meeting on January 7, 2026.

The Board considered a waiver request from Attorney Parisi regarding the performance bond. The waiver was for the following:

Prior to issuance of a building permit, applicant shall submit a performance bond in an amount sufficient to ensure all site development and construction is completed according to the final plan approved. Section VI.A. and B.

The proposed Facility will be on private property, and a performance bond is inapplicable and unnecessary.

Vice Chairman Marks stated that the board approved everything and made the performance bond part of the conditions in the December 3, 2025 decision.

Motion by Viana, seconded by Littlefield to deny the applicant's request for Waiver of the performance bond requirement. The motion passed **7-0**.

Coleman Pit: Ohlson who recused himself from the board was questioned by the board. Vice Chairman Marks asked Ohlson about what is happening at the site at Coleman's pit. He further stated if the property is surveyed, it can be compared but it would be up to Ohlson to get it surveyed. Ohlson stated that Coleman is not over his property but on his own. Ohlson stated there is a zoning violation of 155E

and clearly onto property Coleman owns that is rural residential in current use and recreation does not have a permit. He further explained there is an encroachment on his property and that Coleman should be 50 feet but he is actually 15 feet.

Ohlson stated that this is rural residential, commercial use with no gravel permit. Vice Chairman Marks stated that they need a survey to pinpoint everything. Gagnon stated she walked up in that area and that there is fencing, flags and a stone wall and there is no excavation. Ohlson stated if you follow the stonewall north, you should walk clearly to Cranmore Shores. Gagnon asked Ohlson if Coleman is cutting or digging? Ohlson told her to read 155E. Gagnon stated she has read it and it is a snowmobile trail and the trees are cut for the snowmobile club and the other side of the fence is where the excavation is. Ohlson stated the fence is on Coleman's new lot which is the Kennett lot and that the fence is two years old. Gagnon asked if Coleman excavated over their property line and then put up the fence. Hempel asked if Ohlson could talk directly to the Planning Board attorney? Young stated she would ask.

Master Plan Steering Committee – Update from Gagnon: Gagnon provided an update on the Master Plan Steering Committee. The committee had their kickoff meeting with North Country Council consultants. Phase 1 of the Master Plan revision is underway, with consultants analyzing survey results and helping set up a visioning forum for community input. The process will continue through June or July, 2026.

Gagnon explained that a Warrant Article is needed to continue Phase 2 of the master plan work and additional the amount needed is \$12,265.

Motion by Gagnon, seconded by Hempel to raise and appropriate by means of a Warrant Article, the sum of \$12,265.00 to the Master Plan Expendable Trust Fund for the purpose of updating the Town of Madison's Master Plan. The motion passed **7-0**.

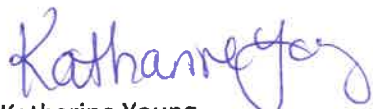
Chairman's Report – Chairman Ohlson had nothing to report.

Selectmen's Report – Chairman Price was not present.

Correspondence/Administration – Young reported that the Planning Board attorney's hourly rate increased to \$275 per hour as of January 1, 2026. She also reminded Chairman Ohlson that the Planning Board report for the Annual Report will be due soon. She also reminded Marks and K. Nordlund that their terms are expiring and they need to go to the Town Clerk's office to register if they choose to run again and Gagnon, an alternate will also need to be appointed for this year.

Motion by Marks, seconded by K. Nordlund to adjourn the meeting at 10:45 pm. The motion was voted on and passed **unanimously**.

Respectfully submitted,



Katharine Young,
Land Use Boards Administrator