



Town of Middleton

182 Kings Highway, Middleton, New Hampshire 03887

PLANNING BOARD MEETING MINUTES

Middleton Old Town Hall
200 Kings Highway
Middleton, NH 03887

May 21, 2026 at 6:00 p.m.

These minutes serve as the legal record and are in the form of an overview of the Planning Board meeting. It is neither intended nor is it represented that this is a full transcription. A recording of the meeting is available online at <https://www.youtube.com/@townofmiddleton9741/streams> for a limited time for reference purposes.

Attachments

Planning Board Meeting Agenda
Sign in Sheet
Building Permit Report April 2026
Private Road Waiver draft
Floodplain Ordinance sample
Rules of Procedure
Development Regulations final draft

Meeting called to order by Christine Maynard at 6:04 p.m.

Pledge of Allegiance

Roll Call

Members present: Christine Maynard (Chair), Kate Buzard (Vice Chair), Roxanne Tufts-Keegan (BOS Rep), John Quinn (SLVD Rep)

Blair Haney, Planner for Strafford County Regional Planning, was present via Zoom for most of the meeting.

Approval of Minutes

K. Buzard made a motion to approve the minutes of the April 9, 2026 meeting.

J. Quinn seconded the motion.

Motion carried.

Land Use Inquiries

None

Prospective New Board Member

Resident Ron Stock was in attendance. He is interested in joining the Planning Board.

Zoning Ordinance Updates (w/Blair Haney via Zoom)

Manufactured Home Park (MHP) Developments – Middleton has little information on manufactured homes in the Zoning Ordinance and does not currently have any development guidelines in this area. The Board would like to explore a framework to adopt that includes criteria that fit with the Master Plan.

K. Buzard asked if the Town is required to have specific rules for manufactured homes. She said the current guidelines, e.g., the five-acre minimum lot requirement applies to manufactured homes also; do they need to have more specifics.

C. Maynard wants to know if Middleton does not have its own specific rules, do they only have the State guidelines to go by.

K. Buzard said the State does not have requirements for setbacks or lot size.

B. Haney said manufactured homes must be build in accordance with single family home rules; it's in a park setting that things can vary.

C. Maynard asked if parks are required to have green space

B. Haney gave examples of what other Towns are doing for guidelines. Parks are treated differently than single home lots. He said manufactured homes that have a permanent foundation are treated the same as single family homes as opposed to a manufactured home without a foundation that is considered personal property.

He said there are also differences in privately owned parks and cooperative ones. He is not aware of any requirements saying a town must allow manufactured home parks and will double check.

There was discussion about the consequences of not having specific rules and whether it is acceptable to say manufactured home parks are not allowed.

J. Quinn said the point of the five-acre minimum is to give people space as well as avoid water and septic issues that the Town's infrastructure may not be able to support.

B. Haney said the State requires municipalities to provide reasonable and realistic opportunities for manufactured homes in residential areas. He does not think the Town can say parks are not allowed.

There was more discussion on creating an overlay district and considering setting precise parameters in certain areas.

R. Tufts-Keegan suggested restricting manufactured home developments from specific zones, such as the Lake District.

B. Haney said it's always good to look at what other Towns are doing and consider using that as a model. Usually existing rules are approved and have been tested in practice. He will look at other communities for examples.

K. Buzard suggested he look at communities with infrastructures similar to Middleton.

Short Term Rentals – **B. Haney** said Towns that have a large number of tourists are creating more regulations. He said most Towns have chosen to regulate short term rentals rather than prohibit them. He said Wakefield has recent information he will share. He said rather than making rules on the use of a dwelling, there should be regulations that address things like noise, trash, requiring the owner to have emergency contact information, etc.

K. Buzard said they are looking for guidance to develop ways to protect abutters' rights.

J. Quinn said the emphasis should be on maintaining the property and abiding by current regulations the same as *all* residences are required to do.

There was more discussion about various New Hampshire towns' activity and decisions around short term rentals.

C. Maynard asked if they should anticipate any new regulations coming from the State, specifically those pertaining to minimum lot size.

B. Haney said he doesn't think there will be nearly as much new legislation as last year, but he will look into it. He said unfortunately most things get done last minute.

K. Buzard reviewed a list of questions and issues. She said she is not expecting to resolve these tonight, but they should be kept in mind and will require more attention. These include the relationship between covenants and Town regulations, how small businesses/enterprises are handled (this needs clarification in the Zoning Ordinance), vendor laws, housing for older persons, impact fees (should be a priority), landing air strips, requiring a survey before building.

J. Quinn suggested they consult other towns that are successfully implementing impact fees as a starting point.

K. Buzard said Middleton was selected by Strafford Regional Planning for assistance through Great Bay 20/30 technical and climate adaptation funding. SRP will also be helping the Town with updates to stormwater management, wetlands and shoreland protection ordinances.

K. Buzard said she has been working on updating the Solar Article in the Zoning Ordinance.

There was discussion about addressing septic systems through the Health Officer and the BOS rather than the Zoning Ordinance.

C. Maynard talked about State mandated changes to multifamily zoning and how they will affect building. She said they need to discuss how to implement these changes in a way that is appropriate for Middleton.

J. Quinn said it not only involves lot size; they need to consider the number of people and affect that it has on the Town infrastructure.

There was discussion about the need to get the Zoning Ordinance updated and published with the changes approved at the March 11, 2026 Town Meeting.

Development Regulations

As soon as the Board reviews the most recent copy of the Development Regulations that includes changes made at the last public hearing, the Clerk will upload them to the Town website. She will maintain a folder on future suggested changes that need to be voted on at a public hearing.

K. Buzard noted the section "Validity" is blank and will look into wording for this.

Changes that reference parking were previously recommended by Blair Haney and need to be discussed.

K. Buzard asked if documents referenced in the Development Regulations, e.g., US EPA Phase II permit, are available somewhere.

B. Haney suggested this be reviewed with Lisa from SRPC as part of the assistance she is providing. In most cases documents relating to development applications are going to be sent out for a 3rd party engineering review.

B. Haney suggested the Board produce a short list of articles for him to work on first.

The Board agreed on:

Manufactured Housing Parks
Home Enterprises/Businesses/Industry
Residential/Industrial/4 Corners Districts – multi-family changes

It was decided to change the regularly scheduled July meeting to July 16 and to invite **B. Haney** again.

FEMA & Floodplain Development Ordinance

Stephanie Frechette from the NH Office of Planning and Development provided sample wording the Town can use to update the current Floodplain Development District Article in the Zoning Ordinance.

K. Buzard will compare the wording in both.

K. Buzard asked about the timing of the Final Letter of Determination

R. Tutts-Keegan noted the sample wording from the OPD includes sections on Manufactured Homes and Parks.

C. Maynard said they need to be sure the various zoning district rules align with the Workforce Housing Article.

K. Buzard explained the Town has updated the five-year Emergency Plan. FEMA sent the preliminary updated maps. In order for residents to be able to get Flood Insurance, the Town needs to have an updated Floodplain Development Ordinance. Once the Letter of Determination is issued, we have 6 months to update the Zoning Ordinance and that date determines whether we have to have a special hearing or wait until the Town Meeting in March, 2027.

Hard Road to Travel – NHMA Upcoming Class

The members who attended the class said it was helpful. **K. Buzard** asked the Clerk to send her the 2026 Update document; **C. Maynard** will send the Clerk an email of what specific handouts or links from the class she needs, if any.

Financial Report

The current budget for the Board as well as the funds available for Strafford Regional Planning assistance were reviewed.

Master Plan and Capital Improvement Plan

K. Buzard said the Master Plan needs to be updated every five to ten years, however they should be working on it sooner. They should consider re-doing the same survey that was done previously, but with a different company. Capital Improvement Plans should be reviewed annually and budgeted for appropriately.

There was discussion about anticipating and planning for future expenses.

Legislative Updates

Members discussed the need to be aware of upcoming changes that affect the Town; NHMA publications are a useful resource for this.

Building Permits

There was discussion about the process used by Avitar regarding assessment updates.

There was discussion about requirements for fences. **K. Buzard** suggested the CEO come up with specific language for changes.

Private Road Waiver

The Clerk will update and finalize the form based on the recommendations from counsel.

Rules of Procedure

R. Tufts-Keegan made a motion to accept the amended version of the Rules of Procedures presented to the Board tonight.

J. Quinn seconded the motion.

The PB Clerk will finalize the document, upload it to the website, and give a copy to the Town Clerk.

Motion carried.

Development Regulations

The latest approved version has been finalized. The Planning Board Clerk will upload it to the website and send it to the Town Clerk for their records.

Zoning Ordinance

The Clerk is in the process of updating the Zoning Ordinance with the most recent approved changes. They hope to bring a useable document to the next meeting so it can be published and then discuss formatting changes that need to be done.

Shared Driveways

C. Maynard is seeking input for regulations from Chief Wheeler and Chief Ferguson. K. Buzard asked if the current Driveway Regulations include them.

Member Comments

There was discussion about combining Town Owned lots. This needs further research. There are specific laws to be considered as well as the potential effects on wetlands, the lake and flooding. Residents should be asked for their input.

J. Quinn suggested adding "Public Comments" to the standard agenda.

J. Quinn made a motion to nominate Ron Stock as a potential Planning board Member.

K. Buzard seconded the motion.

Motion carried.

Next Meeting

The next regular meeting is scheduled for June 11, 2026 at 6:00 p.m. at the Old Town Hall. The July meeting will be on July 16, 2026 instead of the usual second Thursday of the month.

Adjournment

K. Buzard made a motion to adjourn the meeting at 8:05 p.m.

R. Tufts Keegan seconded the motion.

Motion carried.

Respectfully submitted by:
Robin Willis



Town of Middleton

182 Kings Highway, Middleton, New Hampshire 03887

OFFICE OF THE PLANNING BOARD

MEETING SIGN-IN

May 21, 2026 6:00 p.m.

Old Town Hall

Please Print Legibly

Name	Address	Phone/E-mail (optional)
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Ron Stock

118 Ridge Rd



Town of Middleton

182 Kings Highway, Middleton, New Hampshire 03887

OFFICE OF THE PLANNING BOARD

AGENDA

Planning Board Meeting Thursday, May 21, 2026 at 6:00 PM

MIDDLETON OLD TOWN HALL, 200 KINGS HIGHWAY

1. Call to Order
2. Pledge Allegiance
3. Roll Call by the Chair
4. Review of Minutes - April 9, 2026
5. Land Use Inquiries – None
6. Quarterly CEO Update – invite CEO to June meeting?
7. Zoning Ordinance 2027/w Blair Haney, SRC via Zoom
8. Impact Fees
9. FEMA & Floodplain ZO Article and Development Regulations
10. NHMA Class – Hard Road to Travel
11. Financial Report
12. Master Plan
13. Capital Improvement Plan
14. Legislative Updates
15. Building Permits – April, 2026 (Assessing partially completed projects)
16. Private Road Waiver – Attorney Review
17. Rules of Procedure – updated draft
18. Development Regulations – final copy
19. Zoning Ordinance Update 2026
20. Member Comments
21. Next Regular Meeting – June 11, 2026
22. Call for Adjournment



Town of Middleton

182 Kings Highway, Middleton, New Hampshire 03887

PLANNING BOARD MEETING MINUTES

Middleton Old Town Hall

200 Kings Highway

Middleton, NH 03887

April 9, 2026 at 6:00 p.m.

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DRAFT: These minutes are strictly a draft copy and are awaiting amendment or approval at a subsequent, duly noticed public meeting. Amendments to these minutes will be noted in the minutes of said meeting. This draft is available for public review and the approved copy will be posted on the Town of Middleton website.

Attachments

Planning Board Meeting Agenda

Sign in Sheet

Building Permit Report March 2026

Huppe Land Use Inquiry Form and attachments

March Financial Report

Information on zone labels

Meeting called to order by Christine Maynard at 6:01 p.m.

Pledge of Allegiance

Roll Call

Members present: Christine Maynard (Chair), Kate Buzard (Vice Chair), John Quinn (SLVD Rep),

Absent: Roxanne Tufts-Keegan (BOS Rep)

Approval of Minutes

J. Quinn made a motion to approve the minutes from the March 12, 2026 as amended.

K. Buzard seconded the motion.

Motion carried.

Land Use Inquiries - Conceptual Consultation

Huppe – Subdivision/Driveway discussion

Map 2, Lot 1-14

252 Silver Street

Reed Heath, Real Estate Agent for Property Owner **Richard Huppe**, explained the proposed project to the Board. **R. Huppe** would like to subdivide his 9.3 acre lot into two parcels and sell one parcel. This would most likely necessitate having a shared driveway to access the back lot.

K. Buzard said the lot is located in the Rural Residential area.

C. Maynard explained there is a 5-acre minimum lot size, excluding wetlands, as indicated in the Zoning Ordinance. In order for the Board to consider a subdivision application they need to see a survey. Since the lot is less than ten acres it would not meet the 5-acre requirement so they would have to deny the application. At that point, he could apply for a variance with the Zoning Board of Adjustment. Each lot would also need to have 200' of road frontage.

K. Buzard explained back lots with at least 50' of road frontage are allowed providing they have five acres of upland in the body of the lot, which minimum does not include the area of the neck, or strip of land that provides frontage access.

There was discussion about the need for a survey and about the ZBA application process.

FEMA & Floodplain Development Ordinance

K. Buzard talked about the FEMA review process and FIRIM map updates that are currently in process. She said the Town may need to update the pertinent section(s) of the Development Regulations and the Zoning Ordinance. She suggested the Clerk send the applicable sections of our current regulations to FEMA for review.

J. Quinn said the partial government shutdown may affect FEMA's activities.

C. Maynard asked how the flood zone is determined.

K. Buzard said it depends on elevations and primarily affects the land surrounding the lake and other water ways. She said they may want to ask Blair Haney from Stratford Regional Planning for help with the Zoning Ordinance and Development Regulations if changes are needed.

There was discussion about previous floods.

Hard Road to Travel – NHMA Upcoming Class

K. Buzard, C. Maynard and R. Willis will be participating. The Clerk will enroll them using the Town credit card. (The ZBA has agreed to pay the fee for the Clerk out of the ZBA budget).

In most cases copies of NHMA presentations and/or videos are available after the class.

Financial Report

There was discussion about amounts allocated, expenditures and accounting procedures. It was agreed there should be a procedure for communication, attendance, approvals and payment for classes and workshops. The department budget should be considered; there is

currently \$450 available for workshops. It was agreed a process should be added to the Rules of Procedure.

Master Plan and Capital Improvement Plan

K. Buzard will get the dates these are due so they can be added to future agendas.

Impact Fees

It was agreed the Board needs to learn more about implementing a process for impact fees and will discuss this with Blair Haney from Strafford Regional Planning.

Legislative Updates

C. Maynard would like to be added to the legal updates distribution list from NHMA as well as Town & City Magazine.

Building Permits

C. Maynard said the roads being posted with weight restrictions is most likely affecting activity; there will probably be an increase in Building Permit activity May.

Zoning

There was discussion about the various names used for areas of the Town depending on the function in question. The Zoning Map, Zoning Ordinance, Assessing Database, Associations and Property Tax rates use different labels, sometimes with overlapping names; it's important to understand there are distinctions.

K. Buzard said it's important to note in 2006 there was a Public Hearing identifying which lots would be in specific zones.

J. Quinn said the higher tax rate for properties designated as "Village" in the assessing database has nothing to do with beach rights; it's strictly to pay for maintenance of the dam.

K. Buzard said copies of the minutes regarding the formation of the Village are on file with the Secretary of State. There was discussion about record retention for the Planning Board in previous years.

J. Quinn said Jerri Waitt is going to move some records to the Town Offices. The Town Clerk told him they are getting the fire proof area cleaned out. They can also start scanning the records.

K. Buzard said the Official Zoning Map must be kept in the Municipal Building. Currently, there is a 8 ½ x 11 copy with the tax maps in the back room. She is working on getting a larger one

from Stratford Regional Planning. She said a few of the zones go *through* specific lots instead of following the lot line. She believes this may be due to the location of the aquifer.

There was discussion about the history and formation of the Village which was created to collect funds to maintain the dam.

C. Maynard said the only thing that gives a resident access to any beach, other than the public beach commonly referred to as John's Beach, is the deed to their property.

J. Quinn said there is only one public beach.

K. Buzard said thank you to **C. Maynard** for letting Rebecca know she had the information on the Solar Feasibility Studies.

C. Maynard said Rebecca has more information now and is looking into it. **C. Maynard** said she is seeing more municipal buildings using solar.

K. Buzard said she saw an opportunity to get a free feasibility study on our town buildings. She added Clean Energy in New Hampshire has helped small towns; she offered to help Rebecca if she needs it.

There was discussion about possible options for using solar energy in the future.

There was discussion about bonds and shared driveways.

C. Maynard said she asked the Highway Department for their input and information on a shared driveway policy.

K. Buzard asked when the Zoning Ordinance will be updated.

K. Buzard said there is a typographical error on Page 8 Part B of the Development Regulations. (The clerk will correct this.)

K. Buzard said RSA 673:10 II requires the Planning Board to meet at least once a month.

C. Maynard made a motion to move the May meeting to May 21, 2026 at the Old Town Hall at 6:00 p.m.

J. Quinn seconded the motion.

Motion carried.

K. Buzard said she has eight items to add to future discussions with Blair Haney from Stratford Regional Planning. One is removing the list of business allowed in the Sunrise Lake District from the Zoning Ordinance. She said none of the Association covenants allow them.

K. Buzard said erosion control and whose responsibility it is needs to be included in subdivision plans. She would also like talk to Blair about fifty-five plus communities.

There was discussion about how various types of community developments may impact Town and local resources.

There was discussion about how the 5 acre minimum would affect a manufactured home park.

C. Maynard suggested K. Buzard email Blair Haney directly with the items she would like to discuss and copy the other Board Members.

C. Maynard will invite Blair to attend the next meeting via video call.

Adjournment

J. Quinn made a motion to adjourn the meeting at 7:50 p.m.

K. Buzard seconded the motion.

Motion carried.

The next regular meeting is scheduled for May 21, 2026 (moved from May 14) at 6:00 p.m. at the Old Town Hall.

Respectfully submitted by:
Robin Willis

Place Board

Robin Willis

From: Kate Buzard <kbuzard@outlook.com>
Sent: Thursday, May 14, 2026 5:58 PM
To: Robin Willis; Blair Haney; christinemaynard32@live.com; eonquinn@yahoo.com; keegan25@roadrunner.com
Subject: As promised (or threatened) my Zoning Ordinance and Development Regulation Questions
Attachments: Planning Board Development Regulation questions.docx

Planning Board Members and Mr. Haney,

I'm writing to provide a consolidated list of zoning-related questions and clarification items that the Board may want to address as we continue ordinance review. These items span several articles and definitions, and I'm flagging them now so they can be discussed.

CLARIFICATION ITEMS

1. Sunrise Lake District: Page 11 Accessory Uses, subsection (b): "Home occupations, according to local covenants and/or the regulations of this Ordinance, whichever is more restrictive." Do we need copies of the relevant covenants on file for administrative clarity and enforcement?
2. Manufactured Homes: What currently regulates minimum lot size for a manufactured home park? Does the existing five-acre requirement apply, or is there a separate standard?
3. Home Enterprises / Home Businesses / Home Industry / Home Office (Pages 62 63,64) The distinctions among these categories remain difficult to interpret. Page 63 states that any home-based business not meeting one or more standards becomes a Home Enterprise subject to Article 22 review. Clarification is needed on how these categories interact and how they should be applied.
4. Vendor Laws: Do we need a separate vendor ordinance, or would this be covered under a Health Ordinance?
5. Article 20: Housing for Older Persons (Page 60) Is this framework more appropriate or advantageous than a traditional 55+ development structure?
6. Impact Fees: How should impact fees be applied and administered under our current ordinance language?
7. Air Strip Regulations: Which authority regulates private air strips, and do we need local language addressing them?
8. Building Codes: The Town previously had its own building code. What is the current status, and does any portion remain in effect?
9. Survey Requirement for Building Permits Should we add a requirement that all lots must have a survey before a building permit is issued, as was previously included in the Town's building code?

I'm also attaching my Development Regulation questions and working notes. They're written in my own shorthand, but I'm including them because they show where I'm running into unclear or conflicting language. The page numbers differ from the online version because my hard-copy formatting is different.

Also, I was recently informed by Lisa Murphy, Stafford Regional Planning Commission that:

Middleton was selected by the Stafford Regional Planning Commission to receive technical assistance funded through the Great Bay 2030 Year 4 initiative. This is not a cash grant, but a grant-funded service providing SRPC staff support to help the Planning Board update its Stormwater Management, Wetlands, and Shoreland Protection ordinances. The work is fully funded through the GB2030 program, with no cost to the Town, and SRPC will bring draft language and guidance to the Board for review.

I'm sharing these questions as promised. I probably will have more.

Thank you,

Kate

TOWN OF MIDDLETON

Permits Issued

Permits Issued With Approved Date Between 04/01/2026 And 04/30/2026 Sorted by PID

PID: 000003 000037 000000			Project: NEW BUILDING -- NEW 28X36 MANUFACTURED			Location: 57 AUCLAIR ROAD			Proj. Date: 09/17/25		
Permit Type			Owner: ARTS, YVONNE-TRUSTEE			Owner Phone: 6037850873					
Permit Number			Permit Status			Added			Approved		
GAS PERMIT			G-304			04/13/26			04/13/26		
Applicant:			EASTERN PROPANE			Applicant Phone:			04/13/27		
Contractor:			EASTERN PROPANE			Contractor Phone: 6039485415			\$ 50.00		
									\$ 0.00		
PID: 000004 000003 000002			Project: GARAGE -- STEEL BUILDING GARAGE 20X30 MONO			Location: 34 WOODLAND ROAD			Proj. Date: 07/31/25		
Permit Type			Owner: HENDERSON-DANIELS, SUSAN D			Owner Phone: 6036305008					
Permit Number			Permit Status			Added			Approved		
ELECTRICAL PERMIT			E-26-12			04/04/26			04/04/26		
Applicant:			SUSAN AND DENNIS DANIELS			Applicant Phone:			04/04/27		
Contractor:			TAD THOMAS			Contractor Phone: 6036881949			\$ 100.00		
									\$ 0.00		
PID: 000004 000006 000000			Project: ALTERATION -- SERVICE UPGRADE			Location: 126 SILVER ST			Proj. Date: 04/13/26		
Permit Type			Owner: BEAUDRY SEAN P.			Owner Phone: 8609687727					
Permit Number			Permit Status			Added			Approved		
ELECTRICAL PERMIT			E-26-14			04/13/26			04/13/26		
Applicant:			SEAN BEAUDRY			Applicant Phone: 6038344243			04/13/27		
Contractor:			SEAN BEAUDRY			Contractor Phone: 6038344243			\$ 100.00		
									\$ 0.00		
PID: 000004 000287 000000			Project: ADDITION -- ADDITION 14X14			Location: 161 NICOLA ROAD			Proj. Date: 04/27/26		
Permit Type			Owner: MCDONALD, KARENE (TRUSTEE)			Owner Phone: 7742100098					
Permit Number			Permit Status			Added			Approved		
BUILDING PERMIT			3013			04/27/26			04/27/26		
Applicant:			RICK FOLGER			Applicant Phone: 6037811296			04/27/27		
Contractor:			RICK FOLGER			Contractor Phone: 6037811296			\$ 366.00		
									\$ 0.00		
PID: 000004 000335 000000			Project: ALTERATION -- REROOF			Location: 74 NICOLA ROAD			Proj. Date: 04/06/26		
Permit Type			Owner: BURNEY, KIMBERLY A			Owner Phone: 6035156497					
Permit Number			Permit Status			Added			Approved		
BUILDING PERMIT			3011			04/06/26			04/06/26		
Applicant:			EXETER ROOFING			Applicant Phone:			04/06/27		
Contractor:			EXETER ROOFING			Contractor Phone: 6033242823			\$ 50.00		
									\$ 0.00		

Permits Issued

Permits Issued With Approved Date Between 04/01/2026 And 04/30/2026 Sorted by PID

PID: 000005 000107 000000	Project: ALTERATION -- REMOVING 2' OF BED CLOSET				Location: 22 SHORE DRIVE		Proj. Date: 04/04/26	
Permit Type	Permit Number	Permit Status	Owner: ERSOY, NICOLE B.	Added	Approved	Expires	Fee	Est. Cost
BUILDING PERMIT	3010		Applicant: JOHN MURPHY Contractor: JOHN MURPHY	04/04/26	04/04/26	04/04/27	\$ 145.00	\$ 0.00
PLUMBING PERMIT	P-26-05		Applicant: TRAVIS BARR Contractor: TRAVIS BARR	04/04/26	04/04/26	04/04/27	\$ 80.00	\$ 0.00
ELECTRICAL PERMIT	E-26-11		Applicant: JASON PURINGTON Contractor: JASON PURINGTON	04/04/26	04/04/26	04/04/27	\$ 100.00	\$ 0.00
PID: 000006 000007 000004	Project: DEMOLITION -- DEMO OF HOUSE				Location: 52 GOVERNORS ROAD		Proj. Date: 04/23/26	
Permit Type	Permit Number	Permit Status	Owner: RIDLON, SCOTT A	Added	Approved	Expires	Fee	Est. Cost
DEMOLITION PERMIT	DEMO-26-01		Applicant: SETH RIDLON Contractor: RIDLON ENTERPRISES	04/23/26	04/23/26	04/23/27	\$ 50.00	\$ 0.00
ELECTRICAL PERMIT	E-26-15		Applicant: SETH RIDLON Contractor: CORSO AND SONS ELEC	04/23/26	04/23/26	04/23/27	\$ 100.00	\$ 0.00
PID: 000008 000006 000000	Project: NEW BUILDING -- NEW HOME 1540 SQ FT FINISHED				Location: 149 PINKHAM ROAD		Proj. Date: 04/06/26	
Permit Type	Permit Number	Permit Status	Owner: ZABKAR, ROBERT W AND DIANA L R	Added	Approved	Expires	Fee	Est. Cost
BUILDING PERMIT	3012		Applicant: MICHAEL Contractor: NEW STYLE HOME	04/06/26	04/06/26	04/06/27	\$ 3,337.60	\$ 0.00
PID: 000008 000006 000009	Project: NEW BUILDING -- NEW HOME 1751 FINISHED				Location: PINKHAM ROAD		Proj. Date: 04/30/25	
Permit Type	Permit Number	Permit Status	Owner: TSB CONSTRUCTION, LLC	Added	Approved	Expires	Fee	Est. Cost
CERTIFICATE OF OCCUPANCY	CO-26-02		Applicant: TSB CONSTRUCTION Contractor: TSB CONSTRUCTION	04/08/26	04/08/26	04/08/27	\$ 0.00	\$ 0.00

Permits Issued

Permits Issued With Approved Date Between 04/01/2026 And 04/30/2026 Sorted by PID

PID: 000012 000015 000004		Project: EXTERIOR ONLY -- ABOVE GROUND POOL				Location: 243 KINGS HIGHWAY		Proj. Date: 04/10/26	
Permit Type	Owner: ROY, CATHERINE & DAVID		Owner Phone: 6038337901		Added	Approved	Expires	Fee	Est. Cost
	Permit Number	Permit Status							
POOL	POOL-26-01				04/10/26	04/10/26	04/10/27	\$ 80.00	\$ 0.00
	Applicant:	DAVID ROY	Applicant Phone: 6038337901						
	Contractor:	WHITE MOUNTAIN POOL AND SPA	Contractor Phone: 6037429500						
ELECTRICAL PERMIT	E-26-13				04/13/26	04/13/26	04/13/27	\$ 100.00	\$ 0.00
	Applicant:	MITCHELL O PERRY	Applicant Phone:						
	Contractor:	MITCHELL O PERRY	Contractor Phone: 6039233515						
PID: 000018 000010 000001		Project: ALTERATION -- REPLACE HOT WATER TANK BRING Location: 456 RIDGE ROAD						Proj. Date: 04/27/26	
Permit Type	Owner: OWEN, DANIEL EDWARD		Owner Phone: 6034732574		Added	Approved	Expires	Fee	Est. Cost
	Permit Number	Permit Status							
PLUMBING PERMIT	P-26-06				04/27/26	04/27/26	04/27/27	\$ 80.00	\$ 0.00
	Applicant:	HERITAGE	Applicant Phone:						
	Contractor:	HERITAGE	Contractor Phone: 6037169228						

Permits Issued

Permits Issued With Approved Date Between 04/01/2026 And 04/30/2026 Sorted by PID

PID: 000018 000029 000000	Project: ADDITION -- 10X12 ADDITION AND 10X10 DECK	Location: 106 NH ROUTE 153	Proj. Date: 04/27/26
Owner: YORK, SALLY L	Permit Number	Permit Status	Owner Phone: 6035021989
BUILDING PERMIT	3014	NICK ANGELO	04/27/26 04/27/26 04/27/27
	Applicant:	SALMON FALLS	Applicant Phone: 6033002139
	Contractor:		Contractor Phone: 6033002139
			Added Approved Expires Fee Est. Cost
			\$ 385.00 \$ 0.00

Summary of Permits: Total of Estimated Costs: \$ 0.00

Permit Type	Count	Fees Collected	Estimated Cost
BUILDING PERMIT	5	\$ 4,283.60	\$ 0.00
ADDITION	2	\$ 751.00	\$ 0.00
ALTERATION	2	\$ 195.00	\$ 0.00
NEW BUILDING	1	\$ 3,337.60	\$ 0.00
ELECTRICAL PERMIT	5	\$ 500.00	\$ 0.00
ALTERATION	2	\$ 200.00	\$ 0.00
DEMOLITION	1	\$ 100.00	\$ 0.00
EXTERIOR ONLY	1	\$ 100.00	\$ 0.00
GARAGE	1	\$ 100.00	\$ 0.00
PLUMBING PERMIT	2	\$ 160.00	\$ 0.00
ALTERATION	2	\$ 160.00	\$ 0.00
GAS PERMIT	1	\$ 50.00	\$ 0.00
NEW BUILDING	1	\$ 50.00	\$ 0.00
DEMOLITION PERMIT	1	\$ 50.00	\$ 0.00
DEMOLITION	1	\$ 50.00	\$ 0.00
POOL	1	\$ 80.00	\$ 0.00
EXTERIOR ONLY	1	\$ 80.00	\$ 0.00
CERTIFICATE OF OCCUPANCY	1	\$ 0.00	\$ 0.00
NEW BUILDING	1	\$ 0.00	\$ 0.00
Total	16	\$ 5,123.60	\$ 0.00

Robin Willis

From: Michael J. Malaguti <mmalaguti@dwmlaw.com>
Sent: Monday, May 4, 2026 10:27 AM
To: Middleton Planning Board; Matthew Serge
Cc: Robin Willis
Subject: RE: Waiver Form - Building on Private/Class VI Road
Attachments: Waiver BOS letterhead.doc

Christine:

Here is the revised waiver. It needs to have a large space at the top for recording information, so I deleted the header and bumped everything down. A couple of other items to consider:

- 1) For a Class VI road, effective 7/1/26, the applicant will need to produce evidence that the property is insurable. I added this into the agreement but highlighted it because this requirement will not apply until that time.
- 2) I recommend the Fire Chief be consulted for all of these applications because the State Fire Code requires "fire access roads," which is defined to require a certain amount of vertical and horizontal clearance, turnarounds, a construction that will support the weight of fire apparatus, etc. These conditions are waivable only by variance granted by the State Fire Marshall. In other words, someone may qualify for a permit under 674:41, but if the road is not up to State Fire Code, they should not be issued a building permit.
- 3) Best practice would be to have the applicant(s)' signatures notarized – I added a notary block.

Any questions, please let me know!

Mike

Michael J. Malaguti
Attorney

D| 603.792.7402
mmalaguti@dwmlaw.com

670 N. Commercial Street, Suite 207, Manchester, NH 03101
800.727.1941 F| 603.716.2899 dwmlaw.com

Drummond/Woodsum

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From: Michael J. Malaguti
Sent: Sunday, May 3, 2026 4:57 PM
To: Middleton Planning Board <planboard@middletonnh.gov>; Matthew Serge <mserge@ddwml.com>
Cc: Robin Willis <assess@middletonnh.gov>
Subject: RE: Waiver Form - Building on Private/Class VI Road

Apologies for the slow reply Christine. I will have the road waiver back to you with some thoughts tomorrow morning.

As for the fence question, I don't have an issue attaching this as a condition on a case-by-case basis as long as there is a legitimate and articulable safety concern. The state building code does allow conditions that are consistent with the spirit and purposes of the code. I don't think you can make this a condition for all fences without an ordinance to that effect, because, for example, depending on the construction a fence may be unlikely to topple over. But if it is near a piece of critical infrastructure or there is some other condition that gives rise to a safety concern, you should be alright.

Mike

Michael J. Malaguti
Attorney

D | 603.792.7402
mmalaguti@ddwmlaw.com

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DRUMMOND WOODSUM
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From: Middleton Planning Board <planboard@middletonnh.gov>
Sent: Tuesday, April 21, 2026 5:45 PM
To: Matthew Serge <mserge@ddwml.com>
Cc: Michael J. Malaguti <mmalaguti@ddwmlaw.com>; Robin Willis <assess@middletonnh.gov>
Subject: Fw: Waiver Form - Building on Private/Class VI Road

****CAUTION**** This message originated from an external source. DO NOT reply, click links, or open attachments unless you have verified the sender and know the content is safe.

Good afternoon,

**Agreement and Release Regarding
Building Permit for Property Accessed Via Private/Class VI Road**

NOW COME _____ ("owner")
with a mailing address of _____
and the Town of Middleton, New Hampshire ("town"), a municipal corporation existing under the
laws of the State of New Hampshire, and agree as follows:

_____ WHEREAS owner owns certain
real property, Tax Map _____ Lot _____ which is accessed via
_____ Road, which property was conveyed to said owner by a Deed
recorded at Book _____, Page _____ at the Strafford County Registry of Deeds
(the "Property"); and

WHEREAS, the relevant portion of said _____ Road upon which the Property
fronts is a Class VI Highway or Private Road that has not been approved by the Middleton
Planning Board, nor accepted by the town, so that the Property is therefore subject to the
building restrictions imposed under RSA 674:41.

NOW, THEREFORE the town and owner on behalf of themselves, their heirs, legal
representatives, successors and assigns, covenant and agree as follows:

1. The town shall allow the owner to construct a residence pursuant to a building permit
issued by the town to the owner on _____ Road.
2. The parties understand and agree that town shall not maintain said road or provide
services to the Property, and assumes no responsibility for maintenance, including but
not limited to snow removal, tree clearing, construction, signage, drainage, litter removal

Agreement and Release Regarding Building Permit for Property Abutting a Private/Class VI Road

etcetera with respect to said _____ Road. In no case shall the town be liable for any damages arising from the use of said road or the lack of services with respect thereto. Owner covenants not to sue the town or any of its officers, agents, elected officials, volunteers, and employees on any such claim.

3. Owner shall be solely responsible for maintaining access to the subject property and does hereby forever release, discharge, and shall defend and indemnify the town, its officers, agents, elected officials, volunteers, and employees from any loss, claim, including third party claims, arising directly or indirectly from the condition of said road, and the lack of municipal services such as police, fire and ambulance services.

4. In the case of a Class VI road, owner represents and has produced evidence that the Property is insurable.

5. Owner hereby assumes responsibility for transporting any children who may now or in the future reside on the property to the nearest regular school bus stop.

6. The parties understand and agree that this Agreement and Release shall be recorded at the Stratford County Registry of Deeds before the building permit is issued, as required under RSA 674:41, I (c).

7. This Agreement and Release shall run with the land with respect to the Property.

_____ Witness Print Name	_____ Owner Print Name
_____ Witness Signature/Date	_____ Owner Signature/Date

_____ Witness Print Name	_____ Owner Print Name
_____ Witness Signature/Date	_____ Owner Signature/Date

**Agreement and Release Regarding
Building Permit for Property Abutting a Private/Class VI Road**

STATE OF NEW HAMPSHIRE
_____ COUNTY

Personally appeared before me _____,
known or satisfactorily proven to be the person(s) identified above, and acknowledged this
instrument for the purposes expressed therein.

Dated: _____

By: _____
Notary Public / Justice of the Peace
My commission expires: _____

TOWN OF MIDDLETON

Witness Print Name

Select person, Chair or Vice Chair

Witness Signature/Date

Select person Signature/Date

Robin Willis

From: Kate Buzard <kbuzard@outlook.com>
Sent: Thursday, April 30, 2026 12:36 PM
To: Robin Willis
Subject: Re: Floodplain Article - Zoning Ordinance & Subdivision Regulations

Great job! Thank you !!

From: Robin Willis <assess@middletonnh.gov>
Sent: Thursday, April 30, 2026 11:16 AM
To: Middleton Planning Board <planboard@middletonnh.gov>; kbuzard@outlook.com <kbuzard@outlook.com>; Board of Selectmen <bos@middletonnh.gov>; eonquinn@yahoo.com <eonquinn@yahoo.com>
Subject: Floodplain Article - Zoning Ordinance & Subdivision Regulations

It appears we may need to completely change Article 9 in our Zoning Ordinance as well as the section in the Subdivision Regulations. We would also need to check any cross references throughout both manuals. I'll put it on the agenda for the next Planning Board meeting.

Robin Willis

Robin Willis
Administrative Clerk
Town of Middleton
182 Kings Highway
Middleton, NH 03887
603-473-5208

My normal office hours are, Tuesday, Wednesday and Thursday 9:00 to 5:00

From: Frechette, Stephanie <stephanie.h.frechette@livefree.nh.gov>
Sent: Wednesday, April 29, 2026 1:32 PM
To: Robin Willis <assess@middletonnh.gov>
Subject: RE: Floodplain Article - Zoning Ordinance

Received – thanks! At this time I am prioritizing ordinance reviews for communities with soon approaching mapping deadlines. When I'm able I will review and provide feedback. In general it should have the same language as in the attached Model B pdf.

Middleton is a part of two watershed mapping projects (Piscataqua-Salmon Falls and Winnepesaukee River) but both are on the same schedule. The appeal period is ending this week, LFD issuance is scheduled for April 2027 and maps become effective six months after that.

Middleton currently has preliminary maps available. MSC shows the "effective" and the "preliminary products." The "pending products" have not been issued yet, but should be in the coming months as FEMA moves along with the mapping update process. But for now, the most recent maps available are preliminary maps. Another place to view the maps is the [FEMA's National Flood Hazard Layer \(NFHL\) Viewer](#).

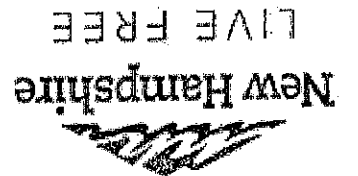
Note that there are requirements that also apply to the site plan review and subdivision regulations for NFIP compliance. See attached word doc with the required language.

Hope this helps and reach out with any questions.

Thanks,
Stephanie

Stephanie Frechette
Principal Planner

Office of Planning and Development
Department of Business and Economic Affairs
State of New Hampshire
Stephanie.H.Frechette@livefree.nh.gov // (603) 271-6352
nh.economy.com // choose.nh.com // visit.nh.gov



From: Robin Willis <assess@middletownnh.gov>
Sent: Tuesday, April 21, 2026 3:44 PM
To: Thunberg, Sarah <sarah.m.thunberg@livefree.nh.gov>; Frechette, Stephanie <stephanie.h.frechette@livefree.nh.gov>
Subject: Floodplain Article - Zoning Ordinance

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On behalf of the Town of Middleton Planning Board, I am looking for some direction on how to be sure our Zoning Ordinance complies with recent changes. I have attached a pdf of Article 9 Floodplain Development District. Is this sufficient? If not, will your organization or Stafford Regional Planning assist us in revising it?

Also, has the Letter of Final Determination been issued yet?

Lastly, I cannot find any updated maps for Middleton. When I follow the directions from a recent OPD video presentation and go to masc.fema, there are no "Pending Products" listed for Middleton.

Thank you for any help or direction you can give me.

Robin Willis

Robin Willis
Administrative Clerk
Town of Middleton
182 Kings Highway
Middleton, NH 03887

**Town/City of [insert municipality name]
Floodplain Management Ordinance**

SECTION I - PURPOSE

Certain areas of the (Town/City) of [insert municipality name], New Hampshire are subject to periodic flooding, causing serious damages to properties within these areas. Relief is available in the form of flood insurance as authorized by the National Flood Insurance Act of 1968.

Therefore, the (Town/City) of [insert municipality name], New Hampshire has chosen to become a participating community in the National Flood Insurance Program and agrees to comply with the requirements of the National Flood Insurance Act of 1968 (P.L. 90-488, as amended) as detailed in this Floodplain Management Ordinance.

This Ordinance establishes a permit system and review procedure for development activities in the designated flood hazard areas of the (Town/City) of [insert municipality name], New Hampshire.

SECTION II - ESTABLISHMENT

This ordinance, adopted pursuant to the authority of RSA 674:16, shall be known as the **(Town/City)** of [insert municipality name] Floodplain Management Ordinance. The regulations in this ordinance shall overlay and supplement the regulations in the **(Town/City)** of [insert municipality name] Zoning Ordinance, and shall be considered part of the Zoning Ordinance for purposes of administration and appeals under state law. If any provision of this ordinance differs or appears to conflict with any provision of the Zoning Ordinance or other ordinance or regulation, the provision imposing the greater restriction or more stringent standard shall be controlling.

The following regulations in this ordinance shall apply to all lands designated as special flood hazard areas by the Federal Emergency Management Agency (FEMA) in its "Flood Insurance Study for the **(Town/City/County)** of [insert municipality name], N.H." dated [insert date of FIS] or as amended, together with the associated Flood Insurance Rate Maps dated [insert date of FIRM] or as amended, which are declared to be a part of this ordinance and are hereby incorporated by reference.

SECTION III - PERMITS

All proposed development in any special flood hazard area shall require a permit.

SECTION IV - CONSTRUCTION REQUIREMENTS

The Building Inspector shall review all building permit applications for new construction or

substantial improvements to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is located in a special flood hazard area, all new construction or substantial improvements shall:

- a. be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy,
- b. be constructed with materials resistant to flood damage,
- c. be constructed by methods and practices that minimize flood damages,
- d. be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment, and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

SECTION V - WATER AND SEWER SYSTEMS

Where new or replacement water and sewer systems (including on-site systems) are proposed in a special flood hazard area the applicant shall provide the Building Inspector with assurance that these systems will be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and on-site waste disposal systems will be located to avoid impairment to them or contamination from them during periods of flooding.

SECTION VI - CERTIFICATION

For all new or substantially improved structures located in special flood hazard areas, the applicant shall furnish the following information to the Building Inspector:

- a. the as-built elevation (in relation to mean sea level) of the lowest floor (including basement) and include whether or not such structures contain a basement.
- b. if the structure has been floodproofed, the as-built elevation (in relation to mean sea level) to which the structure was floodproofed.
- c. any certification of floodproofing.

The Building Inspector shall maintain the aforementioned information for public inspection, and shall furnish such information upon request.

SECTION VII - OTHER PERMITS

The Building Inspector shall not grant a building permit until the applicant certifies that all necessary permits have been received from those governmental agencies from which approval is required by federal or state law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U. S. C. 1334.

SECTION VIII - WATERCOURSES

1. In riverine situations, prior to the alteration or relocation of a watercourse the applicant for such authorization shall notify the Wetlands Bureau of the New Hampshire Department of Environmental Services and submit copies of such notification to the Building Inspector, in addition to the copies required by the RSA 482-A: 3. Further, the applicant shall be required to submit copies of said notification to those adjacent communities as determined by the Building Inspector, including notice of all scheduled hearings before the Wetlands Bureau.
2. The applicant shall submit to the Building Inspector certification provided by a registered professional engineer assuring that the flood carrying capacity of an altered or relocated watercourse can and will be maintained.
3. The Building Inspector shall obtain, review, and reasonably utilize any floodway data available from Federal, State, or other sources as criteria for requiring that all development located in Zone A meet the following floodway requirement:

"No encroachments, including fill, new construction, substantial improvements, and other development are allowed within the floodway that would result in any increase in flood levels within the community during the base flood discharge."

SECTION IX - SPECIAL FLOOD HAZARD AREAS

1. In Zone A the Building Inspector shall obtain, review, and reasonably utilize any base flood elevation data available from any federal, state or other source including data submitted for development proposals submitted to the community (i.e. subdivisions, site plan approvals). Where a base flood elevation is not available or not known for Zone A, the base flood elevation shall be determined to be at least 2 feet above the highest adjacent grade.
2. The Building Inspector's base flood elevation determination will be used as criteria for requiring in Zone A that:
 - a. All new construction or substantial improvement of residential structures have the lowest floor (including basement) elevated to or above the base flood elevation.
 - b. That all new construction or substantial improvements of non-residential structures have the lowest floor (including basement) elevated to or above the base flood elevation; or together with attendant utility and sanitary facilities, shall:
 - (i) be floodproofed so that below the base flood elevation the structure is watertight with walls substantially impermeable to the passage of water;
 - (ii) have structural components capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy; and
 - (iii) be certified by a registered professional engineer or architect that the

design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this section.

- c. All manufactured homes to be placed or substantially improved within special flood hazard areas shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is at or above the base flood elevation; and be securely anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors.

- d. All recreational vehicles placed on sites within Zone A shall either:

- (i) be on the site for fewer than 180 consecutive days;
- (ii) be fully licensed, on wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and have no permanently attached additions; or
- (iii) meet all applicable standards of this ordinance and the elevation and anchoring requirements for "manufactured homes" in this ordinance.

- e. For all new construction and substantial improvements, fully enclosed areas below the lowest floor that are subject to flooding are permitted provided they meet the following requirements:

- (i) the enclosed area is unfinished or flood resistant, usable solely for the parking of vehicles, building access or storage;
- (ii) the area is not a basement; and

- (iii) shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwater. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria: A minimum of two flood openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all flood openings shall be no higher than one foot above grade. Flood openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwater.

SECTION X - VARIANCES AND APPEALS

1. Any order, requirement, decision or determination of the Building Inspector made under this ordinance may be appealed to the Zoning Board of Adjustment as set forth in RSA 676:5.

2. If the applicant, upon appeal, requests a variance as authorized by RSA 674:33, I, the applicant shall have the burden of showing in addition to the usual variance standards under state law that:
 - a. the variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense;
 - b. if the requested variance is for activity within a designated regulatory floodway, no increase in flood levels during the base flood discharge will result; and
 - c. the variance is the minimum necessary, considering the flood hazard, to afford relief.
3. The Zoning Board of Adjustment shall notify the applicant in writing that:
 - a. The issuance of a variance to construct below the base flood elevation will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage; and
 - b. such construction below the base flood elevation increases risks to life and property.

Such notification shall be maintained with a record of all variance actions.

4. The community shall:
 - a. maintain a record of all variance actions, including their justification for their issuance; and
 - b. report such variances issued in its annual or biennial report submitted to FEMA's Federal Insurance Administrator.

SECTION XI - DEFINITIONS

The following definitions shall apply only to this Floodplain Management Ordinance, and shall not be affected by the provisions of any other ordinance of the (Town/City) of [insert municipality name].

1. "Base Flood" means the flood having a one percent chance of being equaled or exceeded in any given year.
2. "Base Flood Elevation" (BFE) means the elevation of surface water resulting from the "base flood."
3. "Basement" means any area of a building having its floor subgrade on all sides.
4. "Building" - see "structure."
5. "Development" means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavating or drilling operation or storage of equipment or materials.
6. "FEMA " means the Federal Emergency Management Agency.
7. "Flood" or "Flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from:
 - a. the overflow of inland or tidal waters, or

8. "Flood Hazard Boundary Map" (FHBM) means an official map of a community, issued by the Administrator, where the boundaries of the flood, mudslide (i.e., mudflow) related erosion areas having special flood hazards have been designated as Zone A. (Include this definition only if applicable).
9. "Flood Insurance Rate Map" (FIRM) means an official map of a community, on which the Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community.
10. "Flood Insurance Study" (FIS) means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.
11. "Flood Opening" means an opening in a foundation or enclosure wall that allows automatic entry and exit of floodwaters. See FEMA "Technical Bulletin 1, Openings in Foundation Walls and Walls of Enclosures."
12. "Floodplain" or "Flood-prone area" means any land area susceptible to being inundated by water from any source (see definition of "Flooding").
13. "Flood proofing" means any combination of structural and non-structural additions, changes, or adjustments to structures that reduce or eliminate flood damage to real estate or improved real property, water and sanitation facilities, structures and their contents.
14. "Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.
15. "Highest adjacent grade" means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.
16. "Historic Structure" means any structure that is:
 - a. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
 - b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
 - c. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
 - d. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - i. by an approved state program as determined by the Secretary of the Interior, or

- ii. directly by the Secretary of the Interior in states without approved programs.
17. "Lowest Floor" means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such an enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance.
 18. "Manufactured Home" means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term "manufactured home" includes park trailers, travel trailers, and other similar vehicles placed on site for greater than 180 consecutive days. This includes manufactured homes located in a manufactured home park or subdivision.
 19. "Manufactured Home Park or Subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.
 20. "Mean sea level" means, for the purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD) of 1988, or other datum to which base flood elevations shown on a community's Flood Insurance Rate Maps are referenced.
 21. "New construction" means, for the purposes of determining insurance rates, structures for which the start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, new construction means structures for which the start of construction commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.
 22. "Recreational Vehicle" is defined as:
 - a. built on a single chassis;
 - b. 400 square feet or less when measured at the largest horizontal projection;
 - c. designed to be self-propelled or permanently towable by a light duty truck; and
 - d. designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.
 23. "Special flood hazard area" is the land in the floodplain within the (Town/City) of [insert municipality name] subject to a one-percent or greater possibility of flooding in any given year. The area is designated as (Zone A on the FHBM or Zone A, AO, AH, AI-30, AE on the FIRM).
 24. "Start of Construction" includes substantial improvements, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement

of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or part of the main structure.

25. "Structure" means for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank that is principally above ground, as well as a manufactured home.

26. "Substantial damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

27. "Substantial improvement" means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement.

This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either:

- a. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
- b. Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."

28. "Violation" means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations.

29. "Water surface elevation" means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD) of 1988, or other datum, where specified, of floods of various magnitudes and frequencies in the floodplains.

Additional Sections Examples

SEVERABILITY SECTION

The invalidity of any section or provision of this Ordinance shall not invalidate any other section or provision thereof.

GREATER RESTRICTOR SECTION

If any provision of this ordinance differs or appears in conflict with any other ordinance or regulation, the provision imposing the greater restriction or more stringent standard shall be

controlling.

ENFORCEMENT SECTION

It shall be the duty of the Board of Selectmen (or their designee) to enforce and administer the provisions of this Ordinance in accordance with RSA 676.

SAMPLE

SUBDIVISION AND SITE PLAN REVIEW REGULATION LANGUAGE

For subdivisions and site plans that involve land designated as "Special Flood Hazard Areas" (SFHA) by the National Flood Insurance Program (NFIP):

A. The Planning Board shall review the proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.

B. The Planning Board shall require that all proposals for development greater than 50 lots or 5 acres, whichever is the lesser, include Base Flood Elevation (BFE) data within such proposals (i.e. floodplain boundary and 100-year flood elevation).

C. The Planning Board shall require the applicant to submit sufficient evidence (construction drawings, grading and land treatment plans) so as to allow a determination that:

- (i) all such proposals are consistent with the need to minimize flood damage;
- (ii) all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage; and
- (iii) adequate drainage is provided so as to reduce exposure to flood hazards.



Town of Middleton

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OFFICE OF THE PLANNING BOARD
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Adopted April 11, 2002
Revised

TOWN OF MIDDLETON, NEW HAMPSHIRE PLANNING BOARD RULES OF PROCEDURE

1. AUTHORITY

These Rules of Procedure are adopted pursuant to RSA 676:1 and govern the internal operations of the Middleton Planning Board.

2. MEMBERSHIP

2.1 Composition

The Planning Board shall consist of five members. The Selectboard shall appoint one ex officio member and one alternate ex officio member, both with voting authority, in accordance with RSA 673:2.

2.2 Appointment, Terms, Vacancies

Selection, qualification, terms, removal, and filling of vacancies shall conform to RSA 673.

2.3 Conduct and Expectations

Members shall:

- a. act lawfully, impartially, and respectfully
- b. attend meetings regularly
- c. prepare in advance by reviewing materials
- d. maintain familiarity with the Master Plan, Zoning Ordinance, Subdivision Regulations, Site Plan Regulations, land use regulations, Capital Improvement Plan, Driveway Regulations, Impact Fees, Excavation Regulation RSA 155-E.

2.4 Training

To support informed and effective decision-making, members are encouraged to participate in training offered by the Office of Planning and Development, New Hampshire Municipal Association and Stratford Regional Planning Commission (SRPC). Costs for attending training workshops, classes and conferences shall be approved by majority vote of the Board and charged to the appropriate line of the Planning Board Budget.

2.5 Resignations

Resignations shall be submitted in writing to the Chair and Town Clerk and Selectboard.

3. ALTERNATES

3.1 Appointment

Up to five alternates may be appointed as authorized by the legislative body and RSA 673:6.

3.2 Participation

Alternates are encouraged to attend all meetings.

- a. When activated, an alternate has full authority of a regular member for the duration of the matter.
- b. When not activated, alternates may participate in public hearings (ask questions, review documents) but may not make motions, second motions, or deliberate.
- c. After a public hearing closes, non-activated alternates shall move to public seating.
- d. During work sessions, alternates may participate fully except for motions and votes.

3.3 Public Clarity

The Chair shall clearly identify which members and alternates are voting on each application.

4. OFFICERS

4.1 Officers Defined

- a. Chair: Presides over meetings and hearings; signs plats and documents; prepares the annual report; serves as spokesperson.
- b. Vice Chair: Acts with full authority of the Chair when presiding in the Chair's absence.

4.2 Election

Officers shall be **elected annually in April** by majority vote. Written ballot shall be used if requested by a majority of members present.

5. CLERK

The Clerk may be a Town employee or an appointed individual. If not a Town employee, the Clerk shall receive a stipend set by the Board.

5.1 Duties

The Clerk shall:

- a. maintain accurate records of meetings
- b. issue notices and record attendance
- c. notify applicants and abutters
- d. prepare agendas and minutes
- e. maintain physical and electronic files
- f. post public notices at required locations and send to the Website Manager
- g. ensure recording of approved plans at the Registry
- h. provide plans to CAI and the Town Assessor
- i. update land use boards and staff on ordinance/regulation changes
- j. complete annual OPD, NHMA, and SRPC surveys

- a. Disqualification shall be announced before discussion begins.
 - b. The disqualified member shall leave the Board table during the matter.
 - c. The Board may vote on questions of disqualification; such votes are advisory and may only be requested by Board members.
- Members shall recuse themselves when they have a conflict of interest or financial interest, or when impartiality may reasonably be questioned.

6.5 Disqualification

A majority of the Board's membership constitutes a quorum, including alternates serving in place of regular members. A quorum of the Planning Board shall consist of three members of the five-member Board. Any combination of regular members, the ex officio member, or an activated alternate may constitute a quorum. A Planning Board quorum is any three members of the five-member Board, regardless of whether the ex officio or their alternate is present.

6.4 Quorum

Nonpublic sessions shall be held only as permitted under RSA 91 A:3.

6.3 Nonpublic Sessions

Special meetings may be called by the Chair, the Vice Chair, or at the request of three members, with at least 48 hours' notice specifying the purpose.

6.2 Special Meetings

Regular meetings shall be held at least monthly per RSA 637:10 II. Meetings will typically be held at the Old Town Hall, 200 Kings Highway, at 6:00 p.m. on the second Thursday of each month.

6.1 Regular Meetings

6. MEETINGS

- m. perform additional duties assigned by the Board
- l. have sole responsibility for maintaining and updating the master copy of all Planning Board documents as necessary
- k. update the Zoning Ordinance and Subdivision Regulations as needed

6.6 Order of Business

- a. Call to order
- b. Roll call
- c. Completeness and acceptance of applications
- d. Subdivision and site plan hearings
- e. Other business/public comment
- f. Minutes
- g. Communications
- h. Reports of officers and committees
- i. Unfinished business

6.7 Voting

A motion passes by majority vote of members present. Roll call votes are required for remote participation or nonpublic sessions.

6.8 Agenda Deadline

Individuals interested in discussing general ideas, asking questions, or obtaining guidance from the Board must submit a complete Land Use Inquiry Form.

Requests to be placed on the Planning Board agenda, including Land Use Inquiry Forms, conceptual consultations and other **non-application items**, shall be submitted to the Clerk no later than seven (7) days before the scheduled meeting. Requests received after this deadline may be placed on a future agenda at the discretion of the Chair.

7. FORMS

All forms, including applications, checklists, land use inquiries, and waiver requests, shall be adopted by Board resolution and incorporated into these Rules of Procedure.

8. NOTICE REQUIREMENTS

8.1 Public Notice

Public notice shall be posted on the Town Website and on bulletin boards at the Old Town Hall and Municipal Offices according to RSA 675:7 at least ten (10) calendar days prior, not including the day notice is posted or the day of the public hearing.

8.2 Personal Notice

Personal notice shall be sent by verified mail to the applicant, abutters, and any professional whose seal appears on the plat at least 10 days prior.

9. PUBLIC HEARINGS

Public hearings shall be conducted as follows:

- a. Chair opens the hearing and identifies the applicant or agent.
- b. Chair reports on notice.
- c. Board considers completeness, waivers, and acceptance.
- d. Applicant presents the proposal.
- e. Board members may ask questions at any time.
- f. Parties must address questions through the Chair.
- g. Applicants, abutters, and persons with direct interest may testify.
- h. Speakers state name, address, and role.
- i. Time Limits: To ensure the orderly and efficient conduct of public hearings, the Chair may establish reasonable time limits for applicant presentations, abutter testimony, and general public comment. Typical limits are 5-10 minutes for applicant presentations, 3 minutes for abutters, and 2-3 minutes for other public comment. The Chair may adjust these limits as necessary, provided all speakers are treated equitably. These time limits are guidelines.
- j. Supporters speak.

- k. Opponents speak.
- l. Other public comment is taken.
- m. Town departments and boards may comment.
- n. Chair closes the hearing.
- o. Board deliberates and decides or continues the matter.
- p. If continued, no new notice is required if the date/time/place is announced before adjournment.

10. DECISIONS

- a. The Board shall issue a written decision within 65 days of acceptance, subject to extension or waiver under RSA 676:4.
- b. The Board may approve, conditionally approve, or disapprove.
- c. Notice of decision shall be available for public inspection within 5 business days and posted on the Town Website.
- d. Decisions shall include written findings of fact.

11. RECONSIDERATION AND APPEALS

The Board may reconsider a decision within the statutory appeal period.

- a. A motion for reconsideration must state specific reasons.
- b. If granted, the Board shall hold a new public hearing with notice.
- c. A new decision restarts the appeal period under RSA 677:15.

12. RECORDS

- a. Records shall be maintained by the Clerk and made available under RSA 91 A:4.
- b. Draft minutes shall be available within 5 business days under RSA 91 A:2, II.

These Rules of Procedure may be adopted or amended at any regular meeting of the Planning Board by a majority vote of the members present.

All adopted or amended Rules of Procedure shall be filed with the Town Clerk as required by RSA 676:1.

15. AMENDMENT

A Planning Board member may participate in a meeting by electronic or telephonic means in accordance with RSA 91-A:2, III, provided that a physical quorum of the Board is present at the meeting location. The reason for the member's remote participation shall be stated at the meeting and recorded in the minutes. All votes taken while any member is participating remotely shall be by roll call.

14. REMOTE PARTICIPATION

- e. Each board shall make its own decision based on its respective criteria.
- d. The Planning Board Chair shall preside over joint meetings involving the Planning Board.
- c. A joint public hearing shall be held when the subject matter falls within the jurisdiction of multiple boards.
- b. Joint business meetings may be held when called jointly by the chairs.

- a. The Board may hold joint meetings with other land use boards under RSA 676:2.

13. JOINT MEETINGS AND HEARINGS

- c. Approved minutes shall be posted on the Town Website and filed with the Town Clerk.