

TOWN OF WEBSTER
PLANNING BOARD
MINUTES TO WORK SESSION
APRIL 24, 2016

The Work Session began at 1:00 p.m. at Town Hall. Attendees included Susan Rauth, Susan Roman, Jere Buckley, Lynmarie Lehmann, Tricia Ilacqua, Paul King and Nanci Schofield. The Board first undertook further discussion about private roads and Town jurisdiction over private roads, including Brookfield Circle. Ms. Schofield recused herself from this discussion.

Sue Rauth and Sue Roman discussed their meeting with Attorney Margaret Byrnes, NHMA, on April 21st. We reviewed the concepts of Town jurisdiction over private roads in relation to road “dedication” and “acceptance.”

We also discussed it may be necessary to undertake a full “title search” to see which deeds and plats are recorded for Pillsbury Lake at the Merrimack Country Registry.

In the matter of Brookfield Circle, we reviewed discrepancies with the deed on file in the registry related to a portion of Section 1 in Pillsbury Lake. Ms. Byrnes recommended the Town seek legal counsel’s advice on several questions in regard to the status of Brookfield Circle, including whether or not that road was accepted by deed and Town approval or otherwise by implied acceptance.

We reviewed RSA 674:41 in regard to building on a Class VI or a private road. Ms. Byrnes again recommended the Town seek legal advice in regards to Brookfield Circle. Ms. Byrnes feels that the Town should not have a “blanket prohibition” against building on private and Class VI roads.

We discussed the Town’s jurisdiction over regulating private and Class VI roads. Ms. Byrnes feels we do have legal jurisdiction over the entrance from a private road to a street (RSA 236:13). Ms. Byrnes advised that the Planning Board does not have jurisdiction to regulate the “interior” of a private road. We discussed whether we should send more information to the landowner(s) and abutters on Brookfield Circle in regard to any proposed changes in the road and where it meets the intersection of Deer Meadow. We also considered whether the Fire Marshall or Chief has authority to enforce Life Safety Code matters on private roads.

The Board concluded that it will approach the Select Board for permission to contact Town Counsel with the questions raised at our Joint Board Work Session, our meeting with the NHMA and our Planning Board work session in relation to the above.

The Board then continued its review of the Webster Subdivision Regulations, making proposed changes to Section V, Subdivision Approval and Section VI, Fees. The work included reviewing recommendations from Matt Monahan, CNHRPC and Jere Buckley,

as well as a review of pertinent Code requirements. The Board agreed to set aside a portion of each monthly meeting to continue the Subdivision Regulations review. Jere Buckley provided a proposed revision to Section VII, which will be taken up by the Board members at their May meeting. Tricia will distribute an updated copy of the regulations with the proposed changes.

The work session concluded at 3:40 p.m.

These minutes were approved as written at the Planning Board meeting of May 19, 2016.

Susan Rauth, Chairperson

Approved as Written