

**TOWN OF WEBSTER
PLANNING BOARD
MEETING MINUTES DECEMBER 17, 2015**

At 7:00 p.m. Chairperson Susan Rauth opened the regularly scheduled Planning Board meeting and took attendance. Members present were Susan Roman, Jere Buckley, and alternate members Patricia Ilacqua and Paul King. Ms. Ilacqua was appointed by Chairperson Rauth to be a voting member for the evening due to Member Lynmarie Lehmann's absence. Newly appointed alternate, Nanci Schofield arrived later during the meeting. Also in attendance were Barbara Corliss, subdivision applicant and her agent, F. Webster Stout, Surveyor. No other members of the public were present.

By consensus, the Board agreed to review the draft minutes from November later in the meeting in order to conduct a public hearing.

7:04 p.m. Chairperson Rauth opened the public hearing for Planning Board case #15-02, Subdivision Application from Barbara Marie Morgan Corliss, 253 Deer Meadow Road, Webster, NH; Tax map 9 lot 27 proposed to be divided into two lots: 50.4 acres and 12.103 acres with the right to further subdivide the parent lot of 50.4 acres.

Chairperson Rauth reminded the Board they had gone over the application at last month's meeting when it was discovered that the posting was worded incorrectly calling it a minor subdivision which does not allow further subdivision of the parent lot, hence the reposting for a public hearing for this meeting. Chairperson Rauth asked the applicant and her agent if there had been any changes at all to the application since the November 19th meeting to which they responded no. She asked the Board if they wished to look over the application again. The Board was fine with the application itself, however, the Board requested to look at the plats again. Mr. Stout then presented the two page plat of the subdivision to the Board. After a brief discussion, Member Roman made a motion to accept the application as complete; seconded by Member Buckley and unanimously approved. Member Roman then made a motion to approve the subdivision subject to the return of two mylars, walking the bounds and the settings of granite monuments where applicable; seconded by Member Buckley and unanimously approved. There were no abutters or members of the public present; hence no one spoke in favor or against the application.

7:51 p.m. Chairperson Rauth closed the public hearing and thanked Ms. Corliss and Mr. Stout for coming.

At this time Member Roman stated she wanted to add to the end of the agenda a hypothetical question that she wanted to run by the Board. Chairperson Rauth stated that would be OK.

The next item of business was review of the minutes from the November 19th meeting and the November 22nd work session. Member Buckley made a motion to accept the minutes from November 19th as written; seconded by Member Roman and unanimously approved. Member Roman made a motion to approve the November 22nd minutes as written; seconded by Member Buckley and unanimously approved.

The next item on the agenda was the continued review and deliberation of Planning Board case number 14-02, the Copart site plan review application. Chairperson Rauth updated the Board regarding a draft letter for Town counsel, Bart Mayer, to send to Copart's counsel, finalizing the requirements for the site plan approval. She posed three questions, procedural in nature, in an e-mail to Mr. Mayer. She passed out copies of her e-mail and Mr. Mayer's response for the Board to review before giving the OK for Mr. Mayer to send the letter to Copart. Member Roman felt that the approval has to be done in two stages; Copart submits plans that the Board would accept for both the highway issues and the monitoring of the groundwater wells. Then the Board would meet to approve those and move on to the next phase which would be to approve the site plan application subject to the conditions subsequent that the plans have been implemented properly which would mean Copart would come before the Board after the wells were installed and the first groundwater sample had been analyzed. Member Roman stated that once the Board sees that these practices are in place, then she felt the Board would have done all it was supposed to do. The subsequent monitoring and obligations to submit water samples and the placing of drip pans would be with the Town; the Planning Board's role would be over and the enforcement would rest with the Select Board. At this point the Planning Board deliberation of case number 14-02 Copart Site Plan Review

application will continue and be on the Planning Board agenda for the January 20, 2016 meeting at 7:00 p.m. at the Webster Town Hall.

After a brief discussion, Member Roman suggested having a signature line in the letter for Copart to agree to an extension to July 1, 2016 and also have it as one of the conditions for approval. Chairperson Rauth stated she would make the minor changes and get the letter off to Attorney Mayer for him to send to Attorney Barbara Boudreaux at Copart.

The next item of business was to continue the review of issues related to the Subdivision Regulations. Member Buckley stated it has become a little bit more complicated because of the document the Board has been revising in their work sessions and a recent document from Matt Monahan of CNHRPC incorporating his Tiers 2 & 3 recommendations. Member Buckley suggested completing the document that the Board has been working on and then look at Matt's recommendations. By consensus, the Board members agreed with Member Buckley.

At this time the Board began a discussion regarding private roads and driveways; what would be the number of dwellings on the access way to make it a private road as opposed to a driveway; how does the RSA 674:41 apply and where do private roads belong in the regulations, i.e., under the Subdivision Regulations or under the Driveway Regulations. A very lengthy and in depth discussion followed. Due to the complicated matter and differences of opinion, the Board agreed to have Chairperson Rauth contact Matt Monahan of CNHRPC to come in to discuss this and if he has any examples of how other towns treat private roads; how they define it; what are the criteria for building and where is that criteria addressed in their regulations. Chairperson Rauth suggested tabling further discussion until she contacts Matt Monahan. The Board agreed.

At this time Member Roman brought up a hypothetical question for the Board regarding two lots across the street from each other, both owned by the same property owner who is planning to sell. One lot has a house. The lot directly across is 6.7 acres of vacant land and has a beautiful view. The property owner would like to sell approximately one acre out of the middle of the 6.7 acres along with the house lot across the street in order to keep the view from the house lot unobstructed. The one acre lot would have a covenant that no building would ever take place on that one acre area. Member Roman suggested that perhaps this could be done with a lot line adjustment going across the street or the property owner could sell prospective buyers a view easement. Member Buckley stated the view easement sounded like an easy route. The Board did agree that a lot line adjustment would work if the property owner chose to do so. Member Roman stated this was just a conceptual conversation with the Board and she clarified that she was not advocating for it. She would go back to the property owner with those options. The property owner would then make his/her own decision. Member Roman thanked the Board for their input.

At this time Alternate Ilacqua stated she thought the work sessions for the Subdivision Regulations were a good idea and they should continue in January. The Board agreed they were making good progress.

Before adjourning, Chairperson Rauth thanked all the Board members for all their hard work this past year and she introduced Nanci Schofield, newly appointed Alternate Member.

At 8:49 p.m. Member Roman made a motion to adjourn; seconded by Member Buckley and unanimously approved.

These draft minutes were prepared by Therese E. Larson, Town PB/ZBA Secretary.