

**TOWN OF WEBSTER, New Hampshire**  
***Zoning Board of Adjustment***  
**945 Battle Street/Rte 127**  
**Webster, NH 03303**  
**Tel. (603) 648-2272**

MINUTES FROM ZBA HEARING 05/13/2008

Members present: Chairman Marty Bender, Secretary Pat Inman, Members Don Koberski, Dave Barnes, Chris Vary and Shawn Smith.

7:00 PM Reappointed members Don Koberski and Pat Inman and newly appointed alternate Shawn Smith were sworn in by Selectman Tom Mullins

7:02 PM Chairman Bender opened the hearing. Secretary Inman took attendance and read the notice for the first hearing. Chairman Bender explained the hearing process and invited the applicant to begin. Rebecca Hoar's agent Web Stout began the presentation for a variance to allow 210 foot frontage on one of the proposed lots and for two (2) special exceptions for 26.5 foot side setbacks on each lot for the existing structures. There will be a common drive and the leach field and septic will be shared. The existing septic is rated for three (3) bedrooms; the two (2) structures have a combined total of four (4) bedrooms. The subdivision will have to be approved by the state, also, who will check for availability of land for future septic and well. .

Secretary Inman asked if there was an alternative to the variance such as swapping a piece of land with the neighboring property. There is the possibility of swapping a piece of land with the neighbor, Robert MacFadzen.

Based on the Board's reluctance to grant a variance, the applicant agreed to withdraw the variance request at this time, but to proceed with the special exceptions. Member Chris Vary asked why the applicant chose this time to go forward with the subdivision. Ms. Hoar responded that she needed to make her property legal. Because the "apartment" is too large to be considered an accessory apartment and there can only be one (1) dwelling per lot, it is necessary to apply for the subdivision which needs to have the special exception granted first.

No one spoke in favor or in opposition. Chairman Bender closed the testimony and opened the discussion by the Board. Since there was no one to speak in opposition, the Board agreed that allowing the Special Exception would not be a detriment to the neighborhood.

Member Dave Barnes made a motion to grant the two (2) special exceptions, this was seconded by Secretary Pat Inman, and the Board voted unanimously to approve.

7:35 PM Hearing closed.

7:40 PM Chairman Bender opened the hearing for David Witham. Secretary Inman took attendance and read the posting notice. After explaining the hearing process to the applicant, Mr.

Witham made his presentation to the Board. He is requesting a special exception for a side lot line setback. In order to allow for the footprint of the proposed building and driveway to have the least impact on the edge of the wetland area, he would like to have a 25 foot setback allowed. After the Board reviewed the proposed plans presented by the applicant, Chairman Bender asked if anyone wished to speak in favor of the request. Ed Piper, Town resident, said that he felt the plan as marked is the best possible use for the lot. No one spoke in opposition.

Chairman Bender closed the testimony and opened the discussion by the Board. Chris Vary asked why the applicant couldn't move the location of the garage. The applicant responded that the orientation of the house and garage was designed to make the best use of the sun.

Member Don Koberski made a motion to grant the special exception, Secretary Pat Inman seconded the motion, and the Board unanimously approved the request.

7:50 PM The hearing was closed.

Chairman Bender and Secretary Inman were reelected as Chairman and Secretary respectively. Chairman Bender announced that Sarah Carter's name is being proposed to the Board of Selectman as a possible alternate for the Board. There was discussion about another possibility, Pat Hannan, who works for NH DES. Chairman Bender will talk with member Bobby Drown who was not in attendance and request that he contact her to see if she is still interested.

Chairman Bender adjourned the meeting at 8:05 PM.

Respectfully submitted,

Patricia Inman  
Secretary

PI/ms