

DRAFT
TOWN OF WEBSTER
PLANNING BOARD
MEETING MINUTES DECEMBER 18, 2014

7:00 p.m. Chairperson Rauth convened the regularly scheduled meeting of the Webster Planning Board.

Present were Chairperson Susan Rauth, Members Jere Buckley, Lynmarie Lehmann and Selectman Roy Fanjoy and alternate M.J. Turcotte. Chairperson appointed Alternate Turcotte as a voting member due to the absence of Member Susan Roman. Also in attendance were Mr. John Kostro, General Manager and agent for the Copart facility on 111 Deer Meadow Road, Webster, NH, Mr. F.W. Stout, surveyor and agent for Mr. Alfred Tauber of Boscawen, NH and Mr. Emmett Bean, Town of Webster Road Agent who has worked with Member Buckley on the "Driveway Regulations".

Chairperson Rauth introduced Patricia Ilacqua, a new resident of Webster. She was attending to see if she would be interested in volunteering on the Planning Board.

The next order of business was the review of the draft minutes from 10/14/2014 and 11/20/2014. By consensus the Board deferred review of the minutes until the end of the meeting due to a full agenda.

Chairperson Rauth turned the floor over to Mr. Stout. He presented plans for the Board's review of a Boscawen Planning Board approved lot line adjustment which did not involve land in the Town of Webster. However, because the Town of Webster was an abutter due to one of the property lines also being the town boundary between Boscawen and Webster, the Merrimack County Registry of Deeds requires the signature of both towns' Planning Boards. Mr. Stout explained that the Merrimack County Registry of Deeds was the only registry in the state that required both towns' Planning Boards' signatures. After a brief discussion, Chairperson Rauth and Member Buckley signed the mylars and one set of paper plans. Mr. Stout thanked the Board for their time and assistance.

The next order of business was the continued deliberation of the site plan review of Copart. Since the last meeting, Copart sent a check for \$12,650 per the Planning Board's request to fund a Truck Routing Study and a Groundwater Quality study along with a letter from Copart's attorney. Copart did agree to the ninety day extension until April 23, 2015 for the studies to be conducted. Chairperson Rauth and Member Lehmann discussed the ambiguity of the language in the letter. Member Lehman asked Mr. Kostro if he had been in contact with Attorney Boudreaux and perhaps could shed some light on what she was trying to convey. Mr. Kostro stated he had not been in contact with the attorney. Member Lehmann suggested contacting Bart Mayer, Webster Town Counsel, for his opinion and advice regarding the letter. A Planning Board member will attend the Select Board meeting on December 22, 2014 to request permission to be able contact Town Counsel throughout the Copart Site Plan Review Process. Chairperson Rauth also stated she had contacted the two engineering firms to see if they could start in January once the Board gets the clarification of Copart's conditions. Both firms said they could depending upon the weather. After a brief discussion Member Buckley made a motion to ask Bart Mayer to either seek clarification of the intent of the December 5th Copart letter or at his discretion to advise them

of what the Planning Board's interpretation is and how they will be proceeding; seconded by Acting Member Turcotte and approved unanimously. Mr. Kostro stated he would also try to get some clarification.

At this time Chairperson Rauth recognized Jason Wovkanech of Corn Hill Road, Webster, NH. He stated his concerns about safety, road conditions and enforcement.

Mr. Emmett Bean, Road Agent, asked the Board about the cost to the Town. Chairperson Rauth explained that Copart was funding the two studies. Mr. Bean discussed concerns regarding directions and routes for the haulers; spring time posting of the roads; enforcement issues and suggested looking at Copart having evening hours for dropping off vehicles. Request for changes in hours of operation would have to be appealed before the Zoning Board of Adjustment. Chairperson Rauth stated the Board felt these studies would be a step in the right direction in order for the Town to work more closely with Copart. Mr. Kostro stated he would check with Copart about unloading at night. After a brief discussion, Chairperson Rauth stated the Site Plan Review deliberations for Copart would be continued until January 15, 2015 at 7 p.m. at the Webster Town Hall. At this time Selectman Member Fanjoy brought to the Board's attention that Copart's Junkyard License expires December 31, 2014. The Planning Board agreed to recommend to the Select Board to extend the expiration date to April 30, 2015. This will be added to the Select Board's agenda for December 22, 2014.

The next order of business was "*Proposed Driveway Regulations Amendments*" as drafted by Member Buckley. Member Lehmann suggested starting with 'Curb Cuts'. After a brief discussion, Member Lehmann made a motion to accept the 'Curb Cuts' proposed amendment; seconded by Member Buckley and approved unanimously. The next proposed amendment discussed was 'Permit Duration'. Chairperson Rauth suggested deleting "At their sole discretion..." and "..., for a good cause ...". The next proposed amendment discussed was 'Woodlot Access'. Member Buckley made a motion to delete the words "on a scale"; seconded by Member Lehmann and approved unanimously. The next proposed amendment discussed was 'Permits for creation of temporary access ways'. A discussion followed.

At this time Acting Member Turcotte also suggested deleting the word 'agent' and replacing it with '*appointed agent*' on page 5 of the "*Driveway Regulations*"; first sentence of Paragraph V – Specifications; last word. Member Lehmann suggested using '*designee*'. Selectman Fanjoy made a motion to change 'agent' to '*designee*'; seconded by Member Lehmann and approved unanimously.

Discussion continued on 'Permits for creation of temporary access ways' (section IV-A-4-a.-b. of *Driveway Regulations*) proposed amendment regarding subparagraphs (b) and (c). Member Lehmann made a motion to accept the change as proposed for Subparagraph (b) and to reject the change as proposed in Subparagraph (c); no objection to correcting the numbering; seconded by Acting Member Turcotte and approved unanimously.

The next proposed amendment was regarding 'Culverts' (section V-4). After a brief discussion, Member Buckley was in favor of keeping the 15" diameter requirement. Mr. Bean also informed the Board that the use of multiple culverts was acceptable, i.e., if the driveway construction requires a 36 inch culvert with 36 inches of coverage, two 18 inch culverts side by side may be used with 18 inches of coverage. Member Buckley made a motion to add the following sentence

to paragraph V-4: “*Multiple culvert pipes may be used if required.*”; seconded by Member Lehmann and approved unanimously.

The next proposed amendment was regarding ‘Driveway Construction’. Mr. Bean had reviewed and approved the proposed amendment. After a brief discussion, Mr. Bean corrected Member Buckley’s compacted bank run gravel depth from 6 to 12 inches and compacted course crushed gravel from 3 to 6 inches. After a brief discussion Member Lehmann stated she was being the ‘devil’s advocate’ and she felt the proposed amendment was requiring her to build a road to her home. Mr. Bean stated he had just done a driveway in Boscawen and he had to follow similar regulations. Member Lehmann made a motion to adopt the amendment as proposed with the one caveat to change 6 to 12 and 3 to 6; seconded by Member Buckley and approved 4 ayes to 1 not in favor - Member Lehmann.

The next proposed amendment was “Modification” Clarification, section IV-A. After a brief discussion Member Lehmann made a motion to accept the “modification” amendment to section IV-A; seconded by Member Buckley and approved unanimously.

Member Lehmann moved that the Driveway Regulations with the amendments as approved this evening be accepted as the new Driveway Regulations for the Town of Webster; seconded by Member Buckley and approved unanimously. The Board thanked Member Buckley for all the work he had done on the Driveway Regulations. They also thanked Mr. Bean, Road Agent, for his assistance and work with Member Buckley.

Member Lehmann made a motion to accept the draft minutes of the November 20, 2014 Planning Board meeting as written; seconded by Acting Member Turcotte and approved unanimously.

Chairperson Rauth then spoke about the warrant article that had been rejected at the March 2014 Town Meeting that had included the definitions of ‘lot line’, ‘frontage’ and ‘street’. She stated that it was too late to work on a warrant article for the March 2015 Town Meeting. She added she felt the Planning Board did do a lot of good work this past year despite not working on the warrant article. Chairperson Rauth thanked all the members for their hard work this past year. The Board also thanked Mrs. Larson for work as secretary.

The meeting was adjourned at 9:18 p.m.

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

Posted December 22, 2014