

TOWN OF WEBSTER
PLANNING BOARD
MEETING MINUTES THURSDAY July 21, 2022

1 The Planning Board held a meeting on Thursday, July 21, 2022. The meeting was held at the Town Hall
2 in the Grange Hall; 945 Battle Street, Webster, NH 03303.

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4 **Planning Board Members present:** Craig Fournier, Paul King, Susan Youngs, Marlo Herrick.

5
6 **Also, present:** Land Use Coordinator Russell Tatro, Benjamin Debello.

7
8 **Attending Virtually:** Kattie Nelson, Jenifer Gilbert.

9
10 Chairperson Fournier opened the July 18, 2022 meeting at 6:30pm and took attendance. Member Adam
11 Mock and Alternate Member Kathy Bacon were absent. He then moved onto the first item on the agenda,
12 the Debello Driveway.

13
14 Chairperson Fournier asked Mr. Debello if he had a State permit. Mr. Debello responded that he had
15 applied for his permit with the State on November 17th of last year and was still waiting for a response.
16 Both he and his surveyor had called the State District Office and had been unable to get an answer. He
17 was aware that the Town called the district office and asked what the response had been. Coordinator
18 Tatro responded that had also not been able to get the approval status of the driveway, but the State
19 Engineer had stated that he had gone out to look at the driveway last year. The State Engineer commented
20 that the Town could take any enforcement action it wanted to. Mr. Debello added that his neighbors had
21 similar issues in the past getting permits from the State.

22
23 Chairperson Fournier asked Member King, the Planning Board representative who reviewed driveway
24 applications, what he thought. Member King stated that he normally would not issue a Town permit until
25 the owner received their State permit. He thought the Board could waive the requirement if the situation
26 warranted it. Coordinator Tatro added that the Town's regulations did not require a State approved permit
27 to issue the Town's construction permit, but it was a requirement for final approval. He had discussed the
28 matter with Road Agent Bean and he had suggested that the problem might be due to the number of
29 driveway cuts that were already on the property. Mr. Debello responded that this had been an issue in the
30 past, but he had removed the driveway in front of the barn to address the issue. He would also be willing
31 to close one of his driveways if that was required. Chairperson Fournier commented that they still didn't
32 know if the number of driveway cuts was the issue, and he felt the Board could not make a decision until
33 they knew the status of the driveway. Member King stated that regardless of the decision made tonight
34 Mr. Debello would need to put the asphalt apron at the end of his driveway. Mr. Debello responded that
35 the apron would be added in a couple weeks once the hard pack had enough time to settle. Member King
36 also commented that the bump out had been placed on the wrong side, but this could be addressed later.

37
38 Member Herrick thought the entire situation was ridiculous and felt the State should have responded.
39 Chairperson Fournier asked what she would suggest in this situation. Member Herrick responded that it
40 was her understanding that the permit had already been reviewed by the Town and was just awaiting the
41 State permit to be granted. She thought the Board should issue the construction permit. Member King
42 added that permit would only be good for two years.

43
44 Mr. Debello asked the Board what granting the construction permit would do for him. Coordinator Tatro
45 responded that this would make him in compliance with the Town's regulations. Mr. Debello asked if he
46 would be able to get a 911 address. Coordinator Tatro responded that the Town only requests an address
47 assignment from the State when a driveway receives its final approval or if there is an active building
48 permit. He added that Mr. Debello would need to get his State driveway permit before he could apply for
49 a Town building permit. The Board then discussed what they could do to help Mr. Debello to determine

1 the status of his State driveway permit and decided that they could send a letter to the State District Office
2 formally requesting the driveway status.

3
4 **MOTION:** Chairperson Fournier

5 *To grant a construction permit for 2 years to Mr. Debello and to send a letter from the Select Board*
6 *and Planning Board to the State requesting the status of the permit.*

7 **SECOND:** Member Herrick

8 **CRAIG FOURNIER – YES**

9 **MARLO HERRICK – YES**

10 **PAUL KING – YES**

11 **SUSAN YOUNGS – YES**

12 **The motion passed 4 to 0**

13
14 Chairperson Fournier moved onto the next item on the agenda, the update to the Floodplain ordinance.

15
16 Kathryn Nelson and Jenifer Gilbert from the New Hampshire Office of Strategic Initiatives Floodplain
17 Division introduced themselves to the Board. Chairperson Fournier thanked them for coming to the
18 meeting and asked them for the background and the purpose for changes to the ordinance. Ms. Nelson
19 explained that Webster had joined the FEMA National Flood Insurance Program in 1986 and the last time
20 the Town amended its Floodplain Ordinance had been in 2018. They had recently reviewed the Town's
21 ordinance and had several changes that they felt that the Town should make. These changes were
22 suggested to keep the Town in compliance with the program.

23
24 Chairperson Fournier asked what happened if someone wanted to build in a flood zone and if the property
25 owner could get flood insurance. Ms. Nelson stated that the property owner would need to follow the
26 regulations in Article 9 of the Webster Zoning Ordinance and anyone in Town could purchase flood
27 insurance from the program. The regulations in Article 9 would only apply to areas designated as special
28 flood areas, for example areas that abut the Blackwater River. She then described the basics of how the
29 ordinance worked and pointed out that most of the changes were to terminology. The goal was to have the
30 terminology in Webster's Zoning Ordinance match the terminology used by FEMA. This would make the
31 ordinance easier to understand and use. Chairperson Fournier asked if there was the potential for the flood
32 insurance rates to go up. Ms. Nelson responded that the insurance rates were site specific and were
33 determined by each site's risk factors. The Board reviewed the changes with the representatives from the
34 State. Ms. Nelson added that the Board would also need to amend the Town's Site Plan and Subdivision
35 Regulations to add language requiring flood studies for projects that involved 50 or more lots. The Board
36 then briefly discussed the process for amending the Town's regulations.

37
38 **MOTION:** Member Youngs

39 *To adopt the changes proposed by the NH OSI Floodplain Divisions to Webster's Floodplain*
40 *ordinance.*

41 **SECOND:** Chairperson Fournier

42 **CRAIG FOURNIER – YES**

43 **MARLO HERRICK – YES**

44 **PAUL KING – ABSTAIN**

45 **SUSAN YOUNGS – YES**

46 **The motion passed 3 to 0 with 1 abstaining**

47
48 The Board scheduled the Public Hearing for the August 18, 2022, provided there would be enough time to
49 post the hearing. The Board would also add the required language to Subdivision and Site Plan Review
50 regulations at the same hearing.

1 Chairperson Fournier moved to the next item on the agenda, driveway code enforcement.

2
3 Coordinator Tatro informed the Board that all the owners who had received enforcement letters were in
4 the process of remediation. Member King had another potential driveway issue from an owner on
5 Centennial Drive that had withdrawn their permit application earlier this year. He showed pictures to the
6 Board of what appeared to be a driveway under construction on Centennial Drive. He stated the owner
7 had been parking on the lot and had started placing fill. The Board discussed the situation and agreed that
8 they should send a joint letter with the Select Board asking the status of the driveway.
9

10 **MOTION:** Member Youngs

11 *To approve the minutes from 6/16/22 as written.*

12 **SECOND:** Chairperson Fournier

13 **CRAIG FOURNIER – YES**

14 **MARLO HERRICK – YES**

15 **PAUL KING – YES**

16 **SUSAN YOUNGS – YES**

17 **The motion passed 4 to 0**

18
19 **MOTION:** Member Youngs

20 *To adjourn the meeting at 7:06pm.*

21 **SECOND:** Chairperson Fournier

22 **CRAIG FOURNIER – YES**

23 **MARLO HERRICK – YES**

24 **PAUL KING – YES**

25 **SUSAN YOUNGS – YES**

26 **The motion passed 4 to 0**

27
28
29 Respectfully,

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33 _____

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35 *Minutes taken by Russell Tatro*