

TOWN OF WEBSTER
PLANNING BOARD
MEETING MINUTES THURSDAY APRIL 15, 2021

1 The Planning Board held a virtual meeting on Thursday April 15, 2021. The meeting was held virtually
2 due to the COVID-19/Coronavirus crisis and in accordance with Governor Sununu's Emergency Order
3 #12, pursuant to Executive Order 2020-04.

4
5 **Planning Board Members present:** Susan Rauth (Chairperson), Paul King, Kathy Bacon, Craig
6 Fournier, David Hemenway (Select Board Ex Officio Member).

7
8 **Also, present:** Russell Tatro (Land Use Coordinator), Robert Degan (Surveyor), Web Stout (Surveyor),
9 Brooks Kimball, Mark Kimball, Mary Lou Diangelis, Dale Stewart, Mikayla Eddington, Dan Nudd,
10 Salley Embley.

11
12 Chairperson Rauth opened the April 15, 2021 meeting at 6:31pm and took attendance. Lynmarie
13 Lehmann and Craig Fournier were absent. Kathy Bacon, as alternate, was asked to fill in as a voting
14 member and she agreed.

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16 Chairperson Rauth moved to the first item on the agenda, the consultation for Mary Lou Diangelis,

17
18 Chairperson Rauth explained that at the last meeting the Board had suggested that Ms. Diangelis could do
19 a voluntary merger for her two properties. The Board had been unaware of both lots having houses. This
20 would make a voluntary merger not possible. The Board discussed the situation and if a lot line
21 adjustment would be possible. Chairperson Rauth stated that a lot-line adjustment was covered under the
22 subdivision regulations and the Town's Zoning Ordinance does not allow lots in Pillsbury Lake to be
23 subdivided. She was hesitant to say this was possible because it could set a precedent. The Board
24 discussed the situation and agreed that further research was warranted. Paul King suggested that the
25 Pillsbury Lake District be contacted. Land Use Coordinator Tatro would do further research and contact
26 Pillsbury Lake. He would then inform the Board on the results of his inquiries.

27
28 Chairperson Rauth moved onto the next item on the agenda, the continuation of the public hearing for
29 Subdivision case 21-01 for the Kimball's.

30
31 The Board began by finishing its review of the application for completeness.

32
33 **MOTION:** Paul King

34 ***Motion to approve the application for Subdivision 21-01 as is.***

35 **SECOND:** Kathy Bacon

36 **PAUL KING – YES**

37 **KATHY BACON – YES**

38 **DAVID HEMENWAY – YES**

39 **SUSAN RAUTH – YES**

40 **The motion passed 4 to 0**

41
42 The Board began its review of the updated map showing the buildable envelope. The envelope included
43 the estimated locations where a house, septic, and well could be placed. Mr. Deagan asked if members of
44 the Board had been able to go out and visit the site. Chairperson Rauth stated that two members had,
45 Craig Fournier and Paul King. Mr. King stated that he had walked the site and he believed both lots had
46 enough buildable space. The Board continued to review the maps and asked the surveyor to identify
47 where various landmarks were on the map. Chairperson Rauth brought up the topic of if the remainder lot
48 would be considered a buildable lot capable of further subdivision. The Board discussed the topic with the
49 surveyor and concluded it would be.

Chairperson Rauth moved onto the conditions of approval. The Board discussed with Mr. Degan and the Kimball's the bound markers for the property. The Board discussed the driveway property bound marker and decided marker would be offset. An easement would also be required for the shared driveway to be filed at the same time as the mylar. The two newly created lots would be no longer subdividable as a condition for approval.

MOTION: Paul King

Motion to approve Subdivision 21-01 on the condition that the bounds be marked appropriately, the newly created lots would not be further subdividable, and the Planning Board walking the bounds.

SECOND: Kathy Bacon

PAUL KING – YES

KATHY BACON – YES

DAVID HEMENWAY – YES

SUSAN RAUTH – YES

The motion passed 4 to 0

Chairperson Rauth moved to the next item on the agenda, Public Hearing Case No. 21-02: Subdivision Application submitted by Paul Pearson, 230 White Plains Rd. He proposes to subdivide 2-37 & 2-38-1 into two lots: 2-37-1 = 23.6 acres, 2-38-1 = 17.9 acres.

Chairperson Rauth opened the public hearing and gave a brief overview of the history of the application. Mr. Pearson had come before the Board in January for a conceptual consultation. The Board had suggested the project be done as a lot line adjustment. She noted that that this was a subdivision and asked what the reasoning for the change was. Web Stout, the surveyor, explained that he felt due to the significant change to the property that this would be better handled as a subdivision. The Board agreed that this could be done as a subdivision.

Chairperson Rauth moved onto the review of the application for its completeness. The Board reviewed the application and requested waivers.

MOTION: Paul King

Motion to approve the application for Subdivision 21-02 as is.

SECOND: Kathy Bacon

PAUL KING – YES

KATHY BACON – YES

DAVID HEMENWAY – YES

SUSAN RAUTH – YES

The motion passed 4 to 0

The Board moved onto reviewing the maps. Mr. Stout went over the map for the subdivision. He identified the locations of the wetlands and other notable features. He also noted that he had shown on the map the proposed Wetland Ordinances buffers. He went over the frontage of the lots and the locations of the building on the southerly lot. Selectman Hemenway asked if his assumption was correct that the only change to 2-38-1 would be the Bounds. Mr. Stout stated that Selectman Hemenway was correct.

Chairperson Rauth asked if the Board had any further questions. Mr. King asked if the lot could be further subdividable. Mr. Stout stated that it could. However, the lot was on a state road and the state limited the number of driveways. The total frontage of both lots would only allow for two additional driveways. Selectman Hemenway asked if the Board wanted to make one of the conditions of approval that future subdivision would be prohibited. Mr. King stated that the Board could not.

Chairwoman Rauth asked if there was any public comment. Mr. Stout asked if he could make one final comment. Chairperson Rauth stated he could. Mr. Stout commented that the Topography lines would not be on the mylar, but he would supply a paper record for the Town. The Board agreed this was acceptable. Hearing no public comment, the Board began its deliberation.

Chairperson Rauth asked if there were any conditions the Board would like added to this subdivision. Hearing no response, she asked if there was a motion to approve the subdivision. Mr. Stout mentioned the driveway application. The Board discussed the application and agreed that a driveway application should be provided for each lot.

MOTION: Paul King

Motion to approve Subdivision 21-02 as is, subject to the walking the bounds and on the condition that two driveway application be provided for the Town.

SECOND: Kathy Bacon

PAUL KING – YES

KATHY BACON – YES

DAVID HEMENWAY – YES

SUSAN RAUTH – YES

The motion passed 4 to 0

Chairperson Rauth thanked Mr. Stout for his presentation and congratulated him on his upcoming retirement.

Chairperson Rauth moved to the next item on the agenda, Wetlands and Watershed Ordinance Update.

Chairperson Rauth updated the Board on the progress so far. The Conservation Commission and Planning Board members had been working with Rick Van de Poll. Mr. Van de Poll had made suggestions that had been reviewed and approved at last night's Conservation Commission meeting. She pointed out the changes that had been made to the definitions, setbacks, and wording.

Selectman Hemenway asked for clarification on one of the changes, stating that the Conservation Commission should be allowed to inspect properties. He asked for clarification as to how this would work because the Conservation Commission is not an enforcement body and they should only be able to go out under the request of the Select Board or Planning Board. Chairperson Rauth stated that was also her understanding. The Board agreed that the Conservation Commission could only inspect if the Select Boards or Planning Boards designated them to do so as part of the application process.

Selectman Hemenway asked about a section on the acceptable practices for removal of invasive species. Chairperson Rauth stated that this section was still being worked on. The wetlands consultant had expressed concern that the term "physical removal" was too broad and needed to be defined. She stated that the Conservation Commission was researching alternative means to remove invasive plant species. The Board agreed that this was reasonable.

At this point Craig Fournier joined the meeting.

The Board discussed the agriculture and timber section and agreed that it was best to use the state's best practices.

1 Selectman Hemenway commented that he wanted to see all the changes before he approved them. The
2 Board agreed that this would be the best way to approach approval. Chairperson Rauth stated that she
3 would get all the changes to the Board before the next meeting.
4

5 Chairperson Rauth moved onto the next item on the agenda, Deer Meadow Solar update.
6

7 Selectman Hemenway presented the updated maps that had been received from Olivewood Energy to the
8 Planning Board. The new maps showed the wetlands, solar panel areas, potential substation locations, and
9 areas that would not be used that were part of the project. He continued that the next part of the project
10 was the site walk with the Wetlands consultant and Olivewood Energy. He asked who the Board wanted
11 to use as its one representative. Craig Fournier felt that the site walk should be open to members of the
12 public. The Board discussed this and decided that one representative would be best because this was a
13 technical walk to review the wetlands. The Sub Committee at its next meeting would discuss the idea of
14 having a walk for the public. The Board discussed who would go on the site walk. The Board did not
15 have a member that could make it, but the Board felt that Selectmen Hemenway as the Ex-Officio
16 member to Planning Board would be an excellent representative.
17

18 Chairperson Rauth moved to the next item on the agenda, review, and approval of draft minutes.
19

20 **MOTION:** Paul King

21 *Motion to approve the Planning Board minutes from 3/18/21 as written.*

22 **SECOND:** Craig Fournier

23 **PAUL KING – YES**

24 **KATHY BACON– YES**

25 **DAVID HEMENWAY – YES**

26 **CRAIG FOURNIER – YES**

27 **SUSAN RAUTH – YES**

28 **The motion passed 4 to 0**
29

30 **MOTION:** Paul King

31 *Motion to approve the Planning Board site visit minutes from 4/1/21 as amended.*

32 **SECOND:** Kathy Bacon

33 **PAUL KING – YES**

34 **KATHY BACON– YES**

35 **DAVID HEMENWAY – YES**

36 **CRAIG FOURNIER – YES**

37 **SUSAN RAUTH – YES**

38 **The motion passed 5 to 0**
39

40 Chairperson Rauth moved onto the next item on the agenda, Public comment.
41

42 Chairperson Rauth announced that she was resigning from the Planning Board. The Board thanked her for
43 her years of service. The Board discussed who would be the next Chair. Craig Fournier offered to take
44 over the position.
45

46 **MOTION:** Susan Rauth

47 *Motion to approve Craig Fournier to be the next Planning Board Chair starting in May.*

48 **SECOND:** Paul King

49 **PAUL KING – YES**

50 **DAVID HEMENWAY – YES**

51 **CRAIG FOURNIER - ABSTAIN**

1 **SUSAN RAUTH – YES**

2 **The motion passed 3 to 0 with 1 abstaining.**

3
4 Land Use Coordinator Tatro informed the Planning Board that the Town intended to merge three lots on
5 Windsor Terrace. Selectman Hemenway stated the purpose of this was to sell the lots to the abutters by
6 competitive bid.

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8 **MOTION:** Paul King

9 ***Motion to adjourn the meeting at 8:10pm***

10 **SECOND:** Craig Fournier

11 **PAUL KING – YES**

12 **CRAIG FOURNIER – YES**

13 **DAVID HEMENWAY – YES**

14 **SUSAN RAUTH – YES**

15 **The motion passed 4 to 0**

16
17 Respectfully,

18
19
20
21 _____
22 Chairperson Craig Fournier

23 *Minutes taken by Russell Tatro*