

TOWN OF WEBSTER
PLANNING BOARD
MEETING MINUTES THURSDAY DECEMBER 2, 2021

1 The Planning Board held a meeting on Thursday, December 2, 2021. The meeting was held at the Town
2 Hall in the Grange Hall; 945 Battle Street, Webster, NH 03303.

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4 **Planning Board Members present:** Chairperson Craig Fournier, Paul King, Marlo Herrick, Adam
5 Mock, Susan Youngs, Kathy Bacon.

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7 **Also, present:** Land Use Coordinator Tatro, Isabel Brintnall, Susan Rauth, Chris Hodgson, Dick George.

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9 Chairperson Fournier opened the public hearing at 6:30pm. He stated that the purpose of tonight's hearing
10 was to hold a second public hearing on the proposed Wetlands and Watershed Ordinance because major
11 changes had been made since the first hearing in October. He stated that no further substantive changes
12 would be made to the ordinance unless there was major flaw in the ordinance. His intention was to hold a
13 vote at the end of the hearing to accept the ordinance. He then took attendance, and all members were
14 present.

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16 Chairperson Fournier opened the hearing to public comments.

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18 Dick George asked if you would you need Conditional Use Permits (CUP) for regular current use
19 activities. Chairperson Fournier responded that there would be no affect to regular current use activities.
20 Mr. George stated that the language on Table 4 that stated "Draining, dredging, filling, or changes the
21 flow of water" was confusing. He felt that "or" should be changed to "which".

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23 Conservation Commission member Isabel Brintnall stated that the Conservation Commission strongly felt
24 that CUP's regarding drainage, dredging, filling, and the placement of roads/streets should not be a
25 permitted use in the level 1 district. The Commission felt that these wetlands were the most important and
26 warranted additional protection. Member Mock felt that CUPs should be permitted, provided the project
27 was properly designed. He felt that property owners should have a chance to build on lots in the level 1
28 district. Ms. Brintnall stated that recourse already existed in the ordinance and owners could apply for a
29 variance through the Zoning Board of Adjustments. Member Youngs pointed out the section of the
30 ordinance that covered the variance process and added there was another section that gave the Planning
31 Board additional options. Wetlands Subcommittee Member Susan Rauth stated that she was referring to
32 section on Planning Board waivers. The section allowed the Board to waive the requirements of the
33 application if the condition would cause undue hardship to the owner and if granting the waiver was
34 within the spirit of the ordinance.

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36 Chris Hodgson felt that the waiver language was confusing. For example, on page four it stated that no
37 CUPs would be issued in the 100' buffer in the level 1 district. However, in Table 4 the ordinance states
38 that it would require a CUP. He also pointed out that it was unclear if the Planning Board could only
39 waive requirements to the permit application or the permit itself. He felt that the Planning Board should
40 be able to waive the permit requirements if the situation warranted it. He also had concerns on what
41 would count as a change of use. For example, would changing a seasonal residence to a full-time
42 residence count as a change of use. A lengthy discussion ensued regarding what would count as a change
43 of use. The Board discussed the topic of waivers and determined that language contradictory language
44 regarding CUPs in the level 1 district should be removed. The Board also agreed with Mr. Hodgson's
45 suggestion to clarify the language on waivers.

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47 Chairperson Fournier asked if there were any further public comments, hearing none he closed the public
48 hearing at 7:06pm. He asked if the Board would like a motion to accept the ordinance.

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1 **MOTION:** Member Mock
2 *Motion that we change the waiver language to add the ability to waive the permit. To change drain,*
3 *dredging fill “which” changes to flow of water. The leave the CUPs as written. To remove the*
4 *contradictory sentence regarding no CUPs permitted in the 100ft Buffer.*
5 **SECOND:** Member Youngs
6 **CRAIG FOURNIER – YES**
7 **PAUL KING – YES**
8 **MARLO HERRICK – YES**
9 **ADAM MOCK – YES**
10 **SUSAN YOUNGS – YES**
11 **The motion passed 5 to 0**

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13 Chairperson Fournier stated that the ordinance would now go to Town Meeting for a vote.

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15 **MOTION:** Member Youngs
16 *Motion to adjourn the meeting at 7:10pm.*
17 **SECOND:** Chairperson Fournier
18 **CRAIG FOURNIER – YES**
19 **PAUL KING – YES**
20 **MARLO HERRICK – YES**
21 **ADAM MOCK – YES**
22 **SUSAN YOUNGS – YES**
23 **The motion passed 5 to 0**

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26 Respectfully,

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32 *Minutes taken by Russell Tatro*

Approved as Written 1/20/22