

**TOWN OF WEBSTER  
PLANNING BOARD  
MEETING MINUTES OCTOBER 15, 2015**

At 7:03 p.m. Chairperson Susan Rauth opened the regularly scheduled Planning Board Meeting and took attendance. Members present were Vice Chairperson Susan Roman, Jere Buckley and Alternate Patricia Ilacqua. Ms. Ilacqua was appointed by Chairperson Rauth to be a voting member for the evening due to Member Lehmann's absence. Also in attendance was Jennifer B.T. Barnard, subdivision applicant; John Gatchell, J. A. Davis Assoc. rep. to assist Mrs. Barnard; John Kostro, General Manager, Copart, 111 Deer Meadow Road, Webster, NH.

By consensus the Board agreed to review the draft minutes from September later in the meeting in order to first review an application for a minor subdivision. The application was for subdividing one parent lot into two lots, submitted by Jennifer B.T. Barnard, 70 Winnepocket Road, Webster, NH, tax map 4 lot 14. Chairperson Rauth explained the procedure. The Board then proceeded to read and review the application and the plat. Chairperson Rauth stated that all abutters had been noticed (none were in attendance). She proceeded to read an e-mail from abutters, Dorothy and Martin Bourque, 102 Winnepocket Road, who had no objections to the plans. Member Buckley asked Mrs. Larson, PB Secretary, if she agreed the application was complete, to which she answered in the affirmative. Member Roman stated due to the resulting acreages of the two lots, there would be no further subdivision as per the Zoning Ordinance. Member Roman stated the plat would not have to be changed as long as the statement was a matter of the record. A brief discussion followed. Member Roman made a motion to accept the application as complete; seconded by Member Buckley and unanimously approved. Member Buckley made a motion that subject to setting the bounds and walking the bounds by one or more members of the Planning Board we approve the proposed subdivision as applied for with the understanding that with the acreages involved there will be no further subdivision; seconded by Member Roman and unanimously approved.

Member Buckley expressed concern that the procedure followed on the Barnard subdivision seemed inconsistent with Section 5-8 of the *Subdivision Regulations*, which requires public hearings for all subdivisions. He was referred to RSA 676:4-III, which in the case of a minor subdivision, gives the Planning Board the authority to conduct an expedited review not including a public hearing unless requested by the applicant or another interested party. It was suggested that the *Subdivision Regulations* might require revision to be consistent with the RSA.

The next order of business was the continued review of the site plan application for Copart, Inc. Chairperson Rauth thanked John Kostro for coming to the meeting. She stated they asked him to come so the Board could review a few things. First were the recommendations from the Truck Routing Study which Mr. Kostro had also reviewed. She stated that Route C was the most likely route from route 89 to route 127 to Clothespin Bridge Road to Deer Meadow Road and alternatively, Route A which brings trucks in from route 4 to Corn Hill Road to Deer Meadow, but Corn Hill has a 35,000 gross vehicle weight limit. Chairperson Rauth informed Mr. Kostro that since the study had been published, the Select Board had met and decided to post "No Thru Trucking" on Bashan Hollow Road and Gerrish Road. She added that the Select Board had also drafted a new ordinance for the "No Thru Trucking" and would send it to Mr. Kostro as soon as it was finalized.

Chairperson Rauth stated that the Planning Board wanted to discuss with Mr. Kostro other conditions they might want to add related to the routes and safety issues for the site plan approval. She stated the Board had some ideas regarding that but she asked Mr. Kostro to talk to the Board about ways that Copart could help to direct trucks to those two routes specifically. She stated that before the Board wrote the recommendations for the site plan approval, they wanted to make sure that they would be suggesting things that were feasible and within the realm of Copart's operations and procedures, etc. She added that she did go on Copart's website to see what information the company dispersed when buying a vehicle, but because she did not actually buy one the information was limited. Mr. Kostro explained that when someone bids online and wins a vehicle, a generic congratulatory e-mail is sent with the amount due and the Copart pick-up location. After a lengthy discussion, Member Roman and the Board asked Mr. Kostro if Copart could put the route directions in the e-mail for the Webster location and/or on the website. Member Buckley suggested that Copart send out a second e-mail with specific directions. Mr. Kostro stated he would have to contact the corporate headquarters as his job is managing the site on Deer Meadow Road; he has nothing to do with I.T. or how the website is setup. Member Roman then inquired

about the contracts for truckers hired by Copart. Mr. Kostro stated the contracts are generalized for haulers employed by Copart across the country. Member Roman suggested perhaps putting specific directions in those contracts. Mr. Kostro stated that his drivers pretty much know the correct routes; it's the independent contractors that are the issue.

After a brief discussion, Chairperson Rauth said to Mr. Kostro that the Planning Board would like some feedback, if possible, if there is something that Copart can do electronically to add information about those routes on the website. Mr. Kostro stated he would try to get a response by the next Planning Board meeting. Chairperson Rauth stated the Board would continue the site plan review until the next Planning Board meeting on November 19, 2015 at 7:00 pm at the Webster Town Hall. The Board thanked Mr. Kostro for coming.

Chairperson Rauth asked the Board whether they should go ahead and draft a letter to Copart from Town Counsel. After a brief discussion, Member Roman stated there were three general areas to be covered in the conditions for the site plan approval: 1) access/road uses; 2) Best Management Practices – use of drip pans; and 3) the groundwater monitoring wells and test results. She stated the Board should vote on each condition, separately. Chairperson Rauth suggested waiting to vote until Selectman Becker and hopefully Member Lehmann could be in attendance. Member Roman stated the only question she had for Town Counsel was can the Board approve the site plan and have the conditions subsequent or does the Board have to keep the review open and finish the wells. She thought they should do the former, but was not certain what Town Counsel would say. She stated she would like to know from Town Counsel what would be preferred.

The next order of business was the review of the draft minutes of September 17<sup>th</sup>. Member Roman pointed out on page 1; fourth paragraph; second sentence beginning with "She"; who was "She"? Per Mrs. Larson it was Chairperson Rauth. The Board voted unanimously to approve the minutes with "She" changed to "Chairperson Rauth".

The next order of business was to review a *Notice of Voluntary Merger* from Wayne E. and Theresa A. Burgess of 59 New Hampshire Drive, Webster, NH, for abutting lots 10-4-89 and 10-4-88. After the Board reviewed the notice, Member Roman made a motion to approve the *Notice of Voluntary Merger*; seconded by Member Buckley and unanimously approved. Chairperson Rauth then signed the document.

The next order of business was the continued review of the Subdivision Regulations. A brief discussion followed regarding impact fees and their role during a site plan review. After reviewing the Zoning Ordinance, Chairperson Rauth stated the way that section was written referred more to development. Member Roman stated she would need to study the statute a little more in order to be prepared for the future.

Chairperson Rauth began discussion about being prepared if Copart did vacate the site, what would be the use that would run with the land? Member Roman questioned, would the use be for *any* junkyard business or just an auto auction type of business. She stated they (the Board) need the legal answer to that question. She felt the Select Board ought to know the answer before someone else comes to town.

After a brief discussion, the Board tentatively scheduled a work session for Sunday, October 25, 2015 at 1:00 pm to specifically work on the Subdivision Regulations. No public comments will be solicited and no final decisions will be made.

At this time Mrs. Larson introduced Mr. Paul King, resident, interested in becoming a Planning Board alternate member.

At 8:40 p.m. Member Roman made a motion to adjourn; seconded by Member Buckley and unanimously approved.

These minutes were approved as amended at the Planning Board meeting of November 19, 2015.

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Susan Rauth, Chairperson