

Webster Planning Board

Minutes - Meeting of September 17, 2009

Present: Chairman Cliff Broker; selectman member George Hashem, members Jere Buckley (Secretary), and Richard Doucette; and alternates Richard Cummings, Sue Rauth, and Susan Roman. Also present: selectman Tom Mullins, Planning and Zoning Secretary Mary Smith, several applicants and/or their representatives, and interested citizens.

Chairman Broker convened the meeting at 7:03 p.m.

Attendance was taken, with the results noted above. Chairman Broker designated alternate Cummings to serve in voting capacity in lieu of former member Alan Hofmann who had recently resigned in anticipation of a change of residence.

The Board voted unanimously to express their thanks and appreciation to Mr. Hofmann for his years of service to the Board and to the Town.

The Board reviewed the minutes of their 20 August meeting. Upon motion made by Mr. Doucette and seconded by Mr. Cummings, the Board voted unanimously to endorse those minutes as written.

Chairman Broker convened a public hearing on a site plan review for a repair facility and motor vehicle inspection station proposed by Steven Hibbard at 1300 Pleasant Street. The ZBA had granted a commercial exception for the proposed enterprise, with a number of conditions. The Board was advised that the operation will be housed in a 30' x 40' existing barn on the property, out of sight from the road. Mr. Hibbard indicated that there will be no running water in the barn and hence no requirement for a septic system. He indicated his intent, if Board approval is granted, to install a heating system, perhaps burning waste oil, to replace the current wood stove. He hopes to service cars, trucks, tractors, and construction equipment. Mr. Cummings reported familiarity with the site and felt there to be no objections to the proposed activity. There were no other comments from abutters or others. Upon motion made by Mr. Doucette and seconded by Mr. Cummings, the Board voted unanimously to approve the site plan contingent on Mr. Hibbard's commitment to provide for proper and lawful disposal of hazardous waste and to comply with all life safety requirements.

Surveyor Mark Sargent described to the Board a proposed lot line adjustment involving Little Hill Road Lots 1-2, owned by Sanbornton Realty Trust, and 1-3, owned by Steven Youngs. This was the same proposal that was the subject of a conceptual discussion at the August Board meeting. A 15+ acre portion of Lot 1-2 would be retained as a separate lot, and the remaining 238 acres of Lot 1-2 would be annexed to Lot 1-3. It was agreed that, there being no change in the number of lots, characterization of this proposed change as a lot line adjustment is proper. The uncertainty at the August meeting about the classification of the applicable road has been resolved; per the minutes of the 10 September 2007 selectmen's meeting, this section of the road is "Class V Seasonal". This was interpreted as meaning that the re-configured lot as proposed would be in compliance with zoning regulations. Mr. Youngs again indicated that the proposed change is part of a plan in which the Nature Conservancy hopes to acquire ownership or easement rights to much of the property. Ms. Roman advised him that putting part of his property under easement does not require the creation of new lot lines, i.e. subdivision. She expressed concern that access to the "backland" portion of the property not be restricted. There was some discussion about whether or not the 15-acre lot would be buildable in view of the "seasonal" designation of the road. Conflicting legal opinion on this subject from Paul Sanderson at the Local Government Center and Town Counsel Bart Mayor were reported by Ms. Roman and Mr. Mullins, respectively. However, it was noted that the question was not relevant to the lot line adjustment proposal under consideration. There was no additional comment from abutters or others in attendance. Mr. Doucette made and Mr. Cummings seconded a motion to approve the proposed lot line adjustment, with the approval accompanied by an explicit statement that the Planning Board makes no representation that the 15-acre lot is either buildable or non-buildable. The motion carried unanimously.

Mr. Cummings suggested that an additional selectman alternate member (in addition to David Klumb) be appointed to further increase the likelihood that all Board meetings would include selectman representation. There were some doubts that this would be allowed by statutes.

It was also suggested that a new member, presumably one of the current alternates, be appointed to fill the slot vacated by the resignation of Mr. Hofmann. Mr. Cummings, although he is the senior alternate, indicated that he does not want such an appointment. The selectmen present agreed to consider the matter at a future selectmen's meeting.

Ms. Roman noted that work is ongoing on the impact of the Work Force Housing legislation, and that this topic should be on the agenda for the next Board meeting.

Upon motion made by Mr. Doucette, seconded by Mr. Cummings, and unanimously approved, the meeting was adjourned at 7:58 p.m.

The next Board meeting will be at 7:00 p.m. on 15 October 2009.

Respectfully submitted,

Jere D. Buckley, Secretary