

Webster Planning Board

Minutes - Meeting of January 21, 2010

Present: Chairman Cliff Broker, member Jere Buckley (secretary), and alternates Sue Rauth and Susan Roman. Chairman Broker convened the meeting at 7:01 p.m.

Attendance was taken, with the results noted above. Chairman Broker designated alternates Rauth and Roman as voting participants in the absence of other members

The Board reviewed the minutes of their 17 December meeting. Ms. Roman had minor reservations about the wording of the paragraphs dealing with the Affordable Housing and the Scenic Byway issues. She suggested that those paragraphs would better have read as follows, with deletions shown as ~~striketroughs~~ and additions shown in *italics*:

“The Board again returned to the subject of Affordable Housing legislation. It was agreed that no relevant *Zoning Ordinance* changes will be undertaken this year, in part because the information to quantify the problem is still unavailable. Ms. Roman indicated that she *and Ms. Rauth* expects to be working with ~~local government sources~~ *the Central New Hampshire Regional Planning Commission* after the holidays to determine the extent to which Webster does or does not currently meet their “fair share” obligation. It was agreed that there are potentially related aspects of Town ordinances that warrant attention in the coming year. Particular mention was made of the impractical and unenforceable “blood relative” requirement and the inexplicable 800 square foot limitation on accessory apartments. Mr. Mullins expressed great concern about the possibility of multi-family housing with shared sewer and water facilities, and the potentially catastrophic financial burden on the Town if such systems were to fail to the point of condemnation.”

“Mr. Buckley asked Ms. Roman and Ms. Rauth to comment on the ramifications, if any, of the selectmen’s decision not to sign the non-binding letter of intent requested by the Scenic Byway Committee. They advised that Webster was the only town not to sign that letter, and that how the Committee is now going to proceed is uncertain. They once again acknowledged that Webster’s interest in the Byway is very different from that of towns with more extensive commerce and more to benefit from increased tourism. Webster’s primary interest is the potential for 80% federal funding for easements to protect scenic property along the Byway. Ms. Roman did not think that Webster’s failure to sign the letter of intent ~~in any way would~~ closes the door to access to such funds. She *and Ms. Rauth* intends to continue to attend Committee meetings so that Webster will be aware of and will hopefully have some say in what happens.”

The Board has been advised that minutes cannot be retroactively changed. That being the case, upon motion made by Ms. Roman and seconded by Ms. Rauth, the Board voted unanimously to accept the 17 December minutes with the proviso that the above changes be noted in these (21 January) minutes.

Chairman Broker noted that there had been some concern at the December meeting about the propriety of reviewing a subdivision application and, assuming acceptance thereof, conducting an expedited public hearing on the proposal in the same meeting. He suggested that following that procedure routinely, and deferring the public hearing to a subsequent meeting only if complications or questions arose, would result in increased efficiency. Mr. Buckley expressed reservations about that suggestion, opining that deferring the public hearing to a subsequent meeting allows time for more careful consideration and a site visit if appropriate. He also noted that the Board’s written *Meeting Procedures*, while allowing for expedited public hearings “when circumstances are deemed to so warrant”, specify that “in most cases” consideration of accepted applications will be scheduled for the next Board meeting. He agreed to bring a copy of the *Meeting Procedures* to the next meeting so that the question can be further discussed.

Ms. Roman and Ms. Rauth advised the Board that the Scenic Byway Committee, following the refusal of the Webster selectmen to join the other three towns in signing a requested non-binding letter of intent, has tabled that letter and is focused instead on completion of a management plan, the creation of a Byway Council, and the appointment by each town of members of that council. In response to a question from Mr. Broker, Ms. Roman advised that federal funds for 80% funding of Byway-related projects such as easement purchases are available via the NH DOT, but that other Byways will also compete for those funds. She also noted that the other 20% of any required funds can come from sources other than taxation, in which case specific projects probably would not require voter approval.

Ms. Roman and Ms. Rauth also updated the Board on their ongoing work on the Workforce Housing issue. They have met with Central New Hampshire Regional Planning Commission staff members on the subject. They have learned that the Town of Dunbarton, like Webster in having 5-acre zoning and opting

to take no action in response to the new Workforce Housing legislation, was immediately pounced upon by a developer intent on implementing a major project. They cite this as a demonstration that doing nothing is an open door to developers and a sure route to a date in court with a hard-to-defend case. They report that Chichester is so far the only Town in the area to perform the required but ill-defined "fair share" computation and that, given the obvious virtues of having a consistent town-to-town approach to this topic, Chichester's analysis is potentially a model for use by other towns. They have recently received a copy of an ordinance on Canterbury's 2010 ballot with an interesting "trigger" provision whereby workforce housing rules are in effect only when and for as long as the town fails to meet their minimum "fair share" obligation. Ms. Roman and Ms. Rauth will be studying that ordinance for possible applicability in Webster. They report that Bart Mayer, counsel for both Webster and Canterbury, worked on and is familiar with the Canterbury ordinance. Ms. Roman strongly recommended that the Board at the very least should look for ways to resolve the incompatibility of Webster's ban on multi-family housing with the Workforce Housing regulations. She encouraged Board members to schedule future work sessions on the subject.

By unanimous consent, the meeting was adjourned at 7:59 p.m.

The next Board meeting will be at 7:00 p.m. on 18 February 2010.

Respectfully submitted,

Jere D. Buckley, Secretary