

## **Webster Planning Board Minutes - Meeting of July 19, 2007**

Present: Chairman Clifford Broker, selectmen member Tom Mullins; members Jere Buckley (Secretary), Richard Doucette, and Alan Hofmann; and alternate Richard Cummings. Also present: Planning and Zoning Secretary Sarah Carter and selectman George Hashem.

Chairman Broker convened the meeting at 7:00 p.m. Attendance was taken, with the results noted above.

The Board reviewed the minutes for the 21 June meeting. Upon motion made by Mr. Doucette and seconded by Mr. Hofmann, the Board voted unanimously to accept those minutes as written.

Peter McGrath of Peter and Gary LLC approached the Board with concerns regarding the classification of Little Hill Road. He began by acknowledging that some of the work done by Peter and Gary LLC on their Little Hill Road properties had been improperly done, drawing fines from the State and considerable ill will from Town residents. He apologized for those malfeasances. He then expressed concerns about statements in the minutes of the April and May Board meetings. He felt inferences could be drawn therefrom that the Board was declaring a portion of Little Hill Road to be Class VI. The Board acknowledged that both minutes noted their impression that such was the case, but pointed out that the Board has no authority to establish road classifications and that answers to questions regarding such classification must come from the selectmen. Mr. McGrath opined that the cited minutes were inaccurate and asked the Board to issue a statement clarifying their lack of authority to establish road classifications and to make corresponding "corrections" to their April and May minutes. Mr. McGrath also expressed concern about a note that had been added to the most recent subdivision plat for the property, stating that the inclusion of Little Hill Road on the plat was for locus purposes only and did not constitute Board approval in the context of RSA 674:41.I(b)(2). Mr. McGrath expressed concerns that both the minute's entries and the note added to the plat represented considerable obstacles to the marketability of his properties. He indicated that he was prepared to cite evidence that Little Hill Road is Class V in its entirety, based on Town Office actions, an appraiser opinion, and statements from multiple former road agents. The Board responded with the opinions that the April and May minutes both accurately reflect what was said and done at those meetings, that thus no correction of those minutes is required, and that there was little point in Board consideration of evidence re the classification of Little Hill Road given that any ruling on that subject must come from the selectmen. Mr. McGrath at that point agreed to take his case to the Board of Selectmen.

The Board was then approached by John Michels representing James and Tina Schindelwig for what was billed on the agenda as a conceptual discussion re: JKS Cold Brook Campground. Mr. Michels began with a very brief summary of the history of the campground, citing its inception in 1972 and the acquisition by the Schindelwigs in 1999, acknowledging various upgrades both before and after said acquisition, and reporting current efforts to obtain a commercial exception from the ZBA. The Board noted that ZBA approval of a commercial exception is a required precursor to a site review by the Board, and felt that consideration of a detailed presentation by Mr. Michels prior to such approval would be premature. Mr. Michels agreed to take his case to the ZBA and did not present drawings or other supporting material to the Board.

Surveyor Tony Lamarine approached the Board for as conceptual discussion regarding Lot 7-22 on Clough-Sanborn Hill Road. He indicated that this lot was originally two lots, that there apparently is no documentation of any merger of those two lots, but that they have nevertheless been taxed as a single lot for many years. He further reported that the combined lot is described by a single deed that cites the individual deeds for the separate lots. His client wishes to restore the original separate-lot status and hopes to avoid the need for a formal subdivision. The Board questioned their authority to legally approve restoration of the 2-lot configuration, opined that Town Counsel should be consulted on this point, and suggested that the applicant should pay the cost of such consultation. Mr. Lamarine agreed to see if his client will agree to such a stipulation.

The Board discussed the Hillsgrove gravel pit, which reportedly is in violation of State and/or Town requirements. It was agreed that alternate member Hermie Blanchette, the Board's "designated expert" on gravel pits, should attend a Selectmen's meeting for a discussion of the problem and possible enforcement measures.

The Board discussed problems associated with a driveway application from Albert Grabowski on Deer Meadow Road. There are ditching and culvert issues. It was agreed that Mr. Broker will send a letter requesting dimensioned drawings to enable proper Board consideration of the proposal.

The preceding discussion prompted continuation of previous discussions re: the need for modification/refinement of the Town's Driveway Regulations. It was agreed that this topic warrants a special working meeting. The Board agreed to meet for that purpose and to consider a possible Zoning Ordinance change concerning septic system setbacks on 26 July at 7:00 p.m.

The Board approved a voluntary merger proposed by Thomas Wolkin for Lots 10-6-56 and 10-6-57 on New London Drive

Upon motion made by Mr. Doucette, seconded by Mr. Buckley, and unanimously approved, the meeting was adjourned at 8:40 p.m.

The next regular Board meeting will be at 7:00 p.m. on 16 August.

Respectfully submitted,

Jere D. Buckley, Secretary