

TOWN OF WEBSTER
PLANNING BOARD WORK SESSION
MEETING MINUTES NOVEMBER 7, 2012

The purpose of this meeting was for the Planning Board to discuss proposed amendments to the Zoning Ordinance.

Present were: Chairman Jere Buckley; Members: Sue Roman and Selectman Member, Roy Fanjoy; Alternate members: M.J. Turcotte and new alternate member, Tom Clark. Rick Cummings came later.

At 4:17 p.m. Chairman Buckley convened the meeting. Chairman Buckley appointed alternates M.J. Turcotte and Tom Clark to be voting members due to the absence of Sue Rauth and Mason Donovan. However, Member Sue Rauth and Alternate Rick Cummings did arrive a little bit late. Due to Member Rauth's arrival, alternate Tom Clark no longer had voting status.

Prior to the meeting Mrs. Larson had received correspondence from Mr. Mike Tardiff, Executive Director of Central New Hampshire Regional Planning Commission requesting to address the Board regarding having the Town of Webster rejoin the commission. Chairman Buckley referred to the e-mailed correspondence to inform the Board of the \$1,977.00 2013 membership fee. Member Roman would like to have Mr. Tardiff come to the next Planning Board meeting on November 15, 2012. Member Roman stated that she did not have a preference but she would like to be persuaded that the Board has a need for their services. Chairman Buckley stated that the Board needs to work on the Zoning Ordinance, the Subdivision Regulations, the Capital Improvement Program, etc. Chairman Buckley felt that in his opinion, the CNHRPC could be a big help with all of those. The consensus of the Board was to have Mr. Tardiff attend the next Planning Board meeting.

Chairman Buckley informed that Board of the last date the Board can post a public notice for the first public hearing on any proposed amendments to the Zoning Ordinance is January 11, 2013. That means that absent special meetings, all work would have to be done by the Planning Board's December 20th meeting.

Member Roman stated that the Board should identify and discuss the subjects that have to be dealt with and are really pressing, i.e. problems with the ordinance that may be considered urgent. Chairman Buckley stated that one of the topics was the amendment that addressed trailers and campgrounds. That warrant article had been presented by petition and the general consensus was that the wording of that article had been ambiguous and awkward and it should be fixed. A second topic was the Zoning Ordinance requirement for setbacks. Chairman Buckley stated the ordinance was deficient in that area. Alternate Cummings agreed. Alternate Cummings did not think it was a major problem, however, it still needs to be addressed because of the five acre minimum lot size for newly created lots. At this time Chairman Buckley asked the Board

if there were other items that should be reviewed. Alternate Cummings brought up the topic of frontage. He stated that it is actually a subdivision rule not a zoning rule. He stated it is a definition in the Zoning Ordinance but frontage has to do with subdividing lots. Member Roman pointed out that frontage is in Article IV of the Zoning Ordinance. Alternate Cummings questioned whether it should be in the Zoning or the Subdivision Regulations. Member Roman stated that it can be in both but it is generally part of the Zoning Ordinance, but that doesn't mean that the Planning Board cannot change the Zoning Ordinance to build in flexibility. Alternate Cummings was concerned with Article IV *Lot Area and Yard Requirements*; lots greater than 4 acres but less than 10 acres can be subdivided once into a total of two lots; each lot shall have a minimum of 250 foot frontage on the road or highway that serves it. Alternate Cummings suggested that lots of that size would be difficult to meet that frontage requirement. Chairman Buckley stated that the Board could leave the article exactly the way it is and the resident who confronts that situation would have to apply to the ZBA for a variance or the Board could change the frontage requirement to say lot shall have a minimum of 250 of frontage, etc., ***except in the case of*** the four to ten acre subdivision. Such a change would have to be brought to Town Meeting for the town to vote on. Mr. Marty Bender, member of the public and also ZBA Chairman, stated that he felt that the frontage requirement should remain with the ZBA. Chairman Buckley agreed. Mr. Bender stated that the property owner in applying for a variance would have to show the ZBA why they had a hardship in order to decrease the frontage from the requirement, regardless of the number of acres. At the end of this discussion the subject of multi-family dwellings was brought up. This too, was added to "The List".

Alternate Cummings asked Mr. Bender if he had any suggestions and Mr. Bender stated the ZBA had problems with the definitions of structure, building (permanent foundation vs. portable) and swimming pools and their relationship to the setback requirements. Alternate Cummings suggested looking at relaxing the setback requirements for the back and the side property lines. Those changes would perhaps resolve some of the problems property owners have placing structures on their lots. Chairman Buckley suggested that there were two questions; to what do the setbacks apply and what are the numbers. At this time Member Roman pointed out some the surrounding towns' definitions from copies of their Zoning Ordinances she had with her. Chairman Buckley then handed out copies of his proposed warrant articles regarding the definitions of building, structure, and seasonal dwelling and a proposed warrant article regarding setback requirements. A lengthy and in depth discussion followed which touched on the seasonal dwelling definition and the intent of the definition, manufactured housing, trailers, minimum house size – seasonal or not. Member Roman would also like to look at developing an ordinance to help selectmen enforce the clean up of junky yards.

For the next Planning Board meeting of November 15, 2012, the Board will review a) the wording of the trailers and campground ordinance, b) the definitions of structure and building and setbacks and c) cell tower modifications.

At 6:20 p. m. Selectman Member Fanjoy made a motion to adjourn; seconded by Member Rauth and passed unanimously.

Planning Board approved as written, November 15, 2012.

Jere Buckley, Chairman of the Planning Board

APPROVED