

**TOWN OF WEBSTER  
PLANNING BOARD  
MEETING MINUTES MAY 16, 2013**

At 7:00 p.m. Chairman Jere Buckley convened the regularly scheduled meeting of the Webster Planning Board.

Present: Chairman Jere Buckley and member Sue Roman; alternates: Rick Cummings, M.J. Turcotte, Tom Clark and Select Board alternate, Bruce Johnson. Alternate Cummings and M. J. Turcotte were appointed as voting members due to the absences of members Sue Rauth and Lynmarie Lehmann.

The first order of business was to review the minutes from the April 18<sup>th</sup> meeting. Chairman Buckley had a general comment. He referred to a sentence two-thirds of the way down on the first page that began, "The Board had very lengthy and in depth discussions..." Chairman Buckley did not disagree with that but was concerned that the minutes failed to identify some preliminary decisions they had made. Chairman Buckley stated that he would try to be more conscientious about taking actual votes when the Board made any kind of decision or took any kind of action so they get clearly recorded in the minutes. There were no other comments made. Acting Member Cummings made a motion to accept the minutes as written; seconded by Member Roman and unanimously approved.

The next order of business was an application submitted for a minor subdivision from Raymond F. and Richard E. Sawyer regarding property owned by them at 346 Little Hill Road. Chairman Buckley reviewed the Rules of Procedure for subdivision applications. The Board receives and reviews the application at one meeting and if it is approved then a public hearing and deliberation is scheduled at a subsequent meeting. However, the Rules of Procedure do allow an exception for a minor subdivision. Chairman Buckley then read paragraph 11.2 of the Rules of Procedure:

*"11.2 As allowed by RSA 676:4-III, the Board may review a proposal for a minor subdivision creating not more than 3 lots for building development purposes, or for a proposal not creating lots for building development purposes, immediately following acceptance of the application. Any abutter may be heard on the proposed action. A hearing will be scheduled at the discretion of the Board or at the request of abutters or other interested parties as defined by RSA 676:4-III. If no hearing is deemed necessary by the Board, the abutters, or the other interested parties, the Board may issue a decision immediately following the review of the proposal."*

This application was for a minor subdivision of one parcel into two. Therefore, the above exception was applicable. Chairman Buckley asked Mrs. Larson if there had been any requests in writing to conduct a public hearing to which she responded she had not

received any such requests. Mrs. Larson confirmed that the application was complete with all appropriate fees being paid.

Chairman Buckley then invited Mr. Web Stout, surveyor and agent for the applicants, and Mr. Raymond Sawyer, applicant, to make their presentation. However, acting member Cummings questioned whether the application acceptance review should be done before the applicants' presentation. Chairman Buckley did agree that would be more logical. Chairman Buckley stated that Mrs. Larson was happy from her perspective. He had been through the application and had no problem with it. Chairman Buckley asked the Board if anyone had any reservations about accepting the application. Member Roman wanted to make sure that the plat conformed and met the required specifications. She pointed out that the application included a couple of waiver requests regarding the plat. Chairman Buckley stated he did not see any problem accepting an application that would include a waiver. Acting Member Cummings made a motion to accept the application; seconded by Acting Member Turcotte and unanimously approved.

Chairman Buckley then turned the floor over to Mr. Stout. Mr. Stout referred to the plat and explained the minor two-lot subdivision at 346 Little Hill Road, tax map 2 lot 6. Mr. Stout stated that he had asked for three waivers to the Subdivision Regulations: "...1) getting a driveway permit on lot 2-6-1 due to the fact that no building is anticipated in the next year; 2) the topography to be shown on the remaining portion of lots 2-6 & 2-6-1; the topography has been shown on 7 + acres on lots 2-6 & 2-6-1 to demonstrate the buildable area; 3) the soils to be shown on the remaining portion of lots 2-6 & 2-6-1. Topography has been shown on a portion of lots 2-6 and 2-6-1 to demonstrate the buildable area." Mr. Stout explained in detail the subdivision and the waivers. After review of the Subdivision Regulations, Member Roman briefly interrupted to point out that plat submission requirements are a part of the application decision. She cited the list of requirements for future reference. Mr. Stout continued his presentation touching different aspects of the plat. After a brief discussion there were no other questions.

At this time Mr. Sawyer stated that neither he nor his brother asked Mr. Stout to include future building plans on the plat; those were not part of their agenda. Chairman Buckley recognized William and Diane Gulden, abutters to Mr. Sawyer. They asked Mr. Stout to point out their property on the plat.

Prior to the Board taking a vote, they invited Mr. Sawyer to speak. He gave a brief history of the property that has been in his family since 1790. He stated the property has great sentimental value and he and his brother Richard want to keep it for their heirs. Mr. Sawyer stated that they want to preserve the homestead rather than change it.

Chairman Buckley thanked Mr. Sawyer. Chairman Buckley asked the Board if anyone felt the need for a public hearing. Member Roman made a motion to waive a public hearing; seconded by Acting Member Cummings and unanimously approved.

Member Roman made a motion to approve the subdivision, with the waivers, provided however, that the waiver on the driveway is understood as a waiver of the requirement to submit a driveway application at this time, given the anticipated intention not to build within the year; seconded by Acting Member Turcotte and unanimously approved. Mr. Stout and Mr. Sawyer thanked the Board; the sentiments were reciprocated.

Member Roman brought up her concern regarding accepting an application without first addressing the specifications of the plat and any waivers. Consideration of acceptance of a subdivision application includes the plat and its list of requirements; that is part of the decision on whether the application is complete. Member Roman wanted the Board to be aware for future reference. Acting Member Cummings stated that any waivers that came to the Board in the past were not handled until the hearing took place. Member Roman stated that according to the Town's regulations, that was not correct. Member Roman stated that she was only pointing out what the regulations require them to do. A brief discussion ensued.

The next order of business was to review draft #5 of the recreational vehicle warrant article. Acting Member Turcotte questioned Chairman Buckley as to why he was proposing to delete *'pop-up' camping trailers* and *snowmobile trailers* from the Recreational Vehicle definition under Article II, Definitions, of the Zoning Ordinance. She stated that those could be as big as her travel trailer; those items could be as big as or bigger than an RV. Chairman Buckley stated that perhaps the Board should impose a size limit/maximum dimension. Chairman Buckley stated that he feared that a lot of people regard snowmobiles and four-wheelers as recreational vehicles and those are not what the Board is trying to control, hence his reasoning for removing them from the definition of RV. Acting Member Turcotte added that maybe they could control what the snowmobiles are carried in. She stated that some of those trailers are very big – for example; what if someone had a snowmobile trailer, a camper and a utility trailer?

After a brief discussion, Chairman Buckley asked the Board if they thought the present Zoning Ordinance with respect to recreational vehicles was fine the way it is or does the Board need to change it. Member Roman stated what the Board might do is go ahead and approve a change to the ordinance regarding occupancy and use. And, then come up with something that would be reasonable and fair regarding storage. Acting Member Turcotte and Alternate Select Board Member Johnson agreed with Member Roman. Acting Member Cummings stated that he thought the Board's biggest problem right now was not storage, but occupancy. Chairman Buckley asked the rest of the Board if they also felt as Member Roman did, i.e., that the ordinance does need some improvement. Acting Select Board Member Johnson was in favor. Acting Member Turcotte was in favor, except that she recollected that the Board had discussed storage. Member Roman agreed. Acting Member Turcotte stated that she did not have a problem with number 6. of the proposed warrant article before them. Her concern was how to define an RV. Acting Member Cummings stated that the draft seemed fine except for not including the pop-up camping trailers, because they can be turned into sleeping quarters. Chairman Buckley asked if

sleeping provisions were kind of the key characteristics. Acting Member Cummings agreed. He added that some of the snowmobile trailers have a kitchen and sleeping quarters. Member Roman recommended considering size. Member Roman stated that she felt it would become a more palatable regulation if the Board limits the storage to large recreational vehicles.

Chairman Buckley informed the Board that in this draft he included RV's in Campgrounds, which he felt was a mistake; that should be a separate warrant article. By consensus the Board was in total agreement. A brief discussion ensued regarding different measurements and sizes of trailers. Acting Member Cummings suggested wording like, "*RV trailers under a certain size and/or length would be exempt.*" Alternate Select Board Member Johnson suggested, "*anything over a certain length would be included as a trailer.*" Member Roman stated that many towns, like Hopkinton, do not specify what can be on the lot in terms of how many. They have setbacks and there has to be a certain percentage of the lot as open yard. Member Roman felt that was an efficient way from a regulatory standpoint without having to regulate vehicles and buildings, etc. A brief discussion ensued.

Chairman Buckley for clarification and guidance from the Board, stated that the proposal was to keep the number of vehicles per acre as proposed but make it clear that it only applies to vehicles over 18 feet long, to be added to *number 6. B Storage* of the proposed warrant article. Summarizing the proposed warrant article, Chairman Buckley stated regarding *Article II, Definitions* to leave the definitions the way they are including the camping trailers. Then under *Storage*, they will restrict it to RV's over 18 feet. Chairman Buckley reviewed the remainder of Section 6. The Board members by consensus were in agreement with the proposal including the requirement of applying for a special exception in the case of exceeding the storage limits. Chairman Buckley then brought up screening and landscaping requirements. After a brief discussion, Member Roman stated that she did not think any of the *Conditions to be Applied to Special Exceptions* in the *Zoning Ordinance* apply to anything the Board was trying to achieve. Member Roman felt that the standards were not very clear. She would like the wording to be, "*All RV's are screened or placed out of view by abutters and passersby to the extent that the character of the neighborhood and the values of abutting properties are not adversely affected.*" Member Roman made a motion to vote on storage as drafted with the change of 18 feet. Using the draft proposal, recreational vehicles stay as defined but in the storage section 6. B, limiting storage to RV's of 18 feet overall length or greater and add to paragraph 7. provided there is an A. and a B. and B. says, "*All such RV's are screened from or placed out of view by abutters and passersby to the extent that the character of the neighborhood and the values of abutting properties are not adversely affected.*" The motion was seconded by Acting Member Turcotte and unanimously approved: 4 ayes and no opposed.

Member Roman made a motion to separate *storage* and *use* into two separate warrant articles; seconded by Alternate Select Board Member Johnson and unanimously approved.

Chairman Buckley asked the Board if they were in favor of revising setbacks as they apply to structures instead of buildings? Member Roman stated she was in favor. Chairman Buckley then asked if anyone thought they should retain the present setbacks as applied to buildings. Hearing no opposition, Chairman Buckley concluded the Board was in favor of redefining setbacks to apply to more than just buildings. There was universal unanimous concurrence from the Board in favor. Chairman Buckley stated that he hoped redefining setbacks would be the primary topic at the next meeting along with “rubberstamping” the proposed RV warrant article. At this time Member Roman volunteered to do a definition of structure.

**8:36 PM** Member Roman made a motion to adjourn; seconded by Acting Member Turcotte and unanimously approved.

These minutes were unanimously approved as written at the June 20, 2013 Planning Board meeting.

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Jere D. Buckley, Chairman of the Planning Board