

TOWN OF WEBSTER
PLANNING BOARD
WORK SESSION
OCTOBER 2, 2014

At 7:35 a.m. Chairperson Rauth convened the Planning Board work session regarding the Copart site plan review and the Webster draft Driveway Regulations.

Present were Chairperson Susan Rauth, Members Jere Buckley, LynMarie Lehman, Sue Roman and Selectman Roy Fanjoy. Alternate MJ Turcotte was present. Also in attendance was Emmett Bean, Webster Road Agent.

Chairperson Rauth reviewed the information about groundwater monitoring received from an engineer at Sanborn/Head & Associates, Inc., in Concord. As a follow up to recent discussions, Chairperson Rauth contacted the engineers about the conditions to trigger a request to require ground water testing and the parameters for regular testing (frequency, extent of testing, etc.) We are awaiting their response.

The Board discussed their experience at the Copart site visit with the members who weren't present at the walk through, referencing the draft minutes of the September 15th Copart site visit. Member Buckley commented that John Kostro reported the existing well is located in the garage where the hydraulic lift was removed. A discussion about the sufficiency of that well and its location ensued.

The Board discussed whether or not we have the authority to conduct unannounced walk throughs. It was felt a walk through visit and scheduled monitoring could be a part of the annual review process for licensing.

The Board and Road Agent Emmett Bean discussed the surface of the Copart lot and the method and materials used in construction. The Board members commented that any leaking fluids that are not caught will leak into the ground and ultimately, into the aquifer.

The Board agreed to postpone further discussion about the possibility of requiring ground water monitoring until further information is received from the engineers.

The Board next discussed a traffic safety or road study. Chairperson Rauth reviewed her discussion with a transportation engineer from Vanesse, Hangen Brustlin, Inc., in Bedford, and referred to an email summary of her conversation September 29, 2014.

Ideally, a road study conducted by the Town would (1) study the available routes and come to an agreement with all parties in the town of what's the best route; (2) identify all users on this route, type of uses and vehicles, and volume of traffic; and (3) identify short-term and long-term upgrades and changes that are needed on this route to make it safer and to improve the structural integrity of the roads. Estimates of costs of the

improvements would then be built into the Capital Improvement Program.

The Town has already been working on some short-term safety improvements, such as asking Copart drivers to avoid Gerrish and Bashan Hollow Roads and voting to reduce the speed limit on those routes. Examples of long-term changes could be to create a turn-off lane into the Copart lot or to widen travel lanes on designated routes.

Chairperson Rauth reported that engineers use GPS maps and computer software to assess the overall road alignment and curvature to determine if there is a safety problem in a certain location. We can also analyze traffic records available from our Police Department to see if there are intersections or locations with identifiable accident trends. This type of data can be used to support the need for funding from the DOT Highway Safety Improvement Program.

The engineering firm has a methodology for a "fair share cost" study, based on the capacity of a road. This is more typically done on the front end of a new development in determining costs for roadway improvements and proportionate fees for the developer.

Member Lehman asked if the study would be "Copart specific" or be a town-wide study? Chairperson Rauth said it would focus on the routes taken by the Copart drivers and customers. A general discussion ensued about the various routes and their issues.

Selectman Fanjoy reported an independent survey he has conducted over a two week period, using his game camera. The film can distinguish between Copart car haulers and other heavy vehicles. Some days the car hauler traffic is 1-6 trucks and some days the film showed 17-35 Copart related trucks in a single day. The results aren't necessarily collected in a scientific manner but represent the type of data that would be collected in a road study conducted by engineers. It could be helpful as anecdotal information as well.

The Board discussed including the need and cost for the traffic safety study as a condition of the site plan approval. The results of the study would be used to identify and prioritize road improvements and to update the Capital Improvement Program. The costs of road repairs and improvements cannot be allocated until the study is completed.

Road Agent Bean indicated that there was a problem with Copart drivers during mud season. The Copart General Manager said they told the drivers who called in advance that the roads are posted but Copart remained in operation while the roads were posted this past winter. An LGC rep suggested the town take more aggressive action. It was suggested a condition of the site plan is to abide by the Webster traffic laws. The Webster Police Department and the Selectmen are responsible for enforcing town regulations.

It was agreed the Board would make a decision about requiring a traffic safety study after the engineer's report is obtained. The report will outline the scope of the project,

alternative approaches and costs. The Board will also contact the Town legal counsel before finalizing their decision.

The next topic on the agenda was the draft Driveway Regulations. The Board focused its discussion on whether or not a driveway is permissible if a lot has frontage on a Class VI road, in addition to frontage on a Class V or a State Road. Member Buckley presented research from A Hard Road to Travel and other sources. Towns are strongly advised NOT to maintain Class VI roads. Our regulations shouldn't imply that, if we allow a driveway on a Class VI road, then we are giving permission for a house to be built there.

The Board discussed maintenance and liability issues. If we approve/require a Class VI road to be maintained by a property owner, can we really transfer to said owner all liability for any damages resulting from said maintenance? How can we assure that maintenance and liability obligations 'run with the land', i.e., are incumbent on all future owners of the property?

At this point in the meeting, Members Buckley and Lehman were no longer present. Alternate Turcotte was seated. Board members Rauth, Roman, Turcotte and Fanjoy voted to restrict driveways accessing a Class VI road, citing the proposed Driveway Regulations language provided by Member Buckley.

The Board members and Road Agent Emmett Bean also discussed the Town's authority to regulate the interior aspects of a driveway. Road Agent Bean indicated that residents are constructing driveways without obtaining permits. They are allowed to resurface a driveway without a permit. However, sometimes residents are paving a previously unpaved driveway and it can cause a change in the gradient and the water flow which impact the street. The Board members agreed that we would like to continue to regulate the interior of the driveways. Member Roman will draft a letter to Town Counsel to confirm that we have the authority to regulate the interior of driveway design, based on our understanding from a previous meeting with him.

At the conclusion of the meeting, the Board agreed to schedule another work session the week of October 6th, if possible, after the follow up information is obtained from the groundwater engineer and the transportation engineer. The Board will request permission to contact Town Counsel with follow up questions about our approach to the site plan review prior to the Planning Board meeting on October 16th.

The work session concluded at 9:30 a.m.

These minutes were approved as amended at the Planning Board meeting of October 16, 2014.

Susan Rauth, Chairperson