

WEBSTER PLANNING BOARD
MINUTES OF WORK SESSION
JUNE 9, 2015

The meeting was opened at 5:45 p.m. Attendees were Chairperson Susan Rauth, Members Jere Buckley and Susan Roman, Selectman Representative Roger Becker and Alternates Tricia Ilaqua and Rick Cummings. Rick Cummings was appointed to vote in place of absent member Lynmarie Lehmann.

The purpose of the meeting was to discuss the proposed amendments to the Webster subdivision regulations related to major subdivisions. The Chair asked members to present their efforts and comments since the last work session.

Chairperson Rauth explained her approach was to compare the changes to our present regulations and to combine sections of Matt Monahan's (CNHRPC) document to remove duplication. She didn't have a new draft to present but felt this approach would work.

Jere Buckley felt the document is not ready for publication and it represents a step in the wrong direction. He focused on revising the most recent of his efforts to completely revise the subdivision regulations in a new version that had been updated since 2005 and had been most recently February 2015. All of Matt Monahan's suggested changes were melded into his document. He apologized for creating confusion by presenting a new document so late in the day.

Chairperson Rauth felt working with an entirely new document was confusing as it was difficult to cross-reference with the current document and to see where the changes were made.

Rick Cummings thought the Board was going to address only the major subdivision changes at this time and leave the minor alone. He also felt imposing all the application and plat requirements for a one or two lot subdivision may be over-regulation and may force an applicant to make a bigger subdivision.

Mr. Buckley agreed and said he tried to create two sections for major and minor but when going down the list, there were a few obvious exceptions such as roads, but most of the rest of the requirements could be applied to both.

Chair Rauth responded to Rick's comments by stating Matt said one way to do that is to make sure there is a clause in the minor section that gives the Board the authority to ask for any items required for the major subdivisions. Discussion followed where the Planning Board looked at the RSA and determined that the approach should be to waive the major subdivision requirements for a minor subdivision.

Susan Roman reviewed both drafts and also researched the statutes. She also looked at other town's regulations, including Hopkinton, Allentown and Bow. Under 676:4 III, the Board's Procedures on Plats, the Planning Board may provide for an expedited review and approval for proposals involving minor subdivisions which create not more than three lots. It allows you to condense submission acceptance and approval in one hearing but still requires full notice and hearing.

This doesn't specifically provide for two sets of standards for major or minor. The way most towns handle it is to allow for waiver. The "minor" definition in the statute is three lots or less but other towns were adding requirements for no new streets. Member Roman is not sure that is allowed but wouldn't mind testing it. She agreed we can also add the idea that it hasn't been subdivided in the last 15 years. [Note the Board members agreed that 10 years is a better benchmark].

The structure of the document stays the same: application procedures, including preliminary review; all plat requirements; final plats; definition of minor. Member Roman read from section 674:36II(n) Subdivision Regulations, to point out the waiver provision isn't applied to any "class" of applicant but to the specific applicant.

Rick Cummings asked if the waiver could be applied at a conceptual review and the Susan Roman believed that we could. The applicant could meet the Board for pre-application review and request a waiver at that time.

Member Roman said could we ask Matt if it's legal to have separate provisions for major and for minor since it doesn't seem to be provided for in the Code. She proposed we add all the requirements in the major section and use the waiver provision, in the meantime, on a case-by-case basis.

Member Roman also condensed all of Matt's conditions and eliminated redundancies. She suggested the Public Hearing may be continued at the next meeting since we aren't ready. She felt we could then review Jere's document but she didn't agree with the separate sections for major and minor.

The Board members were in general agreement about the concept of the waiver for minor subdivisions being granted on a case-by-case basis rather than having a separate list of requirement for major and for minor subdivisions. They also liked the idea of a detailed check list for the applicant.

As an aside, Rick Cummings suggested we need to address the requirement of 900 feet for a town road, which was prescribed when we had one acre lots for major subdivisions.

The Board agreed either document needs more work. Chair Rauth can start the Public Hearing and continue it if we aren't ready with the final document. Susan Roman indicated the public is supposed to have access to the proposal. Jere indicated some of his changes may need to be reviewed by Town counsel before we could approve it.

Roger Becker reviewed the documents but had difficulty with the comparison. He questioned how we would proceed, at this point. Chair Rauth stated that Jere's document is not our current version and felt it is beyond the scope of our present effort. Susan Roman suggested we stay with revising only the major and minor subdivision regs and associated sections, for the June meeting.

It was suggested we don't change the structure of the regulations but add Matt's revisions, including the definitions and the following: Sections 5.5, 7.1 and 7.2. We would present the changes to the major sections in June and continue to work with Jere's revisions over the next month before we finalize the subdivision regulations. We can compare Jere's requirements for plats in Sections 7.1 and 7.2. If we

ultimately decide to use Jere's version of the regs we can ask Matt to review them and revise our work project agreement with CNHRPC to reflect that change.

Chair Rauth volunteered to review the consolidated changes and put together a new draft using Matt's input for the next meeting. Then that draft would go to Jere and he can annotate it and say what needs to be added from his version. Then we can review in June and schedule a continued hearing in July.

Jere Buckley suggested we strike the phrase "with no potential for re-subdivision" in the definition of a minor subdivision. The definitions were discussed and the Board reviewed other towns' language for the definitions. It was agreed the minor subdivision definition be revised to read, ". . . and requires no new municipal improvements."

Jere Buckley recommended we strike any language referencing "attachments" since they are not included in the body of the regulations. Chair Rauth reminded Jere that the Board had previously revised the application procedures section and suggested we incorporate those changes into his version. The conceptual review was included and the design review section was added.

The meeting was adjourned at 6:35 p.m.

These draft minutes were approved as amended at the Planning Board meeting of June 18, 2015.

Susan Rauth, Chairperson