

TOWN OF WEBSTER, NEW HAMPSHIRE

Zoning Board

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Zoning Board of Adjustment Minutes December 14, 2010

Case No.: 10-03 JMJ Resort Properties, LLC

541 Battle St., Map 5 Lot 54

Present for the Board were: Chairman Martin Bender, Members Don Koberski, Robert Drown, Jr., Alternates Jaye Bowe, Martin Bourque and Dee Blake. Also in attendance were PB/ZBA Secretary Mary Smith, applicants Joe DiPrima and Matt Augeri and a number of abutting residents.

7:03 pm Chairman Bender opened the meeting. Secretary Bowe took attendance and read the application. Chairman Bender explained the procedure to the applicants and invited them to proceed.

Mr. DiPrima presented the following issues:

- The most important issue was converting the existing garage to a store. The store would sell staples such as milk, bread, egg, etc., along with supplies for campers and would only be opened on a seasonal basis (May to October). Ample parking is available.
- The existing Pavilion built by previous owners requires approval. If it is approved, the applicants would like to screen it in.
- They would like to construct an LP Gas Filling Station near the garage area. It would be a minimum of 25 feet from all structures and boundaries. It will be built on a 10'x30'x6" cement slab with a 6' high chain link fence around it with two openings. A crash barrier of 6"x6" posts cemented in the ground with a 4"x6" rail will be constructed in front of pad.
- They wish to construct a new sign. It will be 12 sq ft and mounted in a frame between two 4"x4" posts with a small roof overhead and surrounded by a raised bed with lighting.

These requests provoked a number of questions from the Board including:

- Will the store sell beer and wine? Maybe down the road but not if the State approval process is a difficult one.
- What about police and fire protection if the area is gated? Safety personnel have keys.
- Is the store being offered for use by residents a convenience to the Town or needed for sales? Convenience to the Town residents since there is no local store.
- Whose specs are being followed for the propane filling station? State regulations.
- How far from the road will the sign be and how high? Applicants will contact the State and find the end of the right-of-way and will investigate the best height for visibility.
- Is the septic system adequate? It was inspected by the State before the purchase and the few repairs needed have been done.
- Will ATV's be allowed? No, only electric golf carts.

Many of the Board members and the attending residents were very concerned about an increase in traffic. A large number of drivers already ignore the speed limit on 127 and the campground entrance is located at a curve in the road and coming South on 127 the visibility is very poor. The applicants will investigate whether or not the State would be willing to put up a flashing yellow light or any warning signs. Another concern was that while it would probably be beneficial to have some of the campground's amenities available to Town residents, this, also, may increase traffic. One solution was to offer a concrete number of vouchers for the residents' use.

As a volunteer fireman, Member Drown questioned the location of the LP filling station. He would like to see it 100 feet from any buildings. He also questioned whether or not there was a way for sprinklers to be installed. Mr. DiPrima looked at the drawing and felt they would be able to locate the station approximately 80 feet from the buildings. He would speak with the installers about the sprinklers but members questioned whether or not water would be applicable to fight a propane fire. Mr. DiPrima stated that one of the requirements was to have a fire extinguisher at the location.

Noise was also a large concern. The applicants stated that the amenities will be closed at 10:00pm and "quiet time" is from 11:00pm to 7 am. They offered to send the Board a list of the campground rules.

The applicants also plan to add a miniature golf course, volleyball court and bocce court and extend the beach area. They were unsure whether or not any of these items would require an exception. The general consensus was that since no structures were being erected an exception would not be required.

At 8:15pm Chairman Bender closed the testimony and opened the Board discussion. Member Koberski made a motion to approve the applicants' requests with the following conditions:

1. a 12 sq ft sign may be installed beyond the State's right-of-way.
2. the propane filling station must be installed as close as possible to 100 feet from any buildings and comply with State regulations
3. all requests must be in compliance with life and safety codes
4. operating hours will be 7am to 10 pm, 7 days a week from May to October

The motion was seconded by Member Bowe and passed unanimously.

8:25 pm Member Bourque made a motion to adjourn seconded by Member Drown.

Respectfully Submitted,

Jaye Bowe
Zoning Board Secretary