

Waterville Valley Planning Board
Summary of the Minutes for the
Regular Planning Board Meeting
Held on Thursday, June 11, 2015 at 8:00am

1) Chairman Terry Waite called the meeting to order at 8:00 am.

2 & 3) Roll Call and seating of alternates:

Full members in attendance: Chairman Terry Waite, Bob Guilbert, Ex-officio Bill Larsen, Wendi Rathgeber, Harry Notowitz, and Nancy Knight.

Alternate Members in Attendance: Cheryl Saenger, Ray Kucharski

Members Absent: Vice-chair Cyndy Piekos, John Recine

Alternate Members Absent: Kathy Chandler

Public in Attendance: Tina Koppel (Wig Wag rep), Atty. Jack McCormack, Andi Bell, John March, Bill Cantlin

Alternates Seated: Cheryl Saenger.

Introduction of Planning Board Coordinator: Mary Pelchat

Introduction of IT person: Bryan Sopek

4) Review and Acceptance of the Minutes of 5/14/2015 Meeting.

Bill Larsen motions to accept the regular meeting minutes of May 14, 2015 with amendments (as follows).

- *Section 7* Communications line 60. Include “full size” in reference to copies of map. Sentence to read “One (1) paper printed copy of full-size map.”
- *Section 8* Committee Reports line 70. Remove “even memorial” and replace with “in place of”. Sentence to read “The smaller projects include a trail alongside Snow’s Brook and the establishment of a looped walk with established picnic areas and in place of benches along the path.”

Harry Notowitz: 2nds.

Motion was carried by a unanimous vote.

5) New Business

- **Preliminary Consulation: Lot Line Adjustment for Cragg/Barnett/WV Co.**

Atty. Jack McCormack presented the conceptual maps (102-036), for Rachel Vandevort and Michael Cragg, on how to best approach the lot line adjustment. Current house and garage are going to be integrated and garage will be converted to living space. Due to Zoning setbacks there needs to be a lot line adjustment to comply. Boundaries can be adjusted with abutting parcels by reconfiguring them.

- Atty. McCormack questioned as to whether there should be one application or more.
- Discussion follows showing which parcel, according to the conceptual map, will be involved in the lot line adjustments. 102-036 is getting parcels 1 & 2; 102-034 will be receiving parcel 3.
- Terry Waite stated, in his opinion, only one application should be needed since they are only asking for one lot line adjustment on three parcels. He went on to ask if only one recording with the Registry is needed since it will go in as one transaction.
- Atty. McCormack responded when they record the plan the deeds come from that. There are three abutters that will be affected. Cragg/Vandevort would be the applicants with the other parties agreeing to the adjustment.
- Atty. McCormack asked the Board who they would consider the abutters to be. Global view would be any party affected.
- Terry Waite suggested they go by what the Zoning Ordinance says. They would be best to err on the side of the general public.
- Harry Notowitz stated they have never taken a global view on defining this. They have taken the view that abutters are those properties directly contacting that property.
- Atty. McCormack mentions lot 103-042 is labeled Waterville Co. but is regarded as land of Cascade Ridge Assoc. In his research he found an error was made in the deeding of Waterville Co. to Cascade Ridge Assoc. the deed was not the problem; the problem was with Cascade Ridge being labeled a non-profit but the corporation was never formed so the deed went into nullity. Technically the title remains in Waterville Company. The recorded deed remains in the name of Cascade Ridge and a corrective deed will need to be recorded. Cascade Ridge has formed since this was discovered.
- Terry Waite asked for a letter explaining this submitted with this application.
- Atty. McCormack explained the process of ensuring good title.
- Terry Waite would prefer to consult with town counsel before proceeding.

• **Preliminary Consultation – Lot Line Adjustment for Fernandes/Ackley**

Presented by Mike Norman with Horizon Engineering. The applicant is Fernandes for an addition to their house. This is a lot line adjustment for two parties. Lot 102-1028 & 1027. Reason for the adjust is so Fernandes can be an addition on their house; without the lot line adjustment there are setback issues. The lot line adjustment will bring Fernandes lot to .64 acres and Ackley's to .72 acres.

- Terry Waite asked if this would be the final configuration to which Mike Norman answered yes.
- Mike Norman went on to say the only thing that might change is the easement. There was an easement given for dumpsters.
- Bill Cantlin said there are no dumpsters. Easement was granted for dumpsters for a development project that was headed by Jeff Brown. The project never happened. The easement exists but no deed was ever conveyed.
- Mike Norman told the Board the application will be before them at their next meeting.

Conservation Commission – Setback Recommendation Discussion

David Olarsch Chair of the Conservation Commission presented the Board with a suggested 25' wetlands setback (minimum space required to fulfill the master plan requirements to protect the wetlands).

- This is associated with major wetlands of which there are few in Waterville Valley, and will affect future development and would require changes to the zoning ordinances.

- Discussion as to where major wetlands lie in Waterville Valley. Brooks and streams are not considered major wetlands.
- Would affect building setbacks along with roads but would remain fine for recreational use. The Board would like to see maps with clear boundaries.
- David Olarsch said the state leaves it up to each town to set their own wetland setback as there are many factors in play.
- Harry Notowitz asked, hypothetically, if someone's septic failed and it's in the wetland setback would they have to move it. Rules now are if someone's septic fails and they are near the sewer line they have to hook up to it.
- David responds if it's an existing structure they can repair it. It's grandfathered
- Harry asked if the town can supersede what standards the states set for pesticides. David answered yes they can. Used Meredith near the lake as an example. They set their own standards.
- Terry Waite stated they need more information as to what the Conservation Commission plans to do/defining what wetlands they are referring to.
- David will email the maps as they would like to move on this as quickly as possible.
- Bill Cantlin asked if the wetland's study showed negative impact in Waterville Valley with no current setbacks.
- David answered this wasn't within the scope of the study.
- Bill Cantlin went on to say the 25' setback can affect buildability on some lots. This could have an economic impact. They can get wetland permits and would the buffer zone have an impact on this.
- David responded he thinks the Planning Board could override this.
- Mad River is protected by the Shoreland Protection Act; Cocorans Pond is not completely protected.
- Discussion on run-off silt in Corcorans Pond
- Terry Waite suggested tabling this topic until they receive the requested information. They will revisit this item later.

Review Language for Submission of Items for Site Plan & Subdivision Applications

- Discussion on wording on subsection "c" on page 11 in regards to striking out "at least two". Deleting the requirement for two of them you could wind up with one intersecting streets which then wouldn't be an intersection.
 - The purpose is to show where lots are visually on maps. Without showing intersections the lots would be difficult to locate on maps. Showing enough roads helps "paint the picture" as to where one is.
 - The intersections are a good reference as to where the lot is.
 - Subsection "c" shall read *"A site location map locating the subdivision boundary and proposed streets in relation to at least two existing street intersections and other features shown on the base map"*.
 - What does "other features" refer to? What is a base map?
 - Base map is the larger map showing features (town line, etc.). Purpose is to hone in on the location showing major features.
- Discussion on wording for Section E on page 12 in regards to Application Plan Requirements wording
 - Electronic file discussion, i.e. pdf files. Most are pdf. Should specify pdf files are required.
 - Preferred full-size maps. Discussion regarding size of preferred maps and scale of various size maps and what the Registry of Deeds accepts.

- Section “E” shall read *“Application Plan Requirements: The application plan may be drawn in pencil and shall be submitted in the following formats: one 22x34 paper print copy, an electronic .pdf file and fifteen 11x17 copies. The data shall be sufficiently clear to illustrate all conditions and to establish the basis and clarify the design requirements for the subdivisions plat. Maps shall be at a scale of not more than 100 feet to the inch (100’=1”), shall be of sufficient scale to clearly depict details of the project, and shall contain a bar scale.”*
- Discussion follows regarding where/how maps are stored with the town. Files were cleaned out due to a problem with multiples of the same plan being in the files. Plans were kept in keeping with NH RSAs.
- There is also a concern with just keeping electronic files due to possibility of losing them. Grafton County does keep copies as well.
- Discussion of wording for subsection “a” at the bottom of page 12.
 - It should read *“A site map at the scale of the official map (100’=1”) identifying exactly the subdivision location and proposed streets in relation to at least two existing street intersections and other features shown on the official map.”*
- Discussion on wording for page 5 Section 5 Submission Items:
 - It shall read *“The Site Plan shall be submitted in the following formats: one 22x34 paper print copy, an electronic .pdf file and fifteen 11x17 copies. The data shall be sufficiently clear to illustrate all conditions and establish the basis and clarify the design requirements for the Site Plan. Maps shall be at a scale of not more than 100’=1”, shall be of sufficient scale to clearly depict details of the project, and shall contain a bar scale. The Site Plan shall contain or be accompanied by the following information:”*
 - It was noted Site Plans stay at the Town Office and do not get records with the Registry.
 - All documents would be needed in pdf format in order to keep one electronic file.
 - Discussion on what paperwork is required with a Site Plan. The Board will refer to the checklist to make sure required items are on there.
 - A Public Hearing will be required to adopt the aforementioned changes.

Review Zoning Regulations renumbering and approved changes from Town Meeting 2015

- Renumbering looks terrific. Lines numbering helps to locate specific items.
- Harry points out page 28 of the Zoning Ordinance. Subsection “d” Planning Board Review refers to paragraph 1 and there is no paragraph 1. That will be edited.
- Sharon suggested the Planning Board look through the Zoning Ordinance to see if they can find other items that need to be corrected. The line numbers are for internal use only. The published ones won’t have the reference numbers. The line numbers make it easier for changes/corrections. Public hearing will only be needed to bring forth the changes the Board is suggesting.

6) Old Business

- Ray mentioned a lot line adjustment approval they did approximately five months ago. He asked if that had been signed off on.
 - Terry said he’ll have to check with Mark
 - Harry asked whose responsibility it is to make sure these things are sent off to the Registry. Ray said the Registry suggests the towns do this to make sure it is done.

- Terry asked Sharon to check on this and suggested they clear this up with their next meeting under Old Business.
- For future meeting it is suggested to add a Tickler File, for items such as this, rather than Old Business so these situations don't get overlooked.
- C1 density, shared parking, and restricted parking are three items that can get put on the Tickler File for the next Agenda.
- Bill Cantlin suggested, for those who attend the meetings, to be able to know what they intend to discuss.

7) Communications

- **Letter from Waterville Company regarding a meeting that was held in 2011**

- Terry Waite reads the letter (copy of which is attached to these minutes).
- The Board had determined duplexes would not be allowed, under the present rules.
- Bill Cantlin asked if they decided to go on a variance they need an official denial letter from the Planning Board.
- Harry asked if they know, as a Board, if something is not allowed under Zoning why they put a developer through the application process.
- Terry Waite reads letter in regards to the development the original letter from Waterville Company refers to, dated 12/22/14. Bill Cantlin didn't recall the letter as being a denial, it stated conditions.
- In a binding fashion they cannot say it was accepted. Can't give formal rejection until an application is received.
- There is a discussion on the duplex issue and how to move on with it.
- Terry asked the Board if they are undecided on this issue. Harry recalls they had run out of time. They needed to see the whole plan in order to determine density; they never said they would or would not do that.
- It is suggested they ask Mark to seek town counsel so this can be put to rest.
- Bill Cantlin said he had met with Mark and was pointed to the Preliminary Conceptual Consultation in the Subdivision Regulations which state any person may appear at a regular meeting of the Planning Board to discuss a subdivision proposal in conceptual form, and in general terms they can review the proposal with regards to the master plan and the Zoning Ordinances. Bill went on to state it was their understanding if the Planning Board doesn't agree with the conceptual he could then go to the ZBA
- Terry asked him how they review a concept with nothing to look at (referencing an actual application). Bill said it shall be in general form – discussing basic concepts.
- Chris Hodges said he thought the idea of a conceptual was just to get feedback from the Planning Board; not to approve.
- Bill Cantlin asked the Board if they remember how the discussion first came about; when they started talking about not allowing single-family homes in the C1 area and then triplexes got brought up. Ray recalls they were only going to allow dwelling units over businesses in the C1 district.
- Discussion on what to call various dwellings containing different number of number of family units. Multi-family dwellings (3 or more) are allowed in C1.

- Harry suggested they have a meeting to discuss the definition of multi-family housing, duplexes, etc. and set a standard for what is or is not allowed. Take a formal vote as to whether they are or are not allowed.
- Terry requests this issue be put into the tickler file.
- Bill Cantlin informed the Board they will be cleaning up the site. They aren't starting construction but there will be some activity going on. Terry Waite asked them to clean up the fill that is on the site. Bill said there has been some cleanup.
- Ray asks if there is a time frame involved in answering Mr. Cantlin's question. Feels they owe him an answer. A "time clock" is involved in the final application, is not sure in a consultation. He is told a consultation is nonbinding so there shouldn't be a time table.

8) Committee Reports

• Pedestrian Village Study Presentation Review

- Village Condos has agreed to have a sidewalk built on their property. The sidewalk will be maintained by the town.
- Signage was discussed at the Committee meeting. The branding should be tied in with logos from all entities (colors, fonts, etc.). Signs (resort related) should be easily readable and have the ability to be switched out between seasons. Signage is still a work in progress.
- Tree Trimming Recommendations. Many areas are overgrown. The master plan has wording that allows what the Committee is suggesting.
 - Harry said most of this is on private property and wondered who was going to pay for it. Cheryl said Chris Sununu had offered to help with some of it. Areas such as Golden Eagle they would need to talk to ownership.
 - Nancy said there is need for a long-term plan. Cheryl said this would be tough to enforce.
 - It is mentioned that areas such as Golden Eagle might prefer the privacy having the foliage overgrown.
 - It is asked if the Conservation Commission might want to have some input on this in regards to cutting around the pond and be given the opportunity to make some suggestions. Nancy finds the information on native plant species to be vague.
 - Harry asked if the Board has the authority to dictate this. He likes the idea of coming up with a master landscaping plan and they could start with voluntary compliance.
 - Discussion on resources they can bring in to assist with creating a plan. Harry said there are multiple resources available within the town.
 - The suggestion to clear around the pond didn't imply they wanted it cleared out; just cleaned up. Nancy is unsure on how to go forward with this. It is suggested to get the Conservation Commission's input on this and Nancy should consult with them at their next meeting. Sharon did share the Tree Trimming Recommendations with them already.
- They are continuing to work on lighting and trails around the town.

- Chris Hodges said they are working on temporary cycling and pedestrian salutation for the summer. The SelectBoard is having a public hearing on this issue on 6/24.
 - 25 mph speed limit
 - Bikes off the sidewalks and into the flow of traffic
 - Signage and stencils painted on the road to direct cycles to use the roadways
 - Upgrade trails in the village to encourage more use
 - Share the Road campaign. Will encourage the resort to help with the campaign.
- Discussion on lowering the speed limit and getting people to slow down.
- Bob Guilbert mentioned the aesthetics of the golf course maintenance building. He is told there are plans to beautify the area. Chris Hodges said the new owner, Mr. Larson, wants to be a good neighbor. Discussion on golf cart crossings and where they might want to consider placing one.

9) Board Concerns

- None

10) Adjournment

Harry motions to adjourn the meeting at 10:50 am.

Wendi Rathgeber: 2nds.

Motion was carried by a unanimous vote.

Respectfully submitted,

Mary Pelchat

Planning Board Coordinator

Waterville Valley Town Office