

Waterville Valley Planning Board  
Summary of the Minutes for the  
**Regular Planning Board Meeting**  
**Held on Thursday, July 9, 2015 at 8:00am**

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

**2) Roll Call and seating of alternates:**

Full members in attendance: Chairman Terry Waite, Vice-chair Cyndy Piekos , Bob Guilbert, Wendi Rathgeber, Harry Notowitz.

Alternate Members in Attendance: Ray Kucharski, John Recine

Members Absent: Ex-officio Bill Larsen, Nancy Knight

Alternate Members Absent: Kathy Chandler, Cheryl Saenger

Public in Attendance: Janet Carlisle (Wig Wag rep), Atty. Jack McCormack, Bill Cantlin, David Olarsch

Alternates Seated: John Recine, Ray Kucharski

With John Recine and Ray Kucharski both having been seated it was determined one of them did not need to be seated; Ray Kucharski unseated himself.

**3) Review and Acceptance of the Minutes of June 11, 2015 Meeting.**

Bob Guilbert motions to accept the regular meeting minutes of June 11, 2015 with amendments (as follows).

- *Line 52* – add the word “three” to the number of lots involved in the lot line adjustment that was discussed.
- *Line 61* – replace the word “air” with “err”
- Anywhere Corcorans Pond is mentioned remove the apostrophe
- *Line 121* – should read “Mad River is protected by the Shoreland Protection Act; Corcorans Pond is not completely protected.”
- *Line 196* – replace the word “shore” with “clear”.

Wendi Rathgeber: 2nds.

Motion was carried by a unanimous vote.

#### 4) New Business

- **Bill Cantlin (Waterville Company) conceptual consultation 7 Clearwater Lane (Lot 107-003) building garages**
  - Piece of land across from parking lot now used for storage by Will Lambert. Would like to build garages and mini-storage units. Plan is preliminary. Big part of the parcel is within the Shoreland Protection Act. Garages will be condominiumized. Question to the Planning Board is this just a site plan review application as the state has a lot of regulations relative to the units being condominiumized; or do they want both subdivision and site plan review. When something is condominiumized it is technically a subdivision.
  - Terry Waite asked if the subdivision is the building or the land it would sit on.
  - Mr. Waite continued with he doesn't see where much of the subdivision rules would apply in this case.
  - Ray Kucharski believes a legal opinion is needed for clarification.
  - Mr. Cantlin stated with condominiums an "as built" plan needs to be filed with all the walls that define the condominium units.
  - Mr. Kucharski stated it might be two processes.
  - Mr. Waite commented due to the legal ramifications they should get legal advice to which Mr. Cantlin asked when he would have an answer. Discussion followed on how long it took to get an answer to another question.
  - Cyndy Piekos asked if a buffer zone was needed for infiltration; Mr. Cantlin said no. Plans show they are backed up to the infiltration pond. Runoff would be controlled prior to construction. Backside of garages are near the pond.
  - Ms. Piekos explained a scenario to which Mr. Cantlin said would not be a concern. Items stored in the units (paints, etc.), for instance, if they should leak. Will the infiltration pond protect the wetlands. Mr. Cantlin said any of the garages around here would have the same items stored in them.
  - Mr. Waite asked if the units would be heated. Mr. Cantlin said there is a demand for heated spaces. There might be ski lockers in the upper level. But this hasn't been determined at this point. The units will be 14x20 which is the current concept.
  - There will be garages on the first 2 levels and mini-storage units on the third level. Question is how to maximize what can be on the land and not affect the impervious surface. The high point is the back of the garages.
  - There could be as many as 48 garage units. Access to upper level would be a ramp. Mini-storage units would not be condominiumized.
  - Wendi Rathergeber asked if Public Works Dept. had looked at the plans to make sure the building wouldn't affect the overflow of the pond. Mr. Cantlin said the plans were engineering to have no affect on the pond but no one in Public Works has seen the plans.
  - Mr. Waite asked Mr. Cantlin if he had gotten his answer from his question at their last meeting. Mr. Cantlin stated he had. Listed in the zoning ordinance a duplex is nonconforming use so need for an application.

## 5) Old Business

- **Review Language for Submission Of Items for Site Plan & Subdivision Applications**

- Harry Notowitz said on Page 11 Item 4C notes need to be amended to include the words “at least two”.
- Page 12 Item E2A retaining the wording “at least 2”.
- Since language is now acceptable in order to adopt the changes a Public Hearing will be needed.
- Mr. Kucharski said they received paperwork stating what the Registry needed. Mr. Waite wondered if they should have the wording “requirements will meet the Registry needs” since they frequently change what they need.
- Mr. Waite said he’ll review the Registry’s requirement and they will discuss at the next meeting.
- Mr. Cantlin asked how one would get a copy of the proposed changes the board has been discussing regarding the site plan review and subdivision. Mr. Waite said he has no problem issuing a copy of the updated wording to a developer. A Public Hearing will be required in order to accept the updated wording. At this point the changes in wording are proposed.
- Mr. Kucharski questions site plan review regulations first paragraph of the authority looking for clarification if a 2-family condominium is considered a 2-family dwelling. If you had two multi-family condos on one lot does it require a site plan review?
- Mr. Waite reads the definition of 2-family dwelling and definition on condominium. Sounds like 2- family dwelling falls into definition of a condominium or vice versa.
- Mr. Kucharski would like to see the Planning Board review the definition of two-family homes.
- Discussion follows regarding differences between 2- family dwelling and 2-family condominiums regarding common areas.
- Ms. Piekos stated two-family dwelling is owned by one entity. Two condos in one building are owned by separate entities. She reads the definition of two-family dwelling unit.
- Mr. Waite said they would have to have a reason to be reviewing it in order to change it. Two-family condominium would have to be a subdivision because of the building. Does a condo require a subdivision review? If it did then it would require an application under this definition.

- **Conservation Commission – Setback Recommendation Discussion**

- David Olarsch shared a presentation with the Planning Board showing areas that should be preserved as wetlands – Upper Snows Brook and area around where the former Stone Property Management building is. Not a lot of wetlands left in Waterville Valley that hasn’t been built around.
- Definition of a buffer zone. Proposing a 25’ buffer. Some towns have been 50’ and 100’ buffer zones.
- Mr. Olarsch has been getting conflicting reports on Corcoran Pond so is leaving that off the table for now.

- Mr. Waite asked about how to deal with changes in the wetland areas. David said there has to be some give and take on that. Land changes. When someone develops a piece of land updates would be needed.
  - Wetlands are determined by many factors. Some are a pond, some are a marsh.
  - Mr. Olarsch commented that at this point, due to some complex issues, he would recommend excluding Corcoran Pond from the proposed wetlands designation. Would be nice for more of the shoreland to be opened up for activities. It has become quite overgrown.
  - Mr. Cantlin asked if they were proposing a no-cutting zone in the buffer zone to which Mr. Olarsch answered yes. Mr. Cantlin said certain things can be cut as long as the soil is not disturbed. Can cut in the winter time when the ground is frozen.
  - Mr. Waite asked if there was information regarding how cutting a tree can disturb a wetlands area.
  - Mr. Notowitz said it would make sense to have answers to the questions they have. Prime wetlands would have to be designated. Size of body of water and size of wetlands are key. Waterville Valley doesn't have a lot of wetlands.
  - Mr. Cantlin thinks they are trying to fix something that isn't broken. There are always unintended consequences.
  - Mr. Olarsch said there is not currently a problem. This should be seen as preventive medicine.
  - Mr. Waite asked if the DES has any standard on setbacks to which Mr. Olarsch answered they have left it up to each community but they do want to have a survey done. This has been done.
  - Mr. Waite said he would like to see the Conservation Committee develop the wording which the Planning Board can review and discuss.
- **Signing of Plat Map for LLA between Town of Waterville Valley and Waterville Valley Company ~ Lots 107-003 and 107-005**
    - Discussion on this history of the lot line adjustment.
    - Lots were adjusted/combined but there was nothing recorded with the Registry.
    - Mr. Cantlin said it's a bit late in the game to be worrying about it now as this has been sitting on someone's desk for some time. Is there anything that is recorded with his or is it just a notice of merger.
    - Mr. Waite said he'll have to ask Mark. Seems it was just done and set aside and not recorded.
    - Ms. Piekos reads some minutes that go back to January regarding this. The zoning changes were voted on changing from Commercial to Civic.
    - Mr. Cantlin said deeds were submitted with a plat for the merger of these properties.

## 6) Communications

- Sharon shares Law Lecture series information for Planning Board members to attend if they choose. They also offer video conference.

## 7) Committee Reports

### • Pedestrian Village Study Presentation Review

- They had light attendance due to the time of year. Was mostly a review session. August 1<sup>st</sup> town will be reducing the speed limit to 25 mph. Also moving bike traffic off the sidewalks and decals will be applied to the roads. This is going to be a 4-month test. Will be offering an education PR program. The mountain will be participating with that.
- Tecumseh Rd. sidewalk is underway. Village has agreed to allow the town to use 8' to 10' which is sufficient for what the town intends to do.
- They will be looking for grant writers to assist with finding funds to assist with this and lighting issues.
- Waiting to hear back about a comprehension plan on the signage mentioned at the last meeting.
- Bus stops and signage they hope to make more permanent this year. Study recommends decreasing the number of stops. The temporary signage is not ideal. Overall feeling is if there is a nice stop more people will use them rather than wait at the lodges.
- Village Trail rework is under way. Gravel has been put down to make it easier to travel on.
- Planning Board has more experience on lighting issues so it has been kicked back to them. Bill Cantlin conducted research on lighting and has copies for the Board. Research was done on the towns of Peterborough and Raymond. Adding this to the Tickler List. Mr. Waite asks if a Lighting Committee should be set up. He asked Bob Guilbert if he would like to serve on the committee and he would. It was suggested to ask Nancy Knight if she would like to be on this committee.
  - Bill Cantlin reported the towns he checked with have strict ordinances and they don't get complaints on lighting.
  - Mr. Guilbert reported this had been looked in to before but not much was done. Mr. Cantlin suggested getting Chris Hodges involved.

## 8) Tickler Files

**Not addressing the Tickler Files at this meeting. Mr. Kucharski would like to add the extension of Boulder Path to the next meeting's Tickler File.**

- C1 Density
- Shared Parking
- Restricted Parking

## 9) Adjournment

Ray Kucharski motions to adjourn the meeting at 9:40 am.

Bob Guilbert: 2nds.

Motion was carried by a unanimous vote.

Respectfully submitted,  
Mary Pelchat

Planning Board Coordinator  
Waterville Valley Town Office