

Waterville Valley Planning Board  
Summary of the Minutes for the  
**Regular Planning Board Meeting**  
**Held on Thursday, August 13, 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, Ex-officio Bill Larsen

Alternate Members in Attendance: Ray Kucharski

Members Absent: Nancy Knight

Alternate Members Absent: Kathy Chandler, John Recine, Cheryl Saenger

Public in Attendance: Mark DeCoteau, Janet Carlisle (Wig Wag rep), Bill Cantlin, John March of Mountain Mapping, Eric Pospesil with Horizons Engineering, Andi Bell, Alan Ward

Alternates Seated: Ray Kucharski

**3) Review and Acceptance of the Minutes of July 9, 2015 Meeting.**

Bob Guilbert motions to accept the regular meeting minutes of July 9, 2015 with amendments (as follows).

- *Members Absent (line 16)*– Cheryl Saenger should be listed under Alternate Members Absent
- *Page 2 (line 83)* – should read “as many as 48 garage units.
- *Line 108* – Change to read "Mr. Cantlin asked how one would get a copy of the revised site plan review.
- *Line 210* - Change the word "live" to "like"

Cyndy Piekos: 2nds.

Motion was carried by a unanimous vote.

#### 4) New Business

- **Application for Design Review ~ Lot 105-010025, 3 Brownstone Way - Brownstone Development, LLC c/o Robert Digennaro**
  - Proper notification is complete.
  - Design review is presented by John March of Mountain Mapping; representing Moose Crossing Townhouses. Mr. Waite reminds the Board this is a Design Review session.
  - John March stated Moose Crossing is about 10 years old (buildings 1, 2 & 3). Buildings 4 & 5 are proposed; first proposed in 2005 and nothing has changed other than the new plan adds a second retaining wall. He attempted to design a 3rd retaining wall but there was not enough room at the site. Dumpster will remain at the same location.
  - Mr. Notowitz pointed out there seems to be an error in the road elevation. John March made a correction. 100' is the proposed elevation.
  - Mr. Notowitz asked about wetland areas and if runoff will be able to be diverted. John March mentioned the purpose of wetlands is to cleanse runoff. This would be the parking area near building #4.
  - Ms. Piekos says she is concerned with the runoff due to the grade. Asks what will be done to protect the units from the runoff. She asked what they are doing to protect the buildings from the runoff, which could be heavier due to the wetlands and the grade of the property.
  - Alan Ward answered with the proper pitch of the grade the wetlands will be lower than the buildings.
  - Mr. Waite mentioned the plan shows contours as being existing, yet they are proposed. John March confirms these should be solid areas.
  - Mr. Notowitz noted the pitch going to dumpster area appears to be steep. John March said it is necessary with the existing topography. They need to keep the entrance to the dumpster area flat.
  - Mark DeCoteau mentioned flat rate trash fees now exist so they could use the transfer station and eliminate the dumpster.
  - Mr. Waite mentioned cutting into the slope for the new retaining wall and how water “gushes” off that hill. John March shows the slope on the plans. They are studying this closely and are proposing a specialized rock wall with a weight limit of 1200 pounds. Alan Ward stated they are also looking into how backfill will divert the water and not put pressure on the wall.
  - Alan Ward approached the board to show them, on the plans, where the back walls will be for the above purpose. Also the pitch will be set to allow the runoff to flow away from the buildings.
  - Mr. Notowitz asked about snow storage. John March said they would probably have to haul snow away as there is no place to push it. If they could remove the dumpster the snow could be pushed into that area. John asked if he would have to make a formal request to have the dumpster removed.

- Mark DeCoteau said he would look into the condo ordinance. Bill Larsen stated there are no requirement he knows of that makes a dumpster a regulation.
- Mr. Notowitz asked Bill Cantlin if they plan on extending Moosewood Drive. He responded he didn't know at this time.
- Mr. Larsen asked if Brownstone Way will ever become a public road. John March said he was not sure of that, didn't think anyone had thought of this. Mr. Larsen stated the buildings would have to meet the setback requirements if that was ever to be considered. The plan being reviewed showed a 20' setback.
- Mr. Waite asked if this was an LDR (lower density residential) zone; Bill answered it is VC (village commercial). Discussion on zoning of the lot. Was originally VC but was changed to LDR. Mark is asked to research how/why this was rezoned and find out what the procedure is to return it to LDR. Mr. Waite recalled this came about as a request by the association; and is an unattended change.
- Mr. Waite asked if there was any further discussion or questions on this design review.
- Ray Kucharski asked if the units are to be the same size as the existing ones; John answered this is correct.
- Mr. Waite mentioned snow storage being an issue at another project and wants John March to be aware of the significance of this, and suggested this be looked into further. Mr. Notowitz mentioned that area having a really steep grade.
- There was discussion regarding ways to work with the grade involving snow storage.
- Mr. Larsen suggested John talk to Chris Hodges regarding adequate space for emergency vehicles.
- Mr. Larsen asked Mr. Waite about PB members discussing such things outside of a meeting. Mr. Waite confirmed design reviews can be discussed as there is no formal application.
- Mark DeCoteau confirmed that once there is an application the preference is to not talk about it outside of a meeting; the law states that once an application is accepted as complete the plan can still be changed up until that point. Town counsel recommends once an application is presented, whether it is accepted or not, don't talk about it outside of a meeting. This does not apply to a design review as it is not an application

• **Application for Minor Lot Line Adjustment ~ lot 102-036, 124 Boulder Path Rd. – Cragg/VanDerVoort**

- Proper notification is complete and a public hearing has not been requested.
- Application is presented by John March of Mountain Mapping; representing Michael Cragg/Rachel VanDerMoort.
- Lot line adjustment is to allow room for an addition to the existing home. Existing garage is closer than 20' to lot line.
- Mr. Waite asked if the garage meets setback requirements. John said it is subject to interpretation.

- Mr. Larsen read the definition no principal building shall be located within 20' of any other lot line; no accessory building within 10' of lot line.
  - Mr. Waite asked if there is any need for regrading; Andi Bell answered there will be a temporary construction road around the building but when they are done it will be returned to the state it was in prior to construction.
  - Mr. Larsen made a motion to accept the application as complete; Wendi Rathgeber seconded the motion. All in favor.
  - Mr. Waite stated they need contours added to the plan. Mark said the plan shows spot elevations which meet the requirements. They can approve the lot line adjustment with a contingency that the requested drawing show the proposed contours be received in 30 days.
  - Mr. Larsen made a motion to approve the application with the contingency they will receive the mylar showing contours within 30 days; motion seconded by Ms. Piekos.
  - All members voted in favor of approving the application.
- **Application for Minor Lot Line Adjustment ~ Lot 105-010028, 22 Flat Mountain Rd. – Fernandes**
    - Proper notification is complete and a public hearing has not been requested.
    - Application is presented by Eric Pospesil of Horizons Engineering
    - Mr. Larsen made a motion to accept the application as complete. Mr. Waite seconded the motion. All Board members voted in favor.
    - The lot line adjustment is needed to add a sunroom to the home.
    - Zoning is noted as being VC but is in LDR.
    - There was discussion regarding the actual zoning at the location. Mark noted that Article II at the 2011 town meeting stated a change in zoning of selected lots and there are maps and minutes to back that up, and it is being researched. It is noted that even with the change in zoning the setback for a single-family home won't be affected.
    - A note should be placed on the drawing stating the zoning issue. This shouldn't change the results; it is a situation beyond the control of the applicant. They do need to get this clarified. Mark is tasked with researching what the intent on these changes was.
    - Mark stated the Registry plan doesn't require zoning. Zoning could be removed and the plan submitted without it.
    - Mr. Larsen made a motion to approve the proposed lot line adjustment subject to striking out the reference to zoning, which is on line 6 on the mylar. Mr. Guilbert seconded the motion.
    - All Board members voted in favor of approving the application.

## 5) Old Business

- **Review Registry Requirements**

- Mr. Waite noted he was tasked with this and adding a note to subdivision application requirements stating the final plat plan has to meet the current requirements of the Registry of Deeds would be a good idea.
- He continued with the only thing that came up was in the subdivision requirements for the plat plan can be complicated when it comes to minor lot line adjustments. At the beginning of the application process, minor lot line adjustments and minor subdivisions implies no final plat plans need to be submitted to meet Registry requirements, yet the town requires them to be recorded. It should be noted that these are required to be submitted in a form that is acceptable to the Registry. The wording should reflect this. Mark said they don't have to but they should if they come in a form that is acceptable. The town takes the information they receive and submit it to the mapping company (Cartographics).
- Mark stated a deed can change the meets and bounds in the description which the mappers can use to change the boundaries of a parcel. Mark gave an example using the recent lot line adjustment for town property which used deeds to make the adjustments. Having a plan and a deed makes it very clear what is intended. Deeds are between the property owners.
- Mr. Waite suggested the wording be changed for the plat plans (final) to meet the requirements of the Registry of Deeds. Question is whether a minor lot line adjustment should be a plan. Asks the Board to continue to think about this issue while Mark checks with wording from other towns.

## 6) Communications

- None
- Mr. Notowitz asked about the reviewing of proposed wording changes to subdivision and site plan reviews.
  - Subdivision Regs. 4C site location, Locus map, locating subdivision boundaries, and proposed streets in relation to at least two existing street intersections, and other major features shown on the town's tax maps (page 2).
  - Page 12 In E2 to show at least 2 existing street intersections.
- Mr. Larsen made a motion to approve the wording as Mr. Notowitz has revised. Motion seconded by Ms. Rathgeber. All Board members voted in favor.
- A Public Hearing will be tabled until the wording on the Registry requirements is completed and accepted (added to Tickler File).

## **7) Committee Reports**

- **Town Core Group (presented by Wendi Rathgeber)**

- They met with Tiffany Hammand who is a grant writer. Tiffany is in the process of finishing the application.
- The painting is done on the roads with emblems notifying bike riders and skateboarders to stay off sidewalks and share the roads. There is conversation regarding the size/number of the signs. Test period for this runs until November of this year. There will be added locations for the signs depending on the feedback of the project.
- The two grant applications are due September 21. One is a Bureau of Land Management Grant and the other is an Our Town Grant. They had also met the day before this Planning Board meeting and discussed items needed for the grants.
- They will look at another larger grant in the spring which is more infrastructure related. They will also be looking for letters of support via a mailing campaign.
- Mr. Larsen said Chris Bierbrier came to the last Selectmen's meeting and asked the Board if there was anything they could do to help educate guests regarding behavior. Discussion on guests' behavior follows; behaviors that should be addressed.

- **Lighting Committee**

- Mr. Guilbert informs the Board he cannot accept being a part of the Lighting Committee. He suggested they ask Nancy Knight.

**Mr. Kucharski suggested addressing some of the Tickler File items primarily the C1 Density issue.**

## **8) Tickler Files**

**Wording on Subdivision Regs./Registry Requirements prior to holding a Public Hearing**

- **C1 Density**

- There was a previous proposal of making the density higher in the C1 zone..
- Mr. Larsen stated there is too much land dedicated to parking in that area. Some of the parking areas are never used. Regulations regarding this are probably not needed. This is the parking area around Black Bear – 2<sup>nd</sup> parking lots. Removing this would provide flexibility for other stuff.
- Mark said there is 0 to 5% use during a busy weekend. People will park on snow embankments but not the empty lots.

- Ms. Rathgeber suggested instead of dedicated parking lots they should look into street parking. Ms. Piekos said they would have to take emergency vehicles passing through into consideration.
- Mr. Larsen said they are always looking for land. This could be a solution that works for everybody.
- Bill Cantlin said if they really want to work on density numbers they will need a detailed plan. This will probably require professional planners.
- Mr. Notowitz asked what kind of advise (professional) they might be looking for. Mr. Larsen responded they will need someone who can create a visual which will have more impact.
- Bill Cantlin brought up some points:
  - What are the ways to increase density in the zone?
  - Look at the existing zoning and come up with a way to increase density
  - Some ways are to reduce the parking requirements, increase building heights, increase setbacks, and how to apply those
  - Mr. Waite asked how to fund these studies.
  - Mr. Larsen suggested they start with laying out what they want in the center section. And then ask - what, as residents, do they want?
  - Ms. Piekos said a lot of this is contingent on what is going on “up the hill”. Do they go ahead and do their planning without the thought of what is going on at the mountain, or do they think of what is going on at the mountain and then do their planning.
  - Ms. Rathgeber said regardless of what is happening at the mountain they need to have regulations.
  - Mr. Waite said they need to form a committee to come up with addressing what the goals might be. When the committee has come up with what the desires are then move on to the next step.
  - Mr. Larsen commented land that is developed needs to become higher density but land that can be should be preserved as unopened space. A combination of the two. They need to hash out what the goals are.
  - Bill Cantlin offered to share plans from SE Group for Waterville Company’s land which included a density increase. Density shown on that land assumed existing parking requirements as well as existing setback requirements.
  - Mr. Notowitz said they need to balance out what they want the town to be. Mark said it would also be up to them to turn what they want into regulations.
  - Ms. Rathgeber said they need to take what little property they have left and determine what is ideal.
  - Mr. Waite commented that at this point, they will need further discussion as to what might be their goals.
  - There are many properties, in town, that are at the point of needing tearing down or repair.

- Bill Cantlin offers to show his mentioned plan to the Board. The Board closed the meeting to enter into a Work Session to view these plans.

- **Shared Parking**
- **Restricted Parking**

#### **9) Adjournment**

Bob motions to adjourn the meeting at 10:30 am.

Harry: 2nds.

Motion was carried by a unanimous vote.

Board enters into a Work Session.

Respectfully submitted,

*Mary Pelchat*

Planning Board Coordinator

Waterville Valley Town Office