

Waterville Valley Planning Board
Summary of the Minutes for the
Regular Planning Board Meeting
Held on Thursday, September 10, 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, Nancy Knight, Wendi Rathgeber, Harry Notowitz, Ex-officio Bill Larsen

Alternate Members in Attendance: Ray Kucharski, John Recine, Cheryl Saenger

Members Absent:

Alternate Members Absent: Kathy Chandler

Public in Attendance: Mark DeCoteau, Janet Carlisle (Wig Wag rep), Bill Cantlin

Alternates Seated:

John Recine left the meeting at 10:15; Bill Larsen left the meeting at 10:45

3) Review and Acceptance of the Minutes of August 13, 2015 Meeting.

Terry Waite motions to accept the regular meeting minutes of August 13, 2015 with amendments (as follows).

- *Members Absent (line 16)*– Cheryl Saenger should be listed under Alternate Members Absent
- *Page 1 (line 20)* – Complete Mark DeCoteau’s surname
- *Page 2 (line 60)* – Change to read “100’ is the proposed elevation”
- *Page 2 (line 73)* – Move “the” before “existing”
- *Page 4 (line 141)* – Change to read “contingency that the requested drawing”
- *Page 5 (line 189)* – Change to read “The town takes the information”
- *Page 6 (line 223)* – Sentence should read “Tiffany is in the process of finishing application”.
- *Page 6 (line 236)* – Change to read “They will look at”

Bob Guilbert: 2nds.

Motion was carried by a unanimous vote.

4) New Business

- **Craig Larsen (WV Golf Course) Conceptual Consultation**

Lot 105-009 ~ 1 Boulder Path Road

Golf Driving Range

Winter Operations – Tubing

- Craig Larsen told the Board this was an informal consultation versus conceptual.
- Would like to make the driving range more formal than it is now.
- Property is owned by Waterville Company.
- Freedom Passes offered by the lodges bring in guests who have never played golf so they are given the option to go to the driving range. There has been heavy demand for this. They are trying to control it properly.
- Plan to fence some of the area in. Poles will be permanent with netting having the ability to be removed/moved.
- There was an incident that involved kids using the driving range after dark. A vehicle was hit with a golf ball.
- Idea is to turn t-box toward the tent area, away from the parking lot and ice arena. Will be staying 100 yards from the tent.
- Bob Guilbert asked Craig if he could supply the board with a rough drawing of his plan.
- The fence would be along the inside of the access road, and along the inside of the ditch.
- Range would be staffed during July and August from the hours of 10 am to 8 pm. He plans of having a portable building that could be moved to another area for another use.
- Craig isn't sure on the height of the fencing but would probably go with 12'.
- Needs to get input from the Resort Association.
- This is located in C1 District.
- Wendi Rathgeber said this sounds like a good idea. Craig said he has received a lot of support.
- Bill Larsen asked if a hearing would need to be held and if this use would be grandfathered. Terry Waite answered he would think so.
- Craig said this wouldn't be a permanent thing. The property is currently for sale.
- Mark DeCoteau said they would need to pick something that is allowed; nonconforming, grandfathered. If the net is being put up they need to determine if that is a change of use or if the land is grandfathered.
- Bill Larsen reminded the Board once they grant approval it is approved forever. The approval goes with the property.

- Mr. Guilbert mentioned the visual, and would like some idea of the pole placement. Mark asked how they would approve this if there were no plan to approve.
- Craig said before he could draw something for the board he would need to know how heavy the netting is, which would determine the pole placement and determine which direction to have the t-box. He's not looking to make a major driving range. He doesn't want a substantial investment. Currently what he is doing isn't working for guests or for him.
- If the resort association doesn't agree with this plan he won't do it.
- Mr. Waite said he thinks a site review is required. A field trip is suggested. He believes this would need a public hearing. Bill Larsen replied abutters would need to be noticed.
- Craig responded he is trying to solve the problem of people who have never played golf but want to use the driving range.
- Mr. Larsen mentioned miniature golf. Craig said he has thrown that around and it is expensive to create but popular. A miniature golf situation must be sophisticated.
- He has no plans to go into restaurant business at the clubhouse. They serve some food but he has no intentions of becoming a restaurant.
- Craig moves onto the tubing aspect of his consultation. Mr. Waite mentioned how to handle the golf range aspect and informed Craig there was nothing binding at today's meeting since this was only a consultation but they would be looking for a site plan submittal.
- Craig plans on running winter tubing. It might be a combination of him and the mountain. He owns the land. The mountain operation didn't exercise their option in August so now any option is null and void.
- Tubing is popular in the winter. The location is great.
- Three things could happen – mountain runs it, they run it together or he runs it himself.
- Mr. Guilbert said there were concerns about the lighting. Craig said the lighting will be changed. He plans on installing permanent lighting – no generated lighting. He also wants to construct a shed, the one from the driving range consultation which he can use for both businesses; summer at the driving range and winter at the tubing operation.
- He is currently grappling with transportation. Parking lot at golf course would be open. He is working how to sell tickets (lodges and other businesses – hoping 90% of tickets be sold off-site).
- Plans to be open from the day after Christmas to March 1st.
- Craig explains to the Board about lift systems he is interested in. Wire lift being the one he will probably go with.
- There will be no street parking. He has been toying with a small parking fee to discourage people from using the parking lot. He'd like to find a method of busing people in and might consider paying a busing company to do this.

Discussion follows regarding using a regional transport system/rec. bus to bus people to the tubing center.

- Minimum parking requirements in the bylaws don't allow enough parking.
- Discussion on lack of employees for the mountain.
- Craig doesn't plan on installing a fence at the base of the tubing area due to someone running into it after hours – although anyone being there after hours will be highly discouraged. Will probably plow the area under once the tubing center closes.
- John Recine asked if he was okay with the x-country skiing going through the land. Craig answered yes and they have a permanent easement for the area. When he purchased the land he knew this existed.
- Mr. Waite said as long as Craig continues to operate as they have in the past he won't need a site plan review; will need one for lighting upgrades.
- They won't be lighting up the whole place and lights will be going off at 9pm. Craig will also be looking into purchasing a lift (used wire lifts are easily found).

• **Discussion of dormitories in Village Commercial (VC)**

- Harry Notowitz shared the definition of Dormitories from the Zoning Ordinance; and then presented his suggestion for revisions of the definition. Only allowed in VC District. Dormitories are allowed under very specific conditions but the definition is very broad.
- Mr. Notowitz would like to see dormitories out of VC but knows that is not practical. Changing the definition would allow more control for the ones that could potentially be placed in the more residential areas.
- He would like to see dormitories being allowed for educational purposes but not for groups of workers outside of the Valley.
- Discussion follows regarding housing for temporary mountain workers (they generally rent condos for this purpose).
- Ms. Rathgeber asked why they wouldn't want to house workers in residential areas. Mr. Notowitz answered potential for disruption due to young people living in an area where there isn't much to do at night.
- Work force housing is defined is state law; encourages developers to build low-cost housing.
- Mr. Kucharski commented housing for adults won't have the same need for chaperoning as housing for students would.
- Mr. Larsen replied that people can find cheaper housing outside of the Valley and he doesn't see the feasibility of not allowing dormitories.
- Mr. Larsen doesn't believe this can be written into zoning. Too restrictive.
- Ms. Knight asked if this would include any group housing, such as mental health or worker housing which is not defined by this definition but is considered a

- dormitory; but would this still be allowed as it's not being touched on by the town's definition or the zoning regulations.
- Mr. Larsen said if they checked state law they would probably find out it is allowed.
 - Mr. Notowitz said they have an opportunity to make a narrower definition. His concern was someone would put dormitories in the VC zone and house workers/laborers that don't work in WV and he doesn't find it appropriate. Would like to see this defined before an application is placed in front of them.
 - Ms. Rathgeber would like to know what the state law is on this.
 - Mark said the Master Plan talks about such housing; the town will offer low-cost housing which they do through smaller condo units. A lot of people who work in the Valley do live in these smaller condos.
 - Mr. Waite commented this is an interesting issue. Zoning that allows dormitories surrounded by residential units; even if it is an allowed use and if the Board feels it's inappropriate for the surroundings does the Planning Board have the right to reject an application on this. Mark said it would be very difficult. Town counsel should be sitting there advising whether it could be voted against, at a public hearing. If they want to avoid such an issue they make sure that use is included in the definition.
 - If the Planning Board turned an application down the applicant can go to the Zoning Board and if the application meets the established criteria they could approve the application, if it's an allowed use.
 - Mark told the Board when the Special Exception is granted there is still site plan review. Planning Board is still going to be looking at the project.
 - Mr. Larsen stated they can't change the definition of the word dormitory. They would have to change the use. He commented he believes they can't turn down an application due to the diminution of property values.
 - Mark commented if it's in there as a use by right in that zone and the person has met all the criteria it is difficult to say no. Purpose of the zoning ordinance is to protect property values. Example – placing a coal plant in the middle of a residential area.
 - Mark they have two choices leave it as it is and add "by special exception" or leave as is and add "use by right".
 - Mr. Waite commented that in listening to the discussion it seems difficult to define it to address the concern; it's a matter of opinion and a matter of application.
 - Mr. Larsen asked what it is they are trying to keep out. Mr. Waite answered "good point".
 - Mark points out page 23 of Zoning Laws says have to lay out special exception and there is mention of temporary dormitories.
 - Mr. Waite said makes sense since this is an issue that should be addressed ahead of time. Should probably be put in as a Special Exception.

- Ray wonders why this isn't allowed in C1.
- Mr. Waite asks all board members for their opinion on further discussing this
 - Mr. Larsen said it's not high on his list
 - Mr. Kucharski no opinion
 - Ms. Saenger needs more information
 - Ms. Knight is okay with having Mr. Notowitz do this and it makes sense to move it into C1
 - Mr. Guilbert (can't hear his comment from the recording)
 - Ms. Piekos for the moment leave it as is and put in VC that dormitories are by Special Exception
 - Ms. Rathgeber would like to understand more about what state rules are
 - Mr. Notowitz thinks it should be done special exception with the established criteria
 - Mr. Waite thinks it should be looked into further and this topic will be tabled until the next meeting. He asked the Board to continue to give it thought. He would like to have this topic addressed before it does become an issue.
- Mr. Larsen gave the history of why dormitories were given a definition. It was to allow students to be housed under the dormitory at Snow's Brook (BBTS).
- Mr. Larsen suggested to include "housing students" and use wording of use by Special Exception for other dormitory-type uses.
- Bill Cantlin said he is concerned about the elimination of competition for businesses.

5) Old Business

- Mr. Guilbert has question regarding the height of decks (condos) and stairs. Wondered if there are any regulations in regards to this.
- Mark answered this is in relation to building codes. Mr. Larsen commented the standards would be in relation as to what they were when the building was built.
- Mr. Notowitz reported, regarding Wetlands issue, he has not heard from the Conservation Commission chairperson so he has typed up a draft of Wetland Regulations using other town regulations as a guide.
- It is mentioned Waterville Valley has only two major wetland areas.
- Mr. Larsen finds the regulations to restrictive. The suggested buffer zones are larger than the wetlands they are trying to protect, in some cases. He would also like to see them identify the two wetland areas. If the Conservation Commission believes there are more than two they should be identified.
- Mr. Cantlin asked to have items listed on the agenda if they are going to be discussed. This item was not on the agenda as it was brought in late. He went on to say there are no wetlands violations in Waterville Valley. He went on to say

- there are no prime wetlands in Waterville Valley and they are trying to fix something isn't broke. He feels there will be unintended consequences.
- Mr. Guilbert mentioned it was going to be left up to the town to determine what areas are prime wetlands. Mark commented the scientists told them there are no prime wetlands in Waterville Valley as defined by state regulations.
- Mr. Waite said he would like some time to look over the proposed regulations for further discussion at the next meeting.
- Mr. Notowitz commented this is a starting point.
- Mr. Cantlin asked if someone wanted to put in a road or driveway they would go to the state for a wetlands permit. Would these regulations make it impossible to get a permit?
- The answer was it is believed the state would supersede. Mark answered the town can make the rules more restrictive than the state rules but they can't make them less restrictive.

6) Communications

- Some mail from North Country Council. Invitations to various events/open houses.

7) Committee Reports

- **Town Core Group (presented by Wendi Rathgeber)**
 - Ms. Rathgeber said the Town Core group met on the 3rd. Their focus is on the grant application.
 - Mark reported they do not have the draft budget together for the Town Core group. The Board of Selectmen has the authority to approve up to a \$200,000 project with the 50/50 draft grant match. \$100,000 of town money; \$100,000 of grant money. Will be discussed as part of the 2016 town budget. BOS/PB/Town core group will have spreadsheet with budget on it. Changes can be made up until the 21st. Will be discussed at BOS meeting to be held on 9/11 (presubmission).
 - Will include an entrance – gateway to the community at Tripoli and Valley Roads, way-finding signs at major intersections which will not be company specific – individual business signs will be available to the businesses, will include the bike painting on the sidewalks and roads, and trail signage. If this is approved at town meeting bidding will go out the sign companies.
 - Mark said they will be working on a transportation grant over the winter. Will help with road/sidewalk/lighting infrastructure.
 - Ms. Rathgeber said the signage regulations have something that when biz signs are replaced they will need to have something in place for businesses to be aware of. Mark said the any replacement signs will have to conform to some sort of brand (font, color, etc.).

- Mr. Guilbert asked if the grant will help with businesses replacing signs rather than have them wait until their signs are falling down.
- Mark answered that would be something that would be voted on at town meeting.
- Mark asked if anyone noticed any difference since the painting at Boulder Path.
- Mark reports the reduced speed has been well received. The moose share the road poster has been well received. There has been ongoing discussion regarding one-way traffic around the village (added to the Planning Board October meeting agenda). Will open up more bike/pedestrian ways.
- **Lighting Committee**
- Bill Cantlin has offered to look into lighting regulations.

Mark has asked all Dept. heads to have project budgets done for October. Will be added to the Planning Board's October meeting agenda.

8) Tickler Files

- **Wording on Subdivision Regs./Registry Requirements prior to holding a Public Hearing**
- **C1 Density**
- **Shared Parking**
- **Restricted Parking**

9) Adjournment

Mr. Guilbert motions to adjourn the meeting at 11:05 am.

Wendi: 2nds.

Motion was carried by a unanimous vote.

Respectfully submitted,

Mary Pelchat

Planning Board Coordinator

Waterville Valley Town Office