



Home of Waterville Valley Resort

WATERVILLE VALLEY PLANNING BOARD
Summary of the Minutes for the
Regular Planning Board Meeting
Held on Thursday October 13, 2016 at 8:00 am

- **Chairman Terry Waite called the meeting to order at 8:00 am**
- **Roll Call and seating of alternates**
 - Full members in attendance: Chairman Terry Waite, Wendi Rathgeber, Cheryl Saenger
 - Alternate Members in Attendance: Ray Kucharski, John Recine, Richard Rita
 - Members Absent: Nancy Knight, Harry Notowitz, Ex-Officio Bill Larsen
 - Alternate Members Absent:
 - Alternates Seated: Richard Rita, Ray Kucharski
 - Public in Attendance: Tina Koppel (Wig Wag rep.), Bill Cantlin, Tim Smith, Will Lambert, Rene Schwartz, Kaela Gray (North Country Council)
- **Review and Acceptance of Minutes from September 8, 2016 Meeting**
 - Wendi Rathgeber made a motion to accept the regular meeting minutes of September 8, 2016 with amendments
 - Motion seconded by Cheryl SaengerMotion carried by unanimous vote
- **PUBLIC HEARING**
 - **Site Plan Application ~ Proposed Horse Stable Project**
Tax Map 105-008 presented by Tim Smith, General Mgr. Waterville Valley Resort
 - Mr. Waite commented the application appeared to be complete based on the requested requirements. Mr. Smith had requested a waiver to eliminate engineer drawings from the application. Mr. Waite suggested that due to the nature of this being portable, they could accept the application waiving the requirements. Mr. Kucharski commented on the ZBA 5-acre acknowledgement and requirement, and the missing documents. Mr. Smith will supply the Board with the photo that he had shared with the Zoning Board.
 - Mr. Waite moved to approve the application based on the ability to waive specific requirements. Mr. Kucharski seconded the motion. All board members voted in favor.

- **PUBLIC HEARING OPENED at 8:17 am**
 - Tim Smith said he had placed all requested information into the application packet.
 - Two tents will be installed to serve as stables for the horses (sleigh ride) to be kept in place from November until late March. The primary reason is the vendor feels it is safer for the horses to house them in Waterville Valley due to possible icy road conditions, ability to cool them down after pulling sleighs, etc. In the past the sleigh rides have had to be cancelled due to being unable to safely transport the horses into the Valley. There will also be paddock space for the horses to be able to roam about.
 - Mr. Waite asked for public comment for or against. No comments
 - Mr. Waite asked if the horses would be tended to 24 hours/day. Tim Smith answered no and the owner of the horses lives a short drive away. There are other staff members in Waterville Valley who would help if needed.
 - Another request for Tim Smith to included the 5-acre map plus the Special Exception granted by the ZBA to be included in the application packet.
 - Ms. Saenger asked if this would be a permanent approval or if WVRE would need to do this yearly. Mr. Waite said this should be an ongoing application unless they moved the tents to another location. Tim Smith added the ZBA said if they made any changes they would also have to go before them for approval.
 - Mr. Waite asked for a motion to approve the site plan with the additional information to be supplied by Tim Smith within 30 days. This would be the approved application. Motion seconded by John Recine.
 - **PUBLIC HEARING CLOSED AT 8:25 am**
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| Mr. Kucharski voted yes | Mr. Waite voted yes |
| Ms. Saenger voted yes | Ms. Rathgeber voted yes |
| Mr. Rifa voted yes | Mr. Recine voted yes |

- **PUBLIC HEARING**

- **Site Plan Application ~** Renovation/Replacement of pool with addition of a splash pool
Tax Map 108-025 White Mtn. Athletic Club
 - Mr. Waite explained the site plan and added applicant was also looking for a waiver of specific items.
 - Existing pool to be removed and a new pool installed along with a splash pad.
 - Rene Schwartz, General Mgr. of the Athletic Club presented the application. Existing pool is old and needs to be replaced. They plan on offering a more modern and updated pool. The State of NH has approved the design of the pool they are seeking planning board approval on. Rene handed out drawings of what the pool will look like when completed. The splash, plus new pool, will offer a better experience for people.
 - Mr. Waite said this would be an expansion of an existing use.

- Mr. Kucharski asked about the waiver request. Mr. Waite said there was nothing formal but it was understood. Mr. Kucharski asked why they had to do a site plan. Mr. Waite answered as they were extending the pool out by 20'. However, the information presented was enough for the board to be able to make a decision.
- Chris Hodges said the project came in three weeks ago as a building permit. He okayed the demo work and right now everything is stopped waiting for the site plan application's decision. Everything that is done to date would have been done anyway.
- Mr. Waite moved to accept the application under the waiver clause. Ms. Rathgeber seconded the motion. The board was in favor. Application is accepted.
- **PUBLIC HEARING OPENED AT 8:30 am**
- Tim Smith spoke in favor of the project.
- Mr. Waite asked about the splash pad. Explanation from the builder that there are "toys" the kids will stand under and he pointed to the drawing for more clarification. The "toys" will be of a sports theme.
- Rene Schwartz said the pool will be flat as they want some lounging space. There will be some bushes and planters to dress the area up. The fence will be a wrought-iron look like that around the field at PSU.
- The new pool has less gallon usage than the existing pool.
- The project manager told the board the ADA is driving a lot these changes due to the need to make the pool handicap accessible. There will be a ramp plus a hydraulic lift.
- **PUBLIC HEARING CLOSED AT 8:45 am**
- Mr. Waite asked for a motion to approve the application. Mr. Rita made a motion to approve the application; motion seconded by Ms. Saenger.

Mr. Kucharski voted yes
Ms. Saenger voted yes
Mr. Rita voted yes

Mr. Waite voted yes
Ms. Rathgeber voted yes
Mr. Recine voted yes

- **New Business**

- **Preliminary Review** – garage/office building ~ Cleanwater Lane
Tax Map 107-003 (Will Lambert of Valley Run Property Services)
 - Will Lambert asked the board what information would be needed for a site plan application regarding the above. He asked if he would need a full set of engineering plans with elevations.
 - Mr. Waite said whatever the site plan application calls for will be needed. There is a checklist Mr. Lambert can use as a guide as to what will be required.
- **Preliminary Review** – Skateboard Park Site Plan Review (WVSR)
 - Tim Smith presented the review. He wanted to find out, from the board, what they will need to complete this. They have had 13 years of waiver

approval but Tim Smith also would like to get off this yearly review. They aren't sure yet about the future of the skate camp.

- The Board of Selectmen did sign a cease and desist order until planning board approval is completed. The parking lot is going to be the biggest issue but he would like to move forward with the approval.
- Mr. Waite said they should go through the regular site plan application process. The land is owned by Waterville Company but the skate ramp is owned by the resort. Waterville Company has given their approval for the land to be used for this purpose. This information would be important to note in the application. The resort will need to ask for a waiver of the parking requirements as this was originally set as part of the site plan approval that was based on providing a certain number of parking spaces. These parking spaces are being taken up by the skate ramp.
- Tim Smith requested to waive specific requirements. Mr. Waite referred to Section 7 of the Site Plan Regulations Waiver procedure. He continued this allows the board to waive certain items.
- Mr. Waite asked Tim Smith if what they currently see (skate board ramp) is going to be it or will it continue to grow. Tim answered he is considering removing the entire thing if it becomes too burdensome. From a business point of view it's not worth the continued expense.
- Mr. Kucharski asked about the parking easement for the area where the ramp is. Tim Smith said he is going into the busy part of his year and asked for some leniency on what is required of him in regards to the skate park.
- Discussion on skateboard park future and needs.
- Mr. Kucharski suggested the planning board have legal counsel check the easement to see what it means to the town. The board should know what the easement covers.
- Tim Smith asked the board for time to sort this out. He doesn't anticipate being able to fix this quickly. Mr. Waite said he thinks the process should begin. The board can extend the review time. Now that this is in motion they should continue to move. The Select Board told Tim as long as he was working with the planning board the skate park could continue to operate. Late spring would be best for Tim in regards to starting this process.
- Discussion on timing for Tim Smith to have the site plan application to the Planning Board.
- Mr. Waite suggested Tim use the Site Plan Application checklist to determine which items he might want to waive. Bill Cantlin commented regarding the parking requirements for Town Square, who would waive the requirements.
- Bill Cantlin said he didn't think the waiver would come easily as it is a complicated issue and this is an unfair burden to place on someone trying to make a temporary skate park permanent. The parking question will be difficult to work through. Mr. Waite said the waiver would be for the parking spaces the skateboard park is utilizing. This would not be waiving

the zoning ordinances on parking. Mr. Kucharski said the term waiver may not be correct any longer. There were parking requirements when Town Square was built and approval was based on that. The mountain got an easement for those parking spaces. Then the skateboard park came and took 30 (approx. number) of them which reduced the approved parking spaces. Since then the parking regulations were changed and are a guideline not a regulation but they do need to see what that easement says.

- Ms. Rathgeber suggested they start talking about shared parking before this item comes up in the spring. Mr. Waite suggested moving that item up to old business instead of keeping it in the tickler file section.
- Mr. Waite asked Tim Smith if he could do a second preliminary review at the January 2017 meeting. There won't be much for preparation just the need for Tim to show up. By this time they will have the easement checked out. Tim Smith said he could come in November 2016 easier than January.
- Bill Cantlin suggested the board tell Tim what the requirements will be relative to the parking. The board needs to figure it out and inform Tim what the requirements will be by sending him a letter once it is figured out. Their job is to tell Tim what the process is relative to the parking spaces.
- Mr. Waite agreed. Once they get this taken care of Tim will be notified and in March 2017 he can come in with a Site Plan Application.
- Mr. Kucharski doesn't believe it's up to the planning board to tell Tim how many parking places they need. He thinks they (WVRE) need to come in and tell them how many parking places they need. The mountain would have to make the request of the planning board (how many parking spaces they require).
- Mr. Waite said they will be checking with counsel regarding the easement and they might be able to discuss this next month. At that point they can inform Tim. They can then inform Tim as to whether he can dictate the number of parking spaces he requires or if the board will dictate a number. Tim can come in January for another preliminary review in order to keep this item moving. They will, at that time, discuss what has been decided.
- Chris Hodges said on a good note they have 15 years of history with the temporary use which shows the impact the skate park has.
- Mr. Waite closed the discussion and he told Tim a letter would be sent. Tim said the mountain has a large event in January and if the meeting falls on the same week he can't guarantee he can attend.
- The meeting is set for December 2016 to accommodate everyone's schedules.

- **Kaela Gray with the North Country Council**
 - Resilient Economies Pilot Program
 - Ms. Gray is unable to make her presentation due to timing. She handed out information regarding Resilient Economies Toolkit.
 - Ms. Gray said the meeting brought up some questions she could share with Ms. Bamford to confirm what she was hoping to put together.
 - Some quick changes regarding sign regulations in time for the March town meeting as well as an estimate regarding long-term planning.
 - Mr. Waite said Ms. Bamford was putting together a list of issues from her regulations review which she thinks should be addressed. Ms. Bamford will be at the November Planning Board meeting to inform the board of suggested Zoning Ordinance changes.
- **Old Business**
- **Request for Conservation Commission Planning Board Ex-Officio**
 - Mr. Waite has not heard from David Olarsch regarding wetlands verbiage for the Master Plan.
 - Mr. Notowitz is not at the meeting so it's unknown if he has heard anything.
- **Committee Reports**
 - Ms. Rathgeber said Mark Decoteau and Mark Kane are at the presentation for the TAP grant. They will know the results in December.
- **Communications**
 - Letter from Waterville Company regarding phased subdivision process
 - Mr. Waite read the letter.
 - In response to the letter, Mr. Waite went through the Subdivision Regulations and there are some areas that could use clarification. Mr. Waite then asked Bill Cantlin what Waterville Co. believes they have.
 - Bill Cantlin responded the issue is, and it pertains to, other subdivisions. If they want to do a phased subdivision how do they do that if there are a lot of little pieces that are a part of a bigger plan. It is time consuming and expensive along with a lot of duplication. If each phase is another subdivision and site plan review there is no phased subdivision process. If there is one he doesn't know what it is.
 - Mr. Waite explained the process. Phased subdivision is a process. A developer goes before the board with a subdivision application and that application has requirements. A plan that has information regarding boundaries, contours and everything they want to have on the project is presented to the board as an application for a subdivision. If it is a plain subdivision the board will determine if that application is complete and the board will then accept it. At this point there is a public hearing so the application is presented to the public. Then the board discusses and deliberates on that application and might ask for additional information,

and request clarification on things they have concern about on this project. Once the questions have been answered the developer will be asked to present a final plat. The final plat is in a form that is acceptable to the registry. This will contain all the information the board has discussed and agreed upon in the application plan. Once the board has received the final plat they will conduct final deliberations to either approve or disapprove the subdivision. If the developer wants to present to the board a large project parcel, and wants to divide it into sub parcels, the developer should present that entire parcel project to the board with the application being clear the developer is looking to get approval of this project in phases.

- Mr. Waite continued if the application plan is presented as an entire project and shows the board everything the project is going to have in it (buildings, division of phases, etc.) the board will say the requirements have been satisfied and they need a plat. The developer might say they don't want to submit a plat for the whole parcel but only want to do a portion that the developer will call phase 1. Phase 1 would be submitted to the board and the board would then have their final deliberations on that one parcel called Phase 1. After deliberations the board will vote to either approve or disapprove that Phase 1 parcel. Time passes and the developer comes back possibly two years later and presents the final plat for the next phase that he wants approved. The board takes that final plat under consideration and votes for approval or disapproval. A lot can happen in those two years, so to make the final plat for that project could require more deliberation.
- Mr. Waite suggested that in a phased subdivision project the approval of anything but the first plat starts the clock ticking again (65-day approval period).
- Mr. Waite continued the only thing that needs to be submitted is the final plat for that particular phase; but the clock has to start running again for the approval because the board has to refresh its memory on all that was done. It's also possible the developer will want to change something on the plat for Phase 2. It should be incumbent on the developer to point out any changes. That process is repeated until the entire project has been approved.
- Bill Cantlin said he would like his letter reviewed by town counsel.
- Mr. Waite said he hopes to have the explanation included in the regulations. There are two issues in there that are problematic time wise. If the developer has presented a large project for review and the board has 60 days to review it the developer submits a final plat for Phase 1. The board has five days to deliberate approval or disapproval of Phase 1. However the balance of the time has run out. Regulations don't address time. The developer could say time is up and get an extension from the Select Board. They have 65 days after acceptance of the application.

- Bill Cantlin said his question is what is a phased subdivision and what is the process. He continued that in regards to Mr. Waite's explanation he would like to be sure changes in subdivision regulations and zoning ordinances that between approval of a first phase and subsequent phase would they comply with new regulations or the old ones.
- Mr. Waite said he hopes to have this information formularized for their next meeting.

- **Tickler Files**

- Research on lighting
- C1 Density; Shared Parking (move to old business for November); Restricted Parking; Extension of Boulder Path

- **Adjournment**

Mr. Waite made a motion to adjourn the meeting at 10:05 am

Mr. Kucharski seconded the motion

All in favor

Respectfully submitted,

Mary Pelchat

Planning Board Assistant

Waterville Valley Town Office