

COÖS COUNTY PLANNING BOARD
Lancaster, NH
September 29, 2015

Present from the Board: John Scarinza – Chair; Fred King – Vice Chair; Jennifer Fish – Clerk; Ed Mellett, Mike Waddell, Rick Tillotson; alternates Tom McCue, Mark Frank; and Board Secretary Suzanne Collins.

Also in Attendance: Bernie Waugh, Esq.; Burt Mills, Ed Brisson, David Norden, Jeff Stevens, Coralie Stephanian, Dixville Capital, LLC; Tara Bamford, North Country Council; Ron Anstey, NH Fire Marshal's Office; Scott Stephanian, Edith Tucker, *Coos County Democrat*.

John Scarinza, Chair, called the meeting to order at 6:07 PM. Meeting was properly noticed.

APPROVAL OF MINUTES OF SEPTEMBER 9, 2015:

Mike Waddell made a motion to approve the minutes of September 9, 2015 as distributed. Fred King seconded the motion. There was no discussion and minutes were unanimously approved.

PUBLIC COMMENTS NOT RELATED TO AGENDA ITEMS:

Edith Tucker thanked Sue Collins for preparing the minutes promptly after the last meeting.

NEW BUSINESS:

Discussion of Zoning Ordinance Amendment: Chairman Scarinza stated that earlier in the year the Board had begun work on updating its Zoning Ordinances. In the meantime, Dixville Capital, LLC contacted the Board for a pre-application conference on an anticipated Concept Plan application for a Planned Development District in Dixville. It was acknowledged that the current hotel site could be immediately developed as it is located in a General Development District. However, the concept plan was bigger than that – it covered over 8,000 acres in Dixville. This caused difficulty with the current zoning ordinance that contemplates projects that might go out three to five years versus twenty to thirty years as envisioned by the developer. After several efforts to make the Concept Plan work within the confines of the existing zoning ordinance, Board members agreed they needed to find a different way to approach a project of the size and scope proposed by Dixville Capital. A decision was made at the September 9, 2015 meeting that the Board will work on amending the zoning ordinance by adding a resort district and converting the Planned Development District (DD-P) ordinance to a more commonly recognized ordinance for Planned Unit Development (PUD). A Resort District

Ordinance would be developed by the Board using information and materials submitted by the developer in its two previous Concept Plan submissions.

John continued that in creating the Resort District amendment, the writers addressed phasing of the different aspects of the development project over time. As part of the process of creating the proposed ordinance amendment, Tara had to create new definitions for categories such as ski facility, conference center, etc. Additionally, the new PUD for large scale development would comply with RSA 674:21 – Innovative Land Use Controls. The resort district ordinance recognizes the uniqueness of The Balsams as a destination resort. The resort district will spell out uses allowed without a permit, allowed with a permit and the ability to request waivers as part of the development process. The rules will travel with the land into the reasonable future.

John concluded that with that background in mind, Tara, John and Attorney Waugh spent a considerable amount of time crafting new language. The developers also provided input and their suggestions were largely incorporated. The draft of the zoning ordinance amendment was sent to Board members on September 28th.

Tara explained that her focus has been on the resort district language and does not mean that the entire existing Zoning Ordinance language has been addressed. It does incorporate items that had been reviewed and agreed upon by the Board last spring and prior to initial pre-application meetings with Dixville Capital.

Tara distributed copies of the current zoning ordinance with strikeouts, proposed new language and yet-to-be addressed items – Working Draft 9/28/15.

She proceeded with proposed changes beginning with **General Provisions:**

2.05 Repair or Removal of Damaged and Unsafe Structures: Changed time frame to remove debris from one year to two years with option to apply for extension.

2.09 County Expenses: The applicant will be notified of any such expenses required by the Planning Board or Zoning Board of Adjustments prior to the costs being incurred. The added language was requested by the developer. They should know what expenses certain outside independent review by experts will cost and be given the opportunity to withdraw an application if costs are considered prohibitive. Tara asked Burt Mills if this language addition meets his concern expressed earlier. He replied that it does.

Definitions:

3.14 Cluster: Cluster includes more than single family building sites; it can be multi-family. Single family reference was changed to “residential”.

3.16 Commercial Sporting Camp: Added language to include “ATV trail use.”

3.XX New Definition Conference Center: A largely self-contained complex offering meeting rooms, lodging, parking, food service and recreation facilities for groups of individuals.

3.19 Coverage: “Floor areas of buildings” was replaced with floor area of all structures.

3.XX New Definition Destination Resort: A largely self-contained complex offering an ~~outdoor~~ recreation experience, including recreational facilities; lodging, parking, retail, day care and food service primarily serving resort guests. Rick Tillotson stated that the resort does not only offer outdoor recreation experience but also indoor. Mike Waddell suggested striking the word “outdoor.” All were in agreement.

3.XX New Definition Driveway: An access road serving up to two lots, two dwellings, or two building sites. Attorney Waugh stated that in his municipal practice he has had so many questions about driveways. He wondered what function the definition serves in a zoning ordinance. He is concerned that it be clear what function the definition plays in this ordinance. If it isn’t used anywhere, why have it in the definitions? Attorney Waugh stated he would do some checking and get back to the Board on this issue. Tara stated she thought it was a good point and referred Attorney Waugh to Section 7.03 as he considered this definition. *Later in the meeting, Attorney Waugh reported that he does not see the word driveway in the ordinance and this definition does not need to be in there.* Tara stated that in the fall when the Planning Board returns to its original project of updating the Zoning Ordinance, she will remove any definitions that are not used in the Ordinance.

3.24 Dwelling Unit: Housekeeping quarters for one (1) family was rewritten to delete the reference to one family and add the language “whether owned, leased or in condominium or cooperative form of ownership with the potential for occupancy by a person or family for 60 or more days each year. This includes certain employee housing.”

Discussion ensued on this definition. Tara stated the language clarifies dwelling unit versus a lodging unit and the language comes from state statutes.

Ed Mellett asked why the limitation of 60 days. Tara replied that generally accepted condo and timeshare instruments specify 60 days. Ed Mellett asked the developers if they were pre-selling 100 day blocks of fractional ownership. David Norden replied yes but the differentiation is transient use versus primary residency. He stated that if he owns a second home at a resort and he uses it every weekend all year that is 100+ days. He asked if the Board’s intent is to differentiate between transient and primary residence. Tara replied that the dwelling is a timeshare. Tom McCue suggested that the definition of Lodging Unit be changed. Tara reminded Board members that they spent a great deal of time on the Seasonal Camp definition and the Board decided it didn’t want to count days. The lodging definition speaks to transient accommodations and could include the language that someone has another usual place of residence.

Rick Tillotson asked what “housekeeping quarters” means in the Dwelling Unit definition. John Scarinza warned that in Gorham he encountered an issue with units presented as short term rentals with only a sink and a microwave and they ended up with people who never leave. Tara suggested a re-write with language similar to the seasonal camp definition. She advised that the Board needs to distinguish between seasonal use and primary use. Mike Waddell stated he doesn’t think there is anything wrong with the proposed definition. Tara stated that she urged the Board to have language that will work for the current need.

Fred King was concerned about debating each and every definition for ½ hour. Tara stated that she needs to leave this meeting knowing what to do with these ordinance amendments if the Board wants to be ready for an October 21st public hearing.

3.37 Junk: Tara suggested deleting this definition entirely.

3.38 Junk Yard: Definition was revamped from “Any area used for storage of junk or abandonment of two (2) or more unregistered vehicles” to “A place used for storing and keeping, or storing and selling, trading, or otherwise transferring old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber debris, waste, or junked, dismantled, or wrecked motor vehicles, or parts thereof, iron, steel, or other old or scrap ferrous or nonferrous material or two (2) or more unregistered vehicles”. Rick Tillotson noted that the former Balsams had several service vehicles that were just used internally on the property but were not registered. He also noted that she had deleted the word “abandonment.” Tara replied that this is the state’s definition of junk yard. John suggested that we should stick with this definition.

3.XXX New Definition Lodging: Transient accommodations, whether rented or owned, where occupancy by the same person is limited to less than 60 days each year, such as hotels, motels, inns, timeshare condominiums, and certain employee housing. Includes customary accessory uses for guests such as dining rooms and bars, laundry, and recreational facilities. Tara noted that she will bring this suggested definition for lodging in line with the seasonal camp definition and not make reference to a number of days.

3.54 Motel: This definition was deleted.

3.69 Seasonal Camp: The previous definition was deleted and substituted with the following language based on discussions at two meetings earlier in the year where the topic of seasonal camp received a lot of debate. New language, “A non-commercial recreation camp, with a state-approved means of wastewater disposal, for the use of the lot owner or sole lessee and his/her invitees and guests, who have another usual place of residence; not for year-round or primary residency.

3.XXX New Definition Ski Facilities: The use of land and buildings to include all operations, facilities and structures customary and incidental to Alpine and/or Nordic skiing including, but not limited to, food service, lodging, day-care, equipment rental and

retail sales, first aid, ski trails, ski lifts, skier service lodges, shelters, parking, maintenance buildings, ski racing facilities, grooming, snowmaking, service roads, ski bridges, lighting and telecommunications.

3.XXX New Definition Recreational Lodge: The use of land and buildings as part of recreational facilities to provide services such as food service, lodging, day care, equipment rental and retail sales, first aid. May include as an incidental, but not primary use, use of the lodge and adjoining premises for functions including, but not limited to, weddings, retirement parties, class reunions and similar activities.

Burt Mills noted that this definition uses the term “lodging”. Ed Brisson stated that it was fine to leave the definition the way it is.

3.72 Right-of-Way: Rick Tillotson questioned utility right of way. He noted that at The Balsams there are existing buildings well within 75’ of electrical and telephone lines. He noted that on Page 44 there is a minimum setback from the edge of a right of way. Tara noted that in Section 7.04 the Board will need to clarify road rights of way.

3.76 Service Drop: Rick Tillotson noted that the service drop definition does not work in the current footprint of The Balsams. The total length of extensions in this definition states that it will be less than 1,000 feet. Currently there are many areas at The Balsams that are greater than 1,000 feet. Tara explained that the definition is saying that you need a permit to exceed the definition. John Scarinza asked for what purpose do we need a service drop definition. Tara encouraged the Board to focus tonight on the amendments and 3.76 is not part of the discussion.

3.77 Setback: The current definition was entirely replaced by “Shall mean the minimum horizontal distance from the lot line, shoreline or road to the nearest part of the structure including a foundation, covered porch or deck. All members agreed to the new definition.

Protected Districts:

4.03 Steep Slopes and High Elevations (PD6): Uses allowed without a permit included snowmobiling. Tara added “and ATV trails.” She noted that all other items allowed without a permit are low impact but mountain biking and ATV’s have a greater impact on the terrain. Tara stated she wanted to raise this issue with the Board. John Scarinza replied that is why the Board will add standards for sedimentation and erosion control. Tom McCue stated that it needs to be added to the uses allowed; otherwise, it would be prohibited.

4.04 Management Districts (MD): ATV riding was added to snowmobiling in uses allowed without a permit. Tara also clarified section 14 on signs to make it match the sign ordinance. On uses requiring a permit, she added section 10. Home Occupation and also added a new section “Uses requiring a Conditional Permit” with subsections 1.

Planned Unit Development and 2. Cluster Development. This new language was also added to the General Development Subdistricts.

4.05 Development Districts (DD): This section was amended to add “Resort Development Subdistricts (DD-Resort). Planned Development Subdistricts (DD-P) was eliminated.

4.XXX Resort Development Subdistrict: The zoning ordinance amendment for the Resort District was added on Pages 26, 27 and 28. The only item in the new ordinance that was discussed was Item 13 under Uses allowed without a permit: Skills venues and courses associated with a permitted use, such as archery, target/skeet shooting, Biathlon and similar courses. David Norden said he found it confusing. Tara said if the venues were standalone, someone needs to deal with access and wastewater. David Norden replied that this resort district is specific to The Balsams. Attorney Waugh noted that “associated with” is problematic language. Tara wondered if we could call it accessory to recreational lodges. Rick Tillotson replied that a biathlon course and shooting stations will not be connected to a building. Tara suggested that item 13 be changed to “Skills venues and courses accessory to a permitted use such as archery, target/skeet shooting, Biathlon and similar courses. Accessory in this case can be on a different lot owned by the same party.” Attorney Waugh noted that Accessory Use already has a definition in 3.02. The suggestion was made to use “subordinate to a permitted use”.

On Page 27, Rick Tillotson recommended striking “but excluding auto service stations or repair garages providing service to the general public” under the Section Uses requiring a permit. He noted that in the past The Balsams has had a service station.

In the Resort District and Development District, members of the Board agreed to strike hunting and trapping from the language and remain silent on these two topics.

All the language in Section 4.07 Planned Development District (DD-P) was eliminated.

Section 4.08 Residential Development Subdistrict (DD-R): Tara noted that she added the following under Uses requiring a permit – 6. Seasonal camps, 7. Home occupations, and 8. Other Structures, uses, or services which the Board determines are consistent with the purposes of this subdistrict and the Coös County Unincorporated Places Master Plan and are not detrimental to the resources and uses they protect. Rick Tillotson noted that Tara’s new item 8. is essentially the same as the previous item 5. Current #5 will be deleted.

She also added Uses Requiring a Conditional Use Permit – PUD and Cluster Development.

Dave Norden asked to return to accessory use on Page 27. Attorney Waugh suggested just leaving out references to archery, target/skeet shooting, Biathlon and similar courses. Tara countered that if the applicant who comes before the Board is a different one in the future, the language should be included. Attorney Waugh suggested that accessory uses

need not be on the same lot as the primary use. Mike Waddell stated that if in the future the resort is carved out into different lots with different owners, the owner of Lodge A may differ with the stuff going on at Lodge B – like late night rock concerts. Ed Brisson asked if the issue is public parking that requires a permit. Rick Tillotson stated that we are requiring too much work for a resort. Dave Norden stated that resorts have events. Tara replied that they will not have to appear before the Board if the language change is “accessory to a permitted use”. John Scarinza stated that this issue needs to be addressed. Tara then suggested “accessory to a permitted use on the same lot”. It was suggested to change this to “accessory to a permitted use on a different lot owned by the same owner or related entity.”

4.XXX New Section Planned Unit Development on Page 34. Attorney Waugh had sent a late e-mail to Board members stating that at several places in Section 7 – Application, it speaks of an “application for a Planned Unit Development” or “Planned Unit Development Plan.” To be clear, he recommended that this be uniformly changed to “application for a Planned Unit Development **Conditional Use Permit** in order to differentiate this from the specific site plan or subdivision proceedings. Alternatively, in the last sentence in the introductory paragraph, the Board could say “A Conditional Use Permit For A Planned Development (herein referred to as a “PUD Permit”) will be granted by the Planning Board...”(etc.), and then you would use the term “PUD Permit” at all subsequent locations. He added that he realized the Board is trying to stay away from terms like “Master Plan” and “Concept Plan” but in his view, the term “application for a Planned Unit Development” is ambiguous.

It was agreed that Attorney Waugh’s suggestion would be incorporated into this Section.

Rick Tillotson noted that subsection (a) under Description states that the PUD for predominately residential and/or recreational land uses shall contain a minimum of 30,000 square feet. He argued that if the developer puts a ski area there with no dwelling units, if it is just a ski area, there will not be 30,000 square feet of structures. Mike Waddell replied that in the case of this application the developer is covered. Tara did add however that it is unusual to talk about square feet; it is more typical to talk about acreage. Tara suggested deleting subsections (a) and (b) and put in 100 acres at a minimum. Mike Waddell agreed and Tara stated she would strike (a) and (b) and put in that an applicant needs 100 contiguous acres to apply. She would submit the new language for the Board’s consideration.

Edith Tucker suggested that on Page 36, Item #4, the word “swamp” should be eliminated. All former swamps are now referred to as wetlands.

Dave Norden stated he understands that the PUD language is not only for The Balsams and he already anticipates problems with the Board stating that there is not enough detailed information in their PUD Permit application for future phases. He asked if the Board can waive items in the PUD application process. Attorney Waugh asked what items are problematic. Dave Norden replied Section (f) 6 – Anticipated distribution of permitted uses: plan showing delineation of each land use/development area

accompanied by a table containing for each area the acreage, proposed number of dwelling units; proposed number of lodging units; and proposed square feet of other permitted use categories, e.g. commercial, industrial, recreation. He stated that square footage is problematic – Dixville Capital does not have the level of planning done yet for retail, etc. and they are unable to forecast square footage. He stated that acreage is okay. Tara replied that it does not make sense not to have this information – without it the Board cannot evaluate estimated traffic, etc. Tara advised that the applicant should give it his best guess and propose a percentage change that can go into a development agreement. Ed Brisson asked if it makes sense to try to estimate traffic 20 years out.

John Scarinza stated that if the Board is creating a resort development zone he appreciates that this applicant doesn't know all the uses there potentially will be – he wondered if they should reduce the size of the PUD to accommodate the phases – create a PUD for Phase 1, then Phases 2 and 3. Attorney Waugh stated that the developers are looking for a process that will give them vested rights. This zoning amendment is trying to solve the vesting rights issue. Fred King stated that the Board has an entity with a vision for a resort now and in the future; it is unrealistic to expect them to provide all the details for future expansions. They should be able to come in with what they want to do and add addendums in the future. Laws and regulations will change over the time span of this project.

Tara suggested that the Board would include in the development agreement how far out the Board is vesting the project. Attorney Waugh stated the PUD is preliminary and the applicant is not committing to everything in the future. The developer will have to come in for site plan review and subdivision for the different phases. Tom McCue agreed and stated that site plan review and subdivision is where you get into all the weeds. Attorney Waugh stated that the PUD is only a plan.

Tara suggested that perhaps there should be a provision for waivers which could become item 21. A waiver could waive the square foot requirement. Tara admitted that in the short time span available to craft this ordinance amendment she should have added the ability to waive application requirements.

John Scarinza stated he agreed with Fred – is there a way to generally approve - the resort zone is created, permitted uses are identified – the applicant comes in with a completed application for Phase 1. Dave Norden stated that they are trying to get conceptual sign off on the big picture – here's the number of units, here's the types of uses, then they come in for site plan review and subdivision on the individual phases.

Tara stated that in an application with the new waiver provision, the number of square feet will be determined based on soils, etc.

Dave Norden stated that the conundrum is that investors will not be involved without assurance that there are future phases. The developers understand that if the land cannot accommodate water and sewer, then development in that area cannot happen. But under the PUD, if the soils can support it, then the developer needs assurance that they can do

it. Fred King asked if this Board can legally say we endorse this big plan – can't we craft language that guarantees they can do it? Attorney Waugh stated that the Board can approve a PUD that exempts the plan from future language changes to site plan review and subdivision. This will be part of the development agreement. Fred asked Attorney Waugh if he is saying that future planning boards cannot change the subdivision and site plan review regulations that exist now if that is included in the development agreement. The answer is yes. Attorney Waugh added that the development agreement can be written without square footage; any waivers approved by the Board would be included in the development agreement.

Dave Norden stated that PUD's in general are common nationwide and dimensional standards go with the PUD. John Scarinza stated that he struggles with standards being set and that all can be memorialized. He added that the developer is asking for 4,600 units without documentation that the land can support it. The specificity is missing here so the development agreement needs to be very strong.

Dave Norden stated they are not looking for approval – they want assurance that up to 4,600 units is allowable if feasible.

Attorney Waugh stated that this proposed zoning amendment by substituting this new PUD process in a sense is kicking the can down the road. This gives the Board a lot of discretion. Waivers will be added.

Rick Tillotson asked if there are requirements listed in the new PUD subdistrict that the developers have not submitted yet in the two Concept Plan submissions. Tara replied that this new subdistrict does not add new things but they have not satisfied all the items required under the current ordinance. The Board will have the authority to waive those items if the developer requests that certain items be waived.

John Scarinza stated that as a result of this discussion, a waiver process will be allowed – less detail up front, more details down the road.

Tara noted that on Page 37, item (g) Waivers – last sentence will state “Any waivers granted as part of the PUD approval process will remain in effect as long as the PUD permit remains in effect unless, in the judgement of the Planning Board, there is evidence that the relaxed standard is insufficient to protect the public health and safety.” In the same item (g), John Scarinza stated that the Board should change the phrase from “waivers from **specifications** contained in the subdivision and site plan review regulations...” to “waivers from **substantive standards** contained in the subdivision and site plan review regulations...”

Ed Brisson expressed the hope that as they get to the PUD application process, the Board will keep as much authority as it can to waive – he recommended as much flexibility as possible.

Under Section 8 Hearings and Criteria, Tara recommended getting rid of the language of subsection (b) and substituting Attorney Waugh's language as follows:

"Where land proposed for inclusion in the PUD is in a Protection Subdistrict, the Planning Board, as part of its PUD permit decision, may waive the strict application of the restrictions of such Subdistrict provided that the applicant demonstrates that the requirements of the Protection Subdistrict have been substantially met with an equivalent level of environmental and resource protection as was afforded under such Protection Subdistrict."

The Board moved on to Section 10 – Development Agreement and agreed with Attorney Waugh on a recommendation to change Subsection (f) from "any waivers granted by the Planning Board" to "waivers from the subdivision or site plan review regulations granted by the Planning Board pursuant to Paragraph 7 (g) above."

Attorney Waugh noted that Tara's draft had a phrase contained in brackets in subsection (g). He recommended dividing subsection (g) into two paragraphs as follows:

(g) A description or criteria established by the Board for determining when the PUD will become vested against any future changes in subdivision, site plan, or zoning regulations pursuant to RSA 674:39, II, including the improvements and level of completion required for such vesting, as well as the required timing of such completion.

(h) For a PUD anticipated to be completed in phases, a statement of any conditions which must be met in order for future phases to remain vested, including the timing of any such conditions, and the process and criteria for requesting extensions of any timing requirements."

Tara noted that she forgot to type in stuff about Cluster Developments and she will do so in a future amendment to the zoning ordinance.

Attorney Waugh stated he would craft some language relative to Item #12 Additional Requirements for Subdivision and Site Plans regarding waiving the requirements of this section.

Dave Norden stated a concern about Page 37, Item (g). Tara stated she will fix the language.

Ed Brisson referred back to Section 7 (g) Waivers and the last sentence where the board had changed "new evidence" to "evidence" and thought maybe the words "a preponderance of evidence" would be preferable. Mike Waddell remarked that this last sentence in Waiver (g) gives the Planning Board an opportunity to re-open the development agreement.

The Board returned to Section 12 Additional Requirements for Subdivision and Site Plans. Attorney Waugh suggested adding the following language to the introductory

paragraph of this section, "...shall submit the following information (subject to waiver in the same manner as waiver of subdivision and site plan review regulations):"

The Board continued to Page 53, Section 13.01. Attorney Waugh provided language for 13.01 Amendment: Amendments to the regulations and district boundaries set forth in the Ordinance may be proposed by the Planning Board or the County Commissioners. All amendments shall be subject to a public hearing before the Coös County Planning Board, with notice as provided in RSA 675:7. The proposed amendment shall be forwarded to the County Commissioners, and submitted to the County Delegation for a vote held in accordance with the Delegation's usual procedures in acting on County matters. The final wording of the amendment shall be established at the Planning Board's public hearing, and if any changes are made following the close of that public hearing, a further public hearing shall be held by the Planning Board prior to the Delegation's vote on substantive changes.

Attorney Waugh raised the question of amending the zoning map. Tara asked that the applicant provide a map of the proposed resort district for the Public Hearing that shows the entire outer boundary.

Ed Brisson asked about the Cemetery. Tara stated that Tom Tillotson's residence and the Cemetery would be included in the Resort District. Rick Tillotson asked if there is any tax implication for Tom Tillotson. He was not concerned about the Cemetery since it is tax exempt. Tom thought that perhaps the additional municipal costs would be elevated due to the resort. Mike Waddell stated that if Tom was referring to the additional taxes of a Tax Increment Financing (TIF) District, those taxes would not affect Tom. Ed Brisson agreed that Tom's parcel is excluded from any TIF or redevelopment district.

Mike Waddell asked if the developers have surveyed the resort district. Burt Mills replied that the town line with Colebrook is established; the Bayroot lands have metes and bounds; and the Tillotson lands have been surveyed. The developer has a way to describe the resort district.

Tara stated that some sections of the Zoning Ordinance not related to prior discussions by the Board or by this resort district will still have to be fixed in the future and will require another zoning amendment in the future as the Board's previous work had not been completed.

DATE AND TIME OF NEXT MEETING:

John Scarinza stated that the date of October 21st can be noticed as a Public Hearing but the amendment needs to be ready 12 days in advance of the 21st. He cautioned that if the Board meets on the 21st and there are still some items in the amendment that Board members do not like, it will require another public hearing meeting after that. Mike Waddell asked about the fastest turnaround if more changes need to be made at the Public Hearing. Attorney Waugh stated that the second public hearing cannot be less than 14 days after the first public hearing. November 11th would be set aside for a second hearing

if needed. Ed Brisson stated that Dixville Capital wants to submit the PUD application on October 21st. Rick Tillotson suggested that the next meeting be held in Lancaster as it will be a Public Hearing on the amendment, not the Public Hearing for the Balsams PUD. John Scarinza stated that if Dixville Capital submits the PUD application by October 6th, Tara can come to the October 21st meeting with comments on completeness. Once the PUD application is accepted as complete, a Public Hearing can be held in Colebrook.

ADJOURNMENT:

Prior to adjournment, Burt Mills thanked the Board for the time and effort put into making these changes.

It was agreed by all in attendance that the agenda item “Ratification of Building Permits” will be included on the next agenda.

Rick Tillotson made a motion to adjourn the meeting at 9:05 PM. Mike Waddell seconded the motion. All members voted in favor of the motion.

Respectfully submitted,

Suzanne L. Collins
Secretary to the Planning Board