

COÖS COUNTY PLANNING BOARD
Granite State Room, Lancaster NH
July 26, 2016

Present from the Board: John Scarinza – Chair; Fred King – Vice Chair; Jennifer Fish – Clerk; Ed Mellett, Mike Waddell, Rick Tillotson, Representative Leon Rideout, Commissioner Brady, Scott Rineer; alternates Tom McCue and Mark Frank.

Also in Attendance: Tara Bamford, North Country Council; Bernie Waugh, Esquire; Ron Antsy, NH Fire Marshal; Ed Brisson and Burt Mills, Dixville Capital, LLC; Andy Nadeau, Horizons Engineers; members of the press and members of the public.

John Scarinza, Chair opened the meeting at 6:01 PM.

APPROVAL OF MINUTES OF JULY 5, 2016

Rick Tillotson asked for clarification on an item under Old Business. It was determined that Condition#6 on page 3 of the minutes should state *Condition#6-The approvals will expire subject to being renewed if approval is not finalized and the plan is not recorded within 5 years.* A motion was made by Rep. Rideout and seconded by Mike Waddell to approve and accept the minutes as amended. All voted in favor.

PUBLIC COMMENTS NOT RELATED TO AGENDA ITEMS

Art Green, Littleton, asked the board if there are any additional approvals or permits necessary to construct the pipeline from the Androscoggin River to Dixville Notch. Burt Mills responded that the NH DOT still needs to approve construction bids and there will need to be compliance with the NH DES 401 Water Quality certification and the NH DES Wetlands permit. There is a subdivision in Errol that has not been recorded for the pump house and the subdivision still needs State approval. John Scarinza stated that the Board would need to discuss if the pipeline will need site plan review. There are certain areas where the pipeline will leave the State right-of-way and be on private property in the Unincorporated Places.

NEW BUSINESS

None

RATIFICATION OF BUILDING PERMITS

#463 Thomas Cohen Revocable Trust-Success – 24'x40' 3-season dwelling. A motion was made by Ed Mellett and seconded by Rick Tillotson to ratify permit #463. All voted in favor.

OLD BUSINESS

Dixville: Site Plan Application for redevelopment and expansion of the ski area at the Balsams Resort – Continue review for completeness of application.

Chairman Scarinza explained that the board had received a memo and updated maps from the applicant on July 5, 2016. The board had started the review for completeness on April 26, 2016. The board had reviewed up to item #11 on the submission requirements at which time the board and applicant agreed that there was more information required so the review was halted and the meeting was continued. John Scarinza explained that he and Tara Bamford met with the applicants on July 20, 2016 to discuss further application items that required additional information. At this point, planning board member, Scott Rineer, recused himself due to a conflict of interest. Chairman Scarinza appointed alternate Tom McCue to sit in for Scott Rineer.

The applicants provided additional surveyor stamped maps that had been previously requested by the board. Burt Mills passed around a photo that showed the approximate location of where the ski back

bridge will be located. Fred King asked why skiers could not ski back through the tunnel that the State is currently building under Route 26. Burt Mills said that it would not be an option because the tunnel was too far from the hotel and the terrain is uphill. The ski back bridge will end near the loading area of the gondola that will take skiers to the ski area from the hotel.

John Scarinza suggested that the board begin the review of the application from the beginning. Burt Mills explained that the development team had drafted some responses to previous questions but requested that the board allow them to respond to all questions in a written letter and present it to the board later.

Ed Brisson stated that they are looking for site plan approval for the ski area, lifts, trails, snowmaking systems, associated utilities, and snow making buildings. There have been many questions about public access. The Wilderness Base Lodge is not included in this site plan application. There is no intention to open the Wilderness Base Lodge at this time and there will be a separate site plan review for that. A vast majority of skiers will be guests at the hotel so parking for the new terrain will be handled at the parking areas for the hotel. The applicant is looking for approval to build the lifts and snowmaking systems and to clear the trails. The parking will be addressed in another site plan review that will need to be approved before the ski area can be opened.

Mike Waddell asked for clarification regarding what the applicant is now asking for in the site plan application. John Scarinza explained that in the memo dated July 5, 2016 the applicant is now asking for additional items that were not originally in the application submitted on March 31, 2016. They are now asking for approval for the entire ski area.

Tara Bamford said that from her discussions with the applicant, the applicant is asking, "what details does the board need to find the application complete."

The Board began the review of the updated application.

SUBMISSION REQUIREMENTS - SITE PLAN REGULATIONS

A. General Requirements

Site plan with the following characteristics:

- a. Maximum plan size: 22" x 34"
- b. Suggested scale: 1" = 40'
- c. Submit three (3) copies of blue or black line prints
- d. Date, title, north point, scale
- e. Name and address of developer, owner, and applicant if not the owner
- f. Name, address and stamp of the Registered Professional Engineer and/or Registered Land Surveyor who prepared the plan.

Provided - replacement plans were submitted at the meeting with the surveyor info

B. Site Plan Requirements

1. Surveyed property lines showing bearings, distances, monuments, the lot area, and names of all abutters.

Provided The applicant submitted an amended plan on July 5, 2016.

2. Existing and proposed grades, drainage systems and structures, with topographic contours at intervals not exceeding 2 feet with spot elevations where grade is less than 5% (percent), otherwise not exceeding 5-foot contour intervals.

Provided

3. The location of all buildings within 50 feet of sight lines of existing abutting streets, and the location of all intersecting roads or driveways within 200 feet, together with an identification of the use of abutting properties.

Provided

4. Natural features such as streams, marshes, lakes, or ponds, types of vegetation, and ledge outcrops. Man-made features such as, but not limited to, existing roads, structures and landscaping. Such map shall indicate which of such features are to be retained and which are to be removed or altered.

Provided

5. A vicinity sketch (suggested scale 1" equals 400') showing the location of the site in relation to the surrounding public street system. The zoning districts and boundaries for the site and up to 1,000 feet from the site shall be shown. One hundred year flood elevation line shall be included where applicable.

Provided

6. The size and proposed location of water supply and sewage facilities and provision for future expansion of sewage and water facilities, and all distances from existing water and sewage facilities on the site and on abutting properties to a distance of 200 feet.

Not applicable – With Condition *The applicant stated that the Wilderness Base Lodge is not part of the ski area site plan. The applicant asked that this be a condition of approval. The board agreed that there would be a condition of approval and applicant will not be able occupy the Wilderness Base Lodge until an amended site plan is submitted to the board that provides the required information.*

7. The size and location of existing and proposed public and private utilities and utility connections, with all necessary engineering data. Include provisions for fire protection.

Provided – With Condition *Amended plans were provided to show electrical line locations. The provisions for fire protection will be a conditional of approval. The board and the Fire Marshal will address it as part of the building permit process for the utility buildings.*

8. The shape, size, height, and location of the proposed structures, including expansion of existing buildings.

Provided – With Condition *Ski lift areas are shown. As a conditional of approval, the board agreed that the applicant would need to have a permit from DOT. The design of the ski back bridge will need to be submitted to the board for review. The applicant has requested a waiver from building permits for all the ski towers. Ron Antsy stated that the planning board does not have the authority to waive*

building permits and the Tramway Board cannot enforce state building codes. The board recommended that Marshal Ron Antsy request from State Fire Marshal Degnan the ability to issue a building permit for a lift in its entirety.

9. The location, type, and size of all proposed landscaping and screening.
The board decided that the proposed landscaping would need to be submitted with the ski back bridge design.

10. Exterior lighting plan and proposed signs (advertising and instructional) to be located on the site.

waived with understanding that no signs will be placed without submission and approval of the PUD sign plan, and lighting will be covered with a condition of approval regarding dark sky compliance

11. A storm drainage plan, including plans for retention and slow release/recharge of storm water where necessary, including the location, elevation, and site of all catch basins, dry wells, drainage ditches, swales, culverts, retention basins and storm sewers. Indicate direction of flow through the use of arrows. Show the engineering calculations used to determine drainage requirements. A plan for long-term maintenance of the storm water facilities must be included. Indicate plan for snow removal and storage.

The applicant has not applied for the DES AOT permit. The application is not complete until the storm water plan is submitted. The board agreed that it would review the stormwater in phases that mirror the DES AOT application. The first phase will need to include the yellow and blue areas on Map H-5. The drainage structures must be shown. In addition, the board requested that the applicant show existing ski trails on the maps with a different color.

12. A circulation plan of the interior of the lot showing provisions for both auto and pedestrian circulation. An access plan showing means of accesses and egress, and proposed changes to existing streets, sidewalks or curbs, including any traffic control devices or signs necessary in conjunction with the site development plan.

The board rejected the applicant's request for this requirement to be a condition of approval. The board agreed that an amended site plan would need to be submitted to the board for approval before the ski area can open.

13. Proposed streets with street names, driveways, parking spaces, sidewalks, with indication of direction of travel for one way streets and drives, and inside radii of all curves. The width of streets, driveways, sidewalks and the total number of parking spaces shall be shown. In addition, loading spaces and facilities associated with the structures on the site shall be done.

The board rejected the applicant's request for this requirement to be a condition of approval. The board agreed that an amended site plan would need to be submitted to the board for approval before the ski area can open.

14. Construction drawings including, but not limited to, pavements, walks, steps, curbing and drainage structures.

The Wilderness Base Lodge has been removed from the site plan application. The Board deferred traffic and parking to an amended site plan. Drainage structure drawings will be required as part of the stormwater plan.

15. The location of all buildings setbacks required by the Zoning Ordinances.

Provided by Waiver Request. *The applicant submitted a waiver request for setbacks for internal boundaries, DRED lot, zero setbacks for Ski Lifts 1, 2, and 3, and the ski back bridge at the Rt. 26 right of way lines and Spur Road right-of-way lines.*

16. Location of zoning district boundaries.

The location is provided. The board decided that as a condition of approval, the applicant is to provide information on the specific Best Management Practices (BMP), e.g. by reference to certain manuals, for PUD permit Condition A.-8 regarding Protection Districts.

17. The lot area and street frontage.

Provided

18. The location of all existing and proposed deed restrictions, easements, covenants, etc.

The board decided that the applicant must submit final mitigation plans prior to recording. Bernie Waugh recommended that the board request from the applicant a safety plan. The safety plan must include the procedures in place for when wind towers are covered with ice. The board agreed with the recommendation. The applicant agreed to submit an engineer's study and recommendations that will form a basis of safety plan. The board will evaluate the information to determine if it is sufficient for a condition of approval.

19. A soils classification map, together with descriptive information for each type of soil (required for onsite sewage disposal only).

Not applicable

20. Copies of all applicable state approvals, permits, and associated application material.

The DES AOT permit application is required. The DOT access permit will be provided in an amended site plan.

21. Visual and noise reduction barriers to adjacent properties, if applicable.

The board has requested the applicant to submit a letter from the NH State Parks is in agreement with the barriers.

22. The Planning Board may require such additional other information as it deems necessary in order to apply the regulations contained herein. The cost of all such additional information will be paid by the applicant. *The DES wetlands application is on file. The DOT access application and DES AOT are pending.*

Additional Requirements for PUD from Zoning Ordinance

A. Land use designation.

Applicant will revise the land use designation to recreation-ski facilities.

B. Number of acres devoted to each permitted use.

Tara responded that the acreage of new and existing open ski terrain and glade skiing are provided. It should be noted that the application also references the Zoning Ordinance

definition of ski facilities, which includes uses not included in this application. Plans have only been provided for the ski terrain and lift locations. It should be specifically noted that the areas noted on the plans as "Proposed on Mountain Lodge Area" are not part of this site plan application as no information has been provided. The applicant will make the recommended change.

- C. Number of dwelling units proposed.

Not applicable

- D. Number of lodging units proposed.

Not applicable

- E. Number of square feet of each other permitted use.

Provided

- F. Estimates of trip generation, trip distribution, and potential impacts on exiting public highway system.

The information will be provided in future site plan applications.

- G. Use, height, location/footprint of buildings and other structures.

Discussed in detail under Site Plan application Requirements

- H. Proposed ownership arrangement.

Provided

- I. Proposed articles of incorporation and bylaws of any corporation and or/association to be formed.

The Board requested the applicant to provide a list of Dixville Capital LLC officers.

- J. Location and design of water supply, wastewater treatment and other utilities to serve the development whether or not located on the portion of the Planned Unit Development, which is the subject to the subdivision or site plan application.

The information will be provided in future site plan applications.

- K. Location, function, ownership, and maintenance responsibility of common areas, conserved lands, and other open space.

The final mitigation plan will need to be recorded.

- L. Language of covenants, easements or other restrictions to be imposed upon the use of land, buildings and other structures including proposed easements for roads, pedestrian ways, and other public utilities. Including how they will be monitored and enforced if applicable.

To be provided.

- M. Proposed language-ensuring responsibility for maintenance and improvement as needed of roads, pedestrian ways, water, wastewater and storm water management facilities, including covenants, articles of association, bylaws.

Not applicable at this time.

- N. Sign guidelines unless approved as part of the PUD Permit, including the number, size, design, and typical placement of each type of sign, including materials, heights, colors, and proposed setbacks for each sign category such as directional, development, and businesses.

A condition of approval. Must submit sign plan before any signs can be added.

- O. Landscaping plan

To be provided in amended site plan.

- P. Proposed time schedule for completion. If phased, details of each phase to enable evaluation of performance guarantees.

Provided.

SOME OTHER HOUSEKEEPING PRIOR TO APPROVAL OF THIS APPLICATION

1. Need determination of potential regional impact for this application pursuant to RSA 674:54 and PUD approval.

To be determined after application is voted complete.

2. The findings and development agreement still need to be signed and recorded. *Final version was submitted to the Board.*
3. Revised full size set of PUD plans showing finalized mitigation areas needs to be provided prior to the development of agreement being recorded.
4. Compendium needs to be approved by the Board.

A draft was distributed to the Board

5. The applicant was required to provide copies of agreements for emergency services as part of this site plan application.

Provided

Tara summarized for the board the items need for the application to be considered complete:

With the condition that the ski area not open until the site plan is amended to address user parking, access, water and sewer-

1. Ski back bridge design with associated landscaping plan.
2. AOT application for Phase 1 (the blue and yellow) including construction drawings for drainage structures.
3. BMP information per Condition A-8 regarding the Protection Districts.
4. The information Burt Mills offered to provide that he feels would provide the basis for a safety plan around the wind towers, and the Board would then need to decide if it is adequate for developing conditions of approval. The board will need to evaluate information to determine it is adequate.
5. Revised plans showing the existing ski trails color-coded.
6. Letter from DRED saying they are Ok with the state park buffer.
7. Revised plans correcting labeling regarding “proposed” and “future”.
8. Provide list of Dixville Capital LLC officers.

The board will notice the public when the information requested has been received and a meeting date has been set. Rick Tillotson made a motion to adjourn. Ed Mellet seconded the motion. All voted yes. The meeting was adjourned at 9:50 pm. The next regular meeting will be on August 23, 2016 at 6 pm in Lancaster, NH.

Respectfully submitted,
Jennifer Fish, Clerk