

COÖS COUNTY PLANNING BOARD

Lancaster, NH

May 18, 2016

Present from the Board: John Scarinza – Chair; Fred King – Vice Chair; Jennifer Fish – Clerk; Ed Mellett, Representative Leon Rideout; Mike Waddell, Rick Tillotson, Scott Rineer; alternate Tom McCue; Board Secretary Suzanne Collins.

Also in Attendance: Bernie Waugh, Esq.; Tara Bamford, North Country Council; Ron Anstey, NH Fire Marshal's Office; Ed Brisson, David Norden, Clay Smith, Dixville Capital, LLC; Andy Nadeau, Horizons Engineering; Scott Tranchemontagne, Montagne Communications; and members of the public and press.

John Scarinza, Chair, called the meeting to order at 6:05 PM. He thanked Rep. Rideout for the use of the Lancaster Town Hall.

APPROVAL OF MINUTES OF APRIL 26, 2016:

Rick Tillotson made a motion to approve the minutes of April 26, 2016 with amendments. Mike Waddell seconded the motion.

Amendments:

Page 3. Item 7 – Rewrite the paragraph after the sentence “He asked Fire Marshal Antsey about how that will be coordinated”. **“Fire Marshal Antsey requested guidance from the planning board because NH Safety Services has jurisdiction. Rick Tillotson recommended that the board receive a letter from NH Safety Services department relative to the ski lifts design approval with a sign off from the Fire Marshal.”**

Page 4. Item 10 – Insert the word “typical” in the following sentence, “The board requested that the applicant provide **“typical”** specifications for the lighting.

Page 4. Item 11 - Prior to the sentence “The Board agreed with Tara’s recommendations” insert the following sentence, **“Rick Tillotson suggested that the applicant focus on the County’s requirements relative to storm drainage at the property boundaries with adjoining properties.”**

With no further comments, the Chairman asked for a vote to approve the minutes as amended. All voted in favor by voice vote.

PUBLIC COMMENTS NOT RELATED TO AGENDA ITEMS: None.

NEW BUSINESS:

Dixville: *Review site plan application of Dixville Capital, LLC for interior and exterior renovations and reconstruction of the Dix House and the Hampshire House at The Balsams Resort.*

Scott Rineer recused himself from the Board due to a conflict of interest. Chairman Scarinza appointed alternate Tom McCue as a full voting member.

John Scarinza provided some background information for Board members. He stated that on 2 occasions since the last meeting he has met with Dixville Capital, LLC to do a cursory review of the application and

provide advice to the developer with a goal of having the most complete application possible. He noted that Tara Bamford had attended the second meeting and shared some advice for additional documentation needed for a more complete application.

He noted that Dixville Capital has requested that the Board focus on the site plan application for the Dix House-Hampshire House first.

John stated that Tara has prepared a matrix for the Board to use in the review process. It was distributed. Ed Brisson stated that Dixville Capital had prepared written responses to Tara's matrix. Copies of the matrix with the Dixville Capital responses were distributed.

The matrix follows. It includes the written regulation, Tara's comments and Dixville Capital's response as well as comments/questions from the Board members: Note DC = Dixville Capital.

SUBMISSION REQUIREMENTS – SITE PLAN REGULATIONS

A. General Requirements

1. 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.

Tara: The owner is listed as Dixville Capital, LLC. As discussed this needs to be corrected to identify the actual current owners vs Dixville Capital, LLC as the agent.

DC: Revised. Dixville Capital submitted new plans dated May 2016 (updating those of April 2016) with the ownership changes.

B. Site Plan Requirements

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

Tara: This requirement can be met by including a copy of the subdivision plan in the site plan application file. As discussed, this should include the addition of a sheet showing the location of the lot to be subdivided relative to the boundaries of the original lot, along with abutters of the larger lot.

DC: Revised, subdivision is Sheet C1.1

Tara added that it doesn't really show the whole original lot – a sheet with the P-DD. Fred King asked what detail is missing. Tara stated that the Board is considering both a site plan and a subdivision. Engineer Andy Nadeau stated that Dixville Lot 6.4 is being subdivided. Lake Gloriette bounds it on one side and parcels owned by the same owners on the other sides. Tara stated that the board does not have a good plan showing the larger lot that will be left. Mr. Nadeau stated that the remaining lot is surrounded by Cold Spring Road, Spur Road and Lake Gloriette. John reminded the Board members and public that the Board

is also considering a subdivision application tonight. In order to get it recorded at the Registry, the larger lot needs to be shown on the final plan to be recorded. Mr. Nadeau noted that this request was not a problem.

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.

Tara: ok Planning Board: No further comments.

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.

Tara: ok Planning Board: No further comments.

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.

Tara: ok Planning Board: No further comments.

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.

Tara: ok Planning Board: No further comments.

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.

Tara: ok Planning Board: No further comments.

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.

Tara: ok Planning Board: No further comments.

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

Tara: As discussed, the height of the building needs to be added to the plans.

DC: Revised with height on elevation diagrams – see sheet A-200.

9. The location, type and size of all proposed landscaping and screening.

Tara: ok Planning Board: No further comments.

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

Tara: Cut sheets for lighting should be provided.

DC: Provided as an exhibit. Ed Brisson stated that the exhibit is available but it was not brought to the meeting. Board members agreed that it would be brought to the next meeting. Ed Brisson stated he would e-mail it to board members tonight with hard copies to follow.

Tara: It was agreed when we met that a sign plan will be submitted with the first site plan application that includes signage. It is my understanding that no signage is proposed as part of this application.

DC: Additional narrative provided under B10 in the updated application narrative dated May 18, 2016. Item 10 in that document includes new language.

Tara stated that she doesn't think Dixville Capital needs a waiver. Ed stated that there is no new signage. Any new signage will be included in future site plan applications. When signs are proposed, a plan will follow.

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 stormwater facilities must be included. Indicate plan for snow removal and storage.

Tara: It was agreed that the applicant will provide this information in the form the existing AOT application and permit, and the application to amend the AOT permit. Although it is likely that this information will be contained in that material, substantive comments will be provided once that is available for review.

DC: 3 Copies of the Amendment to existing AoT were provided as an exhibit, additional narrative on PD5 and snow removal also included.

Tom McCue asked if this is the AoT (Alteration of Terrain) permit application that was previously approved. Ed replied, "No, it is an amendment". He continued that tonight's application is to renovate the Dix and Hampshire Houses. Balsams View, LLC had previously obtained an AoT from NHDES, a Shoreland Permit, a Drinking Water Permit and a Waste Water Disposal Permit. Although the Dixville Capital plan is very similar, they are submitting amendments for each of these permits as well as a renewal application for the waste water treatment plant as it expired in March.

John Scarinza wondered why they had to submit an amendment. Ed Brisson replied that Balsams View, LLC was going to have a major relocation to Spur Road in order to accommodate the proposed conference center. The Dixville Capital plan does not contain these changes. The Conference Center will be part of the Lake Gloriette Lodge Site Plan application.

John asked if the Board was good with accepting the AoT Amendment submittal. The Board signified that members were okay with it.

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.

Tara: ok Planning Board: No further comments.

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.

Tara: The number of parking spaces needs to be clarified. She thought the narrative and maps did not match.

The number of parking spaces required for the hotel is 119. However, in order to complete the substantive review, it will be necessary to clarify whether there will be any use of hotel facilities by day users, and whether any use of the parking area is anticipated by other resort functions at this time.

DC: Additional narrative provided to show parking space calculations in the new narrative dated May 18, 2016.

Tara: If the parking easement is going to be associated with a specific location on the ground, survey information should be included for that area as well.

DC: Additional narrative provided and revised Declaration of Easement.

Discussion:

Ed Brisson added that parking is typical of a mixed use resort. He noted the plan depicts a 109 space parking lot, 24 spaces along the driveway, with another lot for 25, one for 94 and one for 67 in 3 additional locations. A new Declaration of Easements in the May 18th document describes how parking will work for the hotel. The actual hotel site will only have 5 parking spaces on its lot. All other parking is on a shared basis as shown in Exhibit 8. Tara countered that only 133 spaces are shown on the site plan. Ed repeated that the specific details are in the easement document. Tara replied that it needs to be on the plan and she has not seen a plan. Ed referred the Board to Plan C2.4.

Fred King stated that he understood that the old 9 hole executive golf course near the hotel was going to be available for parking and noted that it is a huge piece of land. Ed Brisson agreed and stated that it is included in Exhibit 8.

John stated to Tara that for purposes of the hotel site plan, the applicant is showing enough parking area. Tara replied that it wasn't a question of enough just that it needs to be clear on the plan. Ed Brisson added that the bed count has gone up to 123. In terms of Tara's concerns about the future, when new uses are added, Dixville Capital understands that more information will need to be presented for future buildings. Mike Waddell asked Tara if she

finds the new submission adequate. Tara replied that she guessed so; typically the developer would provide a survey.

John Scarinza stated that on Plan C2.4 he sees 109 spaces, 5 spaces near the hotel, and another 25 spaces. He asked if easement documents identify these spaces. Ed said the Declaration of Easements identified 300 spaces; the hotel will have 5 on its lot plus 136 in the shared spaces.

Tara: Snow storage needs to be shown.

DC: Provided in #11.

John Scarinza read the snow storage language in the Declaration of Easements. Tom McCue thought that somewhere on the plan snow storage should be marked. Rick Tillotson noted that in a typical site plan there isn't enough space for a lot of snow storage but in the case of The Balsams the former hotel and factory had sufficient space for snow for the last 50+ years. Tara stated that run off should be addressed. Mike Waddell wondered if run off was addressed in the AoT? Ed Brisson replied that it was not.

John Scarinza asked for a consensus. Fred King stated that the property covers acres and acres that are open for use. Rick Tillotson added that the former Balsams sometimes had 500 working in the factory and at the hotel as well as 350 guests.

Board members then agreed there is enough information provided in the application.

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

Tara: ok Planning Board: No further comments.

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

Tara: It was agreed that the setbacks will be added on the subdivision plan.

DC: Revised, subdivision is Sheet C1.1

Ed Brisson stated that the setback is to the dripline of the roof and there is a zero setback where the tunnel is located.

There were no comments from the Board.

16. Location of zoning district boundaries.

Tara: ok Planning Board: No further comments.

17. The lot area and street frontage.

Tara: This will be met with the addition of the subdivision plan to the file.

DC: Revised, subdivision is Sheet C1.1

Planning Board had no further comments.

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

Tara: ok Planning Board: No further comments.

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

Tara: ok Planning Board: No further comments.

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

Tara: Have the wetlands and 401 permits and application material. Will need application to amend AOT permit and driveway permit application for completeness. Will need copies of all other required state and federal permit prior to approval.

DC: AOT, Driveway and additional others provided as an exhibit.

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

Tara: ok Planning Board: No further comments.

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.

Tara: To be determined by Planning Board.

Mike Waddell stated he was at a loss. He didn't know where the subdivision starts and the site plan ends. John replied that the subdivision is the next item on the agenda. Mike added that the site plan looks good but was curious about the subdivision being only the buildings. He was concerned that if one party goes bankrupt, how it affects the other party. He added that he could agree to the completeness of the Site Plan Application.

Tom McCue noted that the application narrative dated May 18 does not include Exhibit 9 – Declaration of Protective Covenants that was included in the April 25th document. Ed Brisson stated that the previous exhibits still apply. Since Exhibit 8 was updated it was included in the May 18th narrative but Exhibit 9 was not changed.

Ed Mellett inquired if the Board needs any assurances of financing for this project. Attorney Waugh asked what he is looking for. He added that it is not typical for a planning board to ask for that information. Rep. Rideout stated that the Board is here to determine if the application submitted meets the Board's regulations. Fred King agreed that he didn't think the issue of financing is appropriate here.

Additional Requirements for Subdivision and Site Plans per Balsams PUD:

- A. Land use designation

Tara: Incorrectly interpreted as zoning district but the information is provided elsewhere.

DC: Revised to Destination Resort.

B. Number of acres devoted to each permitted use

Tara: ok Planning Board: No further comments.

C. Number of dwelling units proposed.

Tara: ok Planning Board: No further comments.

D. Number of lodging units proposed.

Tara: ok Planning Board: No further comments.

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

Tara: As discussed there is an error in the application that needs to be fixed for consistency – “residential” needs to be changed to “lodging.”

DC: Revised

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

Tara: This information needs to be provided. Substantive comments will be provided once that info is available for review.

DC: Additional narrative provided with trip calculations was provided under Item F in the new submission dated May 18.

Tom McCue noted that there was a lot more traffic when the factory was there.

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

Tara: ok Planning Board: No further comments.

H. Proposed ownership arrangement.

Tara: ok.

Tom McCue noted that the project will be owned as Hampshire Dix House – A Condominium. Ed Brisson stated that the entire hotel will be condominiumized. They may or may not sell 100% as condos. Units are sold as 100 day fractional ownership. One unit can be sold 3 times with the remaining 65 days available. Tom asked if some units will be rented as hotel rooms. Ed replied definitely when owners are not in occupancy. Tom asked if Dixville Capital is working with the Attorney General’s office on the documents. Ed replied that they are and once approved the documents will be provided to the Board. He stated that to someone walking off the street, it is a hotel. Dave Norden clarified that the rooms are available for sale for 100 nights. Most owners will not use 100 nights a year and there will be incentives to allow the owner to

reduce the annual carrying costs by making the room available for rent. The property will essentially function as a hotel.

Tom McCue asked Attorney Waugh if there is anything in this hybrid that Board members should be looking for. Attorney Waugh replied that the association documents should have a legal review to assure there is sufficient language that any conditions imposed by the Board will be followed. Rick Tillotson wondered if there are some fractional ownership set ups like this in New Hampshire. Dave Norden replied that they are very common. Ed Brisson gave an example of the Grand Summit at Killington (Vermont).

Ron Anstey stated that he is not familiar with Lake Abeniki and wondered if it is a decent size. Ed Brisson replied that it is. Ron stated that the intake at Lake Abeniki needs to be shown on the site plan. Mr. Anstey also referred to the hydro station building where the new 14" pipe dumps into a 20" pipe. He is concerned with pressure loss. See Plan C3.1. Rick Tillotson stated that there is an existing intake that was put in new around 1998-1999 when they redid the dam. Ed Brisson stated that it is a question he will look into for building permit time. Ron stated that he is not questioning the size of the lake – the goal is to be sure the intake is not encrusted and grown over by plant life. He added that a lot of junk can accumulate since 2000. It is all gravity fed and from his point of view there needs to be an alarm system on the lake depth, supervision of the valve will be a concern and a plan to assure that no one can shut the water off. Also the developer needs to provide fire department access to the western side of the building.

John Scarinza asked Ron if he is all set with the plans he has seen so far. Ron replied that he just needs the hydraulics.

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

Tara: It was discussed that the actual language will be determined as part of the AG review and I will recommend that it be a condition of approval, but typical language should be provided in the meantime.

DC: Additional narrative provided requesting waiver. Ed Brisson stated that they have one more draft to go before providing it in the next week or so.

- 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.

Tara: ok Planning Board: No further comments.

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

Tara: ok Planning Board: No further comments.

- 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.

Tara: ok

Tom McCue recommended that the Board has Exhibit 9 (Declaration of Protective Covenants) legally reviewed to be sure there aren't enforceability issues down the line.

Mike Waddell asked Attorney Waugh if these covenants need to be ready as a condition of approval or by the time the Board votes. Attorney Waugh replied that RSA 676:4 speaks to conditions precedent. It is usually the legal review and approval does not become final until conditions precedent are met.

Mike stated that Attorney Waugh should conduct the legal review and should come back and notify the Board if he finds a problem.

Attorney Waugh stated that the Board can delegate its attorney to talk to the developer, to work out any concerns. The Board's attorney will want to assure the Board that the conditions of approval will be met designating a contact person.

Ed Brisson requested that the Board authorize Attorney Waugh to talk with Dixville Capital's attorneys. John Scarinza asked Attorney Waugh if the Board should do that now. Attorney Waugh assured the Board that if authorized he will send any comments to the applicant and the Board.

Mike Waddell made a motion to have Attorney Bernie Waugh review the documents, work with Dixville Capital's attorneys and keep the Board informed. Ed Mellett seconded the motion. There was no further discussion and all voted in favor of the motion by voice vote.

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.

Tara: ok.

Tom McCue stated that his understanding is that the existing roads are owned and maintained by NH DOT. There are provisions for these roads to end up owned by the resort. He stated that there is no language in Exhibit 9 that mentions the state roads becoming private roads. John Scarinza stated that there should be a provision to address these future private roads. Ed Brisson replied that the Easement document covers this in case it happens. Tara added that it is on page 2 of the easement document.

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.

Tara: It was agreed when we met that a sign plan will be submitted with the first site plan application that includes signage. It is my understanding that no signage is proposed as part of this application.

DC: Additional narrative provided.

Tara added that no waiver is needed.

O. Landscaping plan.

Tara: ok Planning Board: No further comments.

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

Tara: ok Planning Board: No further comments.

Tara stated that performance guarantees will be covered during substantive review. John asked Attorney Waugh when it will be appropriate to address them. Attorney Waugh stated that they don't have to provide any for completeness purposes.

Mike Waddell noted that it appears that the Board has a complete application. He asked if the Certificate of Occupancy will be issued by the State. Mr. Anstey replied that the way the building is designed, the State can do a separate Certificate of Occupancy for each section.

Tara stated that she recommends accepting the application as complete with the understanding that the Board will be provided with the lighting cut sheet, snow storage information as part of the easement and the sprinkler system intake detail.

Rick Tillotson said that based on his recollection on snow storage with all the excess space that exists on site to put it, do we need it on the plan. Tara replied that the easement language should specify that snow storage is allowed on resort land. Rick suggested that the engineer just add areas around each parking lot designating snow storage. Fred King stated that based on the size of the acreage, it would be better to state where snow can't be stored. John Scarinza added that when the Fire Marshal reviews the plans, he can indicate where he recommends that snow not be stored. He asked Ron Anstey to work with the applicant on that.

Tom McCue asked the applicant to provide a final single application document in a logical sequence. Ed Brisson asked if it can be submitted electronically. John Scarinza stated it need to be a paper submission with page numbers.

Rick Tillotson made a motion to accept the Site Plan Review Application for the Hampshire House and Dix House as complete with the following conditions: a. complete application contained in one document with pages numbered; b. applicant to work with Fire Marshal to designate areas where snow should not be stored for safety purposes; c. lighting cut sheet to be submitted; d. snow storage added to easement document; and e. detail on intake at Lake Abeniki. Fred King seconded the motion.

The Chairman asked for any further discussion. There being none, all voted in favor of the motion by voice vote.

Dixville: Review an application for a 2 lot subdivision (Map 1626 Lot 6.4) at 136 Cold Spring Road by Dixville Capital, LLC.

It was noted that the updated plan was included in the Site Plan submittal C-1.1. John Scarinza explained that the Planned Unit Development (PUD) allows more than 2 subdivisions.

Horizons Engineer Andy Nadeau presented the plan depicted on C-1.1. The request is to subdivide Lot 6.4 into a 1.64 acre lot with 46' frontage on Cold Springs Road with the remaining lot containing 13.4 +/- acres.

Mr. Nadeau stated he will prepare a second sheet that shows detail of the land that is remaining.

Mike Waddell asked why Dixville Capital is subdividing the hotel from the rest of the lot. Ed Brisson stated that the Resort wants to control landscaping to assure that it is well maintained. Mike asked if the newly created lot will be owned by the Condo association. Ed Brisson replied that it will – the shareholders will own the building and the lot. Mike asked if the condo owners will have property rights to all the utilities that serve the lot. Ed replied yes and that all those details are contained in the easement document provided. Mike asked who is responsible for the utilities. Ed Brisson replied that electric is NH Electric Coop, telephone is Dixville Telephone Company, water will be provided by a private company formed for water and sewer services and will be regulated by the PUC. Mike wondered if the water system will serve more in the future. Andy Nadeau replied that this subdivision is typical and stated that the Mt. Washington Hotel is situated on a separate parcel of land from the golf course, etc.

In reviewing the map, Tom McCue noted that some parcels of the resort lands are owned by Balsams View, LLC; some parcels are owned by Dixville Woodlands, others by Dan and Dan, LLC. Mr. Nadeau replied that all the lands with a NH Society conservation easement are listed as Dixville Woodlands. Currently all the different entities noted on the plans are owned by Daniel Hebert and Daniel Dagesse.

John Scarinza reiterated the need for a larger scale map to show the large parcel from which the hotel parcel is being subdivided.

Tara noted that on the inset, the owner is not correct. Andy Nadeau replied that it will be corrected on the final plan.

John Scarinza began the Land Subdivision Regulations Checklist Review.

The following items were noted:

#3 – Plat with 3 blue or black line prints on paper – Revised plats will be submitted.

#8 – Payment to cover filing fees, mailing, advertising, recording and other costs – County will send bill when costs are determined.

#18 – Deed Restrictions – It was noted that there are no deed restrictions on this existing parcel.

#19 – Open Space – No open space.

#23 – Profiles of water mains, sanitary sewers, gas and other utility systems – This information will be provided in the site plan application.

#28 – Sale of 1" for 100'. Mr. Nadeau noted that the scale is 1" to 50' and he requests a waiver. Tom McCue noted that it works for this application.

Upon completing the review of the checklist, Rick Tillotson made a motion to accept the subdivision application as complete. Rep. Rideout seconded the motion.

Mike Waddell stated that when the Board approves this subdivision, the members need proof that the utilities such as water, sewer and so on are okay. Ed Brisson replied that those assurances are in the Site Plan application. John Scarinza wondered which one the Board should do first – the site plan or the subdivision.

Attorney Waugh stated that the law does not care. The Board can make one motion with 2 parts. Andy Nadeau stated that Balsams View, LLC will own both lots. Tara advised that the Board wants to keep the 2 together. She recommended accepting subject to the additional sheet being prepared and submitted.

There being no further discussion, the Chair called for a vote. All voted in favor of Rick Tillotson's motion by voice vote.

Ed Brisson thanked members of the Board.

RATIFICATION OF BUILDING PERMITS:

Ed Mellett made a motion to ratify the following building permits. The motion was seconded by Rep. Rideout.

457	Robert & Judy Klunder	Atkinson/Gilmanton	3/23/2016	Roof extension on NW side
458	Mt. Washington Railway Co.	Thompson/Meserve	2/22/2016	Interior Renovations
459	David & Bernadette Rising	Wentworth Location	4/14/2016	14'x10' enclosed porch with attached existing deck
460	Adam & Carol Fleury	Success	5/11/2016	Raise camp for full basement under existing footprint.
461	Richard Bertin	Wentworth Location	5/13/2016	7'x 14' woodshed

There being no discussion, all voted in favor of approval with the exception of Tom McCue who abstained.

OTHER NEW BUSINESS:

Each member of the Board was provided with copies of two letters addressed to the Board:

1. Letter from Andy Martin, dated May 17, 2016.
2. Letter from Ken Strong, dated May 12, 2016.

The letters will be attached to these minutes once approved by the Board.

The Board took no action on the letters. Attorney Waugh advised that there was no need for non-public session regarding these letters and cited case law *Stillwater vs. Salem Planning Board*. The Supreme Court does not owe a duty to specific individuals for purposes of damages.

John Scarinza stated that in his experience as long as the Board is diligent and thorough and thoughtful and follows its rules, that the Board trusts the information that comes in and it does not take shortcuts, the courts are supportive.

Rick Tillotson asked for clarification that the Board is not going to respond administratively to these letters. Attorney Waugh agreed.

OLD BUSINESS:

Dixville: *Continue the Site Plan Review Application for completeness – Dixville Capital, LLC for redevelopment and expansion of the ski area at The Balsams Resort.*

John Scarinza recommended continuing review of the site plan application to a date in the future. Dave Norden stated that once the Hampshire-Dix House application is voted on, the applicants will get back to the ski area plan. John explained the requirement to continue it to a date certain. It was decided to continue it to June 6, 2016.

TIME AND DATE OF NEXT MEETING:

The next meeting of the Planning Board will be held June 6, 2016 at the Tillotson Center in Colebrook. The Board will also hold a public hearing on the Dixville Capital, LLC Site Plan Application for the Hampshire-Dix House and the 2 lot Subdivision in Dixville.

Ed Mellett inquired if this site plan is a project of regional impact. Tara Bamford replied that as stated in the PUD, it is.

Rick Tillotson made the motion to designate the Site Plan for the Hampshire-Dix House at The Balsams Resort a project with regional impact. Ed Mellett seconded the motion. There was no further discussion and all members voted in favor of the motion by voice vote.

John Scarinza informed Board members that Tara Bamford is resigning from North Country Council effective June 30, 2016. She will continue to work as a planner as an independent contractor. John recommended to the Board that it continues to contract with Tara as an independent contractor. Tara will prepare a proposal to present to the Board.

Mike Waddell made a motion to continue to engage the services of Tara Bamford, independent contractor, after June 30, 2016. Fred King seconded the motion. With no further discussion, the motion passed unanimously.

Rick Tillotson made a motion to adjourn. Ed Mellett seconded the motion. All voted in favor.

Respectfully submitted,

Suzanne Collins
Secretary to the Board

Attachments: Letter from Andy Martin; Letter from Ken Strong