

COÖS COUNTY PLANNING BOARD
Lancaster, NH
October 21, 2015

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

Also in Attendance: Bernie Waugh, Esq.; Tara Bamford, North Country Council; Representatives Wayne Moynihan, Alethea Froburg; Burt Mills, Ed Brisson, David Norden, Jeff Stevens, Coralie Stephanian, Dave Despres, Dixville Capital, LLC; Executive Councilor Joseph Kenney; Beno Lamontagne, DRED; Paul Roy, ProCon; Scott Tranchemontagne, Montagne Communications; members of the press and public.

John Scarinza, Chair, called the meeting to order at 6:01 PM. As the first order of business, the Chairman appointed alternate Mark Frank to sit in for Rick Tillotson and Tom McCue for sit in for Scott Rineer.

PUBLIC HEARING ON PROPOSED ZONING AMENDMENTS:

Chairman Scarinza opened the Public Hearing on the proposed amendments to the Zoning Ordinances for the Unincorporated Places. He read them as follows:

Amendment No. 1: to create a new Resort District in the area of the former Balsams Resort and surrounding recreation areas, and encourage further patterns of compatible development.

Amendment No. 2: to remove Planned Development as a type of subdistrict requiring County Commissioner and County Delegation approval for a zoning change, and create instead a process whereby the Planning Board can issue a Conditional Use Permit for a Planned Unit Development as allowed by RSA 674:21 Innovative Land Use Controls.

Amendment No. 3: to make numerous changes to clarify existing wording and requirements, to remove inconsistencies from the Ordinance, and to update the Ordinance relative to changes in state law.

John first explained that relative to Amendment No. 2, Planned Unit Development (PUD) is more in line with current zoning practices than the Development District – Planned (DD-P) that was adopted some 25 years ago. The PUD zoning requirements better accommodate implementing development phases over a long period of time. He also explained that language items referred to in Amendment No. 3 incorporate Board recommendations for changes to the Zoning Ordinance agreed to last spring prior to being approached by Dixville Capital, LLC.

John asked for public comment stating that this is the opportunity for the public to make suggestions to amend zoning ordinances prior to the Planning Board taking formal action on whether to recommend the zoning amendments to the County Commissioners and County Delegation.

Ed Brisson stated that this zoning amendment will not only accommodate the Balsams Resort but any other PUDs that may be developed in the Unincorporated Places in the future. Ed Brisson asked if there would be an opportunity to modify some definitions and he gave the definition of dwelling unit as an example. He presumed that some of the definitions could be refined. Another definition is junkyard, a place used for storing and keeping among other things two (2) or more unregistered vehicles. He stated that ski areas generally have more than two unregistered vehicles out and about on the ski area property. John Scarinza stated that more than two unregistered vehicles that are in use on the property and not just stored as junk is allowed. Tara Bamford stated that in response to comments made at a prior meeting, the number of days of occupancy required for a dwelling unit was taken out of the definition. Ed Brisson replied that there are still some issues based on potential occupancies.

Burt Mills stated that he had questions regarding the development agreement process and wondered if the language should be expanded regarding financial implications and aspects of the project. He stated they would like a process that “runs the financial aspects of the project up the flagpole to the Commissioners”. The Planning Board does not have fiduciary responsibilities. Attorney Waugh replied that state law is overlying the entire ordinance; if any county funds have to be committed, it is part of state law. Burt Mills wondered if any regional studies are required where the developer and a third party share the cost, does it have to be spelled out. Attorney Waugh replied that the Board would have to make a decision that the funds come through the ordinary process.

Rep. Wayne Moynihan referred the Board to Amendment No. 2 and asked how much the change in language takes away the oversight authority of the Delegation and Commissioners. Currently, zoning changes go to them and with the new language that power is being taken away. Tara Bamford replied that there is no proposal to take any authority to make changes to the Zoning Ordinance. A PUD would no longer constitute a zoning change as the current Development District – Planned (DD-P) now does require a zoning change. John Scarinza added that once this zoning amendment is approved, a developer will not have to go through a zoning change for a Planned Unit Development.

John did clarify to the public that the Board has not completed its work of updating the Zoning Ordinances in their entirety. There remain tweaks to be made and those future proposed changes will go to the Board of Commissioners and Delegation approval process.

Attorney Waugh stated that under the existing old regulations, to approve any phased development plan in any unincorporated place required a zoning change.

Edith Tucker inquired about Amendment #1 for the Resort District and if it could be applied to others, not just The Balsams as the proposed language specifically mentions The Balsams.

There being no further comments from the public, Chairman Scarinza closed the Public Hearing and opened the meeting for Board discussion.

NEW BUSINESS:

Mike Waddell made a motion to approve the zoning amendments and send them on to the Commissioners and Delegation. Rep. Rideout seconded the motion. There being no further discussion, the Chair called for a vote and all members voted in favor of the motion.

Ed Brisson inquired about timing for the next step. Commissioner Brady stated that the County Commissioners next regular meeting is November 5th and the Planning Board's recommendation will be on the agenda. Fred King suggested that the Commissioners consider making their November 5th meeting a joint meeting with the County Delegation. There could be one big discussion and then a vote by the Commissioners and a subsequent vote by the Delegation.

The Chairman continued with the other agenda items:

APPROVAL OF MINUTES OF SEPTEMBER 29, 2015:

Fred King made a motion to approve the minutes of September 29, 2015 as distributed. Mike Waddell seconded the motion. There was no discussion and the minutes were unanimously approved by voice vote.

PUBLIC COMMENTS NOT RELATED TO AGENDA ITEMS: None.

RATIFICATION OF BUILDING PERMITS:

John Scarinza stated that all the building permits listed have been issued. He asked if anyone wanted to review any of the applications. With no request to review any, Ed Mellett made a motion to ratify the following building permits as read into the record by the Chairman. Fred King seconded the motion and all members voted in favor.

Permit #	Applicant	Unincorporated Place	Building Permit For:
446	Brian Mercier	Millsfield	12'x 16' shed
447	Brian Morann	Odell	Replace 5'x4' outhouse
448	David Lorrey/Lynn Morin	Dix Grant	Demolish existing structure/ build new 20'x 30' structure
449	Trustees: Dartmouth College	Second College Grant	3'2"x 8' outhouse at Town Office
450	Trustees: Dartmouth College	Second College Grant	16'x 8' woodshed Stoddard Cabin
451	Trustees: Dartmouth College	Second College Grant	8'x 4' outhouse/16'x 8' woodshed
452	Mt. Washington Summit Rd.	Green's Grant	Wood Pellet Boiler & Storage

453	Mt. Washington Summit Rd.	Green's Grant	Barn Foundation Rebuild
454	Michael Gilbert	Millsfield	Rebuild 9'x 24' Porch to 12'x 24'

OLD BUSINESS:

Review an application submitted by Dixville Capital, LLC for The Balsams in Dixville, NH to determine if it constitutes a complete Planned Unit Development application.

John Scarinza stated that this application was prepared in accordance with the proposed zoning amendments. The amendments have changed the format for receiving the application and include a mechanism to consider an application for a phased development. The PUD application was filed on October 6, 2015. John continued that Tara Bamford has reviewed the submission. He stated that the application is available on the county website.

Tara's review was distributed. John stated that the Board should first agree on what items are complete.

- (a) Signed authorization of all owners of all parcels included in the application. Tara: *This has been provided in Exhibit 2.* **Complete.**
- (b) Abutters list. Tara: *This has been provided in Exhibit 1.* **Complete.**
- (c) Names and addresses of all easement holders. Tara: *This has been provided in Exhibit 1.* **Complete.**
- (d) Tax map and lot numbers of all parcels included in the application. Tara: *Reference is made to Map I-1, however this map does not appear to be accurate regarding the parcels that are part of the proposed PUD vs those that are part of the proposed new zoning district but not part of the PUD. Correction/clarification is needed by correcting the map, and by listing the parcel numbers subject to the PUD application in the narrative.* **The applicant agreed to provide a corrected version that excludes the 3 parcels stating that these are not part of the PUD.**
- (e) General statements to satisfy the Board that the project is realistic, and can be financed and completed. Such statements shall demonstrate that the applicant has the financial resources and support to achieve the proposed development and that a sufficient market exists for the goods and/or services the development will provide. Tara: *This information is provided on page 4 and in the market study in Exhibit 4.* **Complete.**
- (f) Proposed PUD Plan containing narrative and plans with the following information:

1. A location map (drawn on a USGS topographic map base or zoning map) that indicates the location of the property for which a Planned Unit Development Conditional Use permit is sought. This map should show all existing districts and subdistricts. Tara: *Reference is made to Maps H-1 and H-2, however Map H-2 has not been updated to reflect the proposed new zoning district, and the lots within the new zoning district that are not included in the PUD application are not shown as such. Map H-2 needs to be updated and corrected.* Tara indicated that the DD-G designation be removed from the map and the resort district added. **The applicant agreed to provide a corrected version.**
2. Present and anticipated future form(s) of ownership. Tara: *This is discussed on page 5 in general terms.* **Complete.**
3. A statement of the objectives to be achieved by locating the development in its proposed location. Tara: *This information is provided on page 5.* **Complete.**
4. A map showing existing site conditions: topography, water courses, unique natural conditions, forest cover, swamps, lakes ponds, wetlands, existing buildings, road boundaries, existing recreational features such as snowmobile and ATV trails, property lines and names of adjoining property owners, scenic locations, and other prominent topographical or environmental features. Tara: *This information is provided on Maps I-1 through I-4.* **Complete.**
5. A soils map that covers those portions of the site where any development is proposed. Tara: *This information is provided on Map J.* **Complete.**
6. Anticipated distribution of permitted uses: plan showing delineation of each land use/development area accompanied by a table containing for each such 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. Tara: *This topic is discussed on pages 6-14, however the required information has not been provided. If the submission is accepted without an estimate of the number of dwelling units, number of lodging units and estimated square feet of other uses for each proposed development area, I recommend that the Planning Board defer any approval of the number of dwelling units, lodging units and square feet of other use categories, for each development area and for the PUD in total, until the site plan review or subdivision stage.* John Scarinza suggested that the Board revisit this item. **The Board reserved the right to request**

more information as part of the substantive review and/or during the site plan/subdivision stage.

7. Basis for calculation of carrying capacity of each development area including soil types, topography, proposed method of water supply, wastewater treatment and stormwater management, suitability of safe access. Tara: *This topic is discussed on page 14, however the required information has not been provided. If the submission is accepted without the data needed to verify the carrying capacity of the land, I recommend that the Planning Board defer approval of the number of dwelling units, lodging units and square feet of other use categories, for each development area and for the PUD in total, until the site plan review or subdivision stage.* John Scarinza suggested that the Board revisit this item. **The Board reserved the right to request more information as part of the substantive review and/or during the site plan/subdivision stage.**
8. Preliminary proposed general layout of major road system showing at a minimum primary access for each development area. Tara: *This information is shown on Map K-5.* **Complete.**
9. Summary of proposed traffic impact, including preliminary estimates of trip generation, trip distribution, and potential needs for off-site improvements. Tara: *This item is discussed on page 15, however the required information has not been provided. If the submission is accepted without the data needed to verify the adequacy of the existing highway network to serve the development, I recommend that the Planning Board defer approval of the number of dwelling units, lodging units and square feet of other use categories, for each development area and for the PUD in total, until the site plan review or subdivision stage.* John Scarinza suggested that the Board revisit this item. **The Board reserved the right to request more information as part of the substantive review and/or during the site plan/subdivision stage.**
10. Description of proposed water supply, wastewater treatment, stormwater management/treatment and other proposed utilities. Tara: *This information is provided on pages 16-17.* **Complete.**
11. General description of proposed form of ownership of road system, water supply, wastewater collection and treatment, and stormwater management facilities, and party responsible for maintenance of each. Tara: *This information is provided on page 18.* **Complete.**

12. Location of natural, recreation, scenic, historic and cultural resources to be preserved. Tara: *This item is discussed on pages 18-21, however it appears to be incomplete. The discussion is limited to whether or not the applicant intends to preserve resources within Protection Districts. The plans for existing trails should be addressed. It should be noted that preservation of other important resources is also proposed, such as Dix House, Hampshire House, the ski area, and golf course.* John Scarinza suggested that the Board revisit this item. **Will be reviewed by applicant and revised as needed. Additional information may also be requested during substantive review and/or during site plan/subdivision review stage.**
13. Description and location of proposed major open space areas, recreation areas/facilities, conservation lands. Tara: *Maps K-1 and K-6 are referenced; however it is not clear if it is accurate and complete. Clarification is needed as to what lands are already conserved vs what additional lands are proposed for conservation. It should also be noted that Map K-6 shows a future potential mitigation area in the same location that Map K-1 shows future development areas E, F, G, H, I and J.* Ed Brisson explained that the yellow dotted area on Map K-6 is currently conserved. He added that it is not clear how much land will have to be conserved. Along Route 26, the land is totally developable but it may have to be used to mitigate wetlands. He continued that the current DES permit application covers full build-out of the ski area. Ed Brisson stated that additional lands may need to be conserved to offset the density of development. Tara: **Applicant explained that the mitigation land shown now only reflects ski area mitigation. The intent of the additional possible area shown on Map K-6 is to develop it per Map K-1 if not required as mitigation by DES. This item will be reviewed by applicant and revised as needed to clarify/add. Additional information may also be requested during substantive review and/or during site plan/subdivision review stage.**
14. Sustainable design and construction practices promoting energy conservation. Tara: *The applicant states on page 21 compliance with state requirements.* John Scarinza stated that the State has an energy code for new buildings and development. **Complete.**
15. Any other development or architectural guidelines the applicant desires to propose as part of the PUD Plan. Tara: *NA.* **Complete.**
16. Proposed time schedule and phasing plan with enough information for the Board's determination that essential services and amenities will be completed in an appropriate order relative to the overall PUD. Tara:

This item is discussed on page 22 but the required information has not been provided. It is recommended that, at a minimum, before the application is accepted as complete, more detailed information on the elements proposed for construction as part of Phase 1 should be required. Any approval should then be conditioned on provision of the same information for Board review and approval prior to each subsequent phase. John asked Burt Mills and Ed Brisson if Phase 1 is right around the corner. Burt Mills replied that the answers in #17 should apply to #16 as well. The applicant has an agreement with Colebrook Fire Department, 45th Parallel EMS, and Police to include State, Sheriff and Colebrook. Tara stated that as this item is worded, what will Phase 1 include as far as roads, buildings, etc.? Ed Brisson stated that they can provide a general overview of Phase 1 if this application is approved tonight as complete. Tara: **Applicant will add a general overview of phase 1 with timeframe.**

17. General description of provisions of firefighting, police, and emergency medical services. Tara: *This information has been provided on pages 22-23.* **Complete.**

18. A preliminary statement of the environmental impact of the proposed development which sets forth the reasonably foreseeable adverse effects and measures to be taken by the applicant to minimize such effects. An Environmental Impact Statement (EIS) may be required after analysis of the Preliminary Impact Statement. Tara: *This item is discussed on pages 23-24, however the information is incomplete. The narrative should summarize the impacts and measures taken to minimize those impacts. Where state and federal permit processes are relied upon, copies of the plans and supporting material submitted with the permit application should be provided.* John said his understanding is that the applicant is seeking certain state and federal permits. Burt Mills replied that the DES permit application is on the DES website. It will be reviewed by the Army Corps. Burt Mills stated that he will provide the link to the application on the DES website. Ed Brisson added that the County has a hard copy of the application. Burt Mills continued that the process is still underway and some revisions have been made to the original application. The hard copy at the county offices in W. Stewartstown does not include the updates. **Applicant agreed to provide plans and supporting material as links to digital material.**

19. A general statement that indicates how the natural resources of the area will be managed and protected so as to reasonably assure that if those resources are currently designated within Protection Districts

they will receive protection that is substantially equivalent to that under the Protection District designation. Tara: *This item is discussed on page 24, however the information has not been provided. For each area of Protection District proposed for uses not otherwise permitted in a Protection District, it is necessary to include in the application detailed information on the protection that will be given to that specific resource area, and if impacts are unavoidable, what mitigation is proposed to offset them. This information is provided for the PD8 areas on pages 20-21, but is not addressed for the PD5 - shorelines, PD6 - steep slopes/high elevation, or PD7 Wetland. State and federal permit processes cannot be relied upon as evidence that this requirement has been addressed because the Coos County Zoning Ordinance is more restrictive than state and federal requirements.* **The Board will ask for more information on this as part of the substantive review and/or during the site plan/subdivision stage.**

20. Proposed dimensions where different than the underlying zoning district. Setbacks from parcels not included in the PUD may not be reduced. Standards related to health and safety may not be reduced without Planning Board approval of an alternative approach providing the same or better protection. Tara: *This information has been provided on pages 24-27. I recommend that the applicant also request that the PUD permit enable more than one principal building per lot.* Tara stated that the amendments had clarifying language that there is only one principal building per lot. She suggested that the applicant will want to request a waiver of this.

21. Any other information that the Planning Board may deem reasonably necessary. John stated that the PUD is a major change in the zoning ordinance where an applicant can come in with a 10, 20, 30 year project. What rules exist today will not change in the future – the rules continue with the project.

(g) Waivers: The applicant for approval of a PUD Plan may request and the Planning Board may approve, or approve with conditions, waivers from specifications contained in the subdivision and site plan review regulations as part of the PUD application process provided. Such waivers must follow the procedure and criteria contained in the subdivision or site plan regulations. Waivers of standards intended to protect the health and safety will not be granted. The burden of proof shall be on the applicant to demonstrate that any waivers requested will not affect health and safety. 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 judgment of the Planning Board, there is new evidence that the relaxed standard ~~may be~~ is insufficient to protect the public

health and safety. Tara: *The applicant has presented proposed PUD Review Standards in Part III on pages 28-35. In some cases it appears the applicant is requesting waivers of subdivision or site plan procedures and submission requirements, which is not appropriately a part of the PUD application. In other cases it appears that the applicant seeks waivers from specifications as enabled by the above language. However the required information has not been provided.*

For each specification contained in the subdivision or site plan review regulations (or group of specifications such as parking standards) and proposed to be varied as part of the PUD application, a waiver request must include:

- 1. Comparison of the existing requirements with the proposed specification.*
- 2. A statement as to why:*
 - a. strict conformity would pose an unnecessary hardship to the applicant and a waiver would not be contrary to the spirit and intent of the regulations; or*
 - b. specific circumstances relative to the subdivision, or the conditions of the land in such subdivision, indicate that the waiver will properly carry out the spirit and intent of the regulations.*
- 3. Demonstration that the reduced standard will not affect health or safety.*

John stated that he discussed the waiver section with Attorney Waugh. The Board understands that the applicant will ask for waivers. In pages 28-35, John suggested updating that section with the assistance of Tara and Attorney Waugh so that the Board can better understand what items need waivers. Tara stated that the Board can only allow waivers from standards. She stated that an example of a waiver request should be in the following format: "We are applying for a waiver from parking standards, this is what we propose".

Attorney Waugh said that during the Board's review of the application, it will cover all waiver requests. He advised that it is better when an applicant submits all the information required; however, there is opportunity during the review process to request waivers. Tara agreed that it is better to have all information in the application including waiver requests. Attorney Waugh added that it is not legally required however. Ed Brisson stated that they did not know they had to provide written justifications for waiver requests in the application. He said that some items will be better addressed during the review process where the Board members have specific plans in front of them and have the opportunity to discuss those plans.

John asked if the language of waiver requests is something we can help the applicant with. Both Tara and Attorney Waugh replied yes. They agreed to work with the applicant on how to propose requested waivers.

John referred back to the application and stated that according to his notes, information is still needed or may be required in more detail on items 6, 7, 9, 12, 13, 16 and 19. He added that this is a very large project over a long period of time and he understands the difficulty in providing some of the information up front. Rep. Rideout agreed that whenever the Board can defer to the subdivision and site plan review submissions, then the developer can provide those details at that time. Mike Waddell added that he agreed with that noting that he is still concerned that the developer wants a vested right to 4,600 units. He stated that when the Board is presented with Phase 1 it is expected that the application will specify the number of units and other details. Future phases will require the same level of detail.

Burt Mills replied that it is their intention to bring each phase to the Board as they are proposed. The 4,600 units is a conceptual number and it is understood that if all standards can be met, up to 4,600 units is acceptable for The Balsams project. They are not trying to imply that any future phases will not have to meet regulations. They are not now asking for permission to build 4,600 units.

Tom McCue said he thought that as a condition of accepting the application, language that zoning ordinance definitions and other waivers will be part of the approval of the application as complete.

Attorney Waugh advised that the Board should seriously consider conditionally accepting the application as complete with the condition that the Board can require further information. The Board's discussion goes to the merit of the application. Accept it as complete and then the Board can have a substantive discussion.

Tom McCue stated that there is an issue with Item #13, Map K-6. He is concerned with enforcement of a conservation agreement that exists between two private parties. He wondered how the County will be able to enforce the language of the easement. John Scarinza asked Attorney Waugh if the Board could enforce the terms of a conservation easement. Attorney Waugh replied that the Board could attach a condition that includes the conservation easement's conditions as a condition of approval. Attorney Waugh volunteered to write language whereby the Board can approve the application as complete. Burt Mills added that he doesn't think there is any chance of the developer being able to tweak the Society's (Society for the Protection of NH Forest) easement. Tom McCue stated he just wants to prevent that from being an issue.

Tara Bamford recommended that the Board accept the application as complete at the next meeting.

John Scarinza said we could either accept the application as complete tonight or schedule the Public Hearing on the application for November 11 and this will give the developer time to provide more information. Burt Mills urged the Board to accept the application as complete tonight. He stated that the goal is the same and the deadline is

the same. Attorney Waugh replied that the Board needs a condition that recognizes that more information may be required. Rep. Rideout also urged the Board to accept the application as complete with conditions tonight.

Tom McCue reminded the Board that this application is based on a new zoning amendment that has yet to be accepted by the Commissioners and Delegation. Adoption by those two bodies needs to be a condition. Tara said if the Commissioners and Delegation approve the amendments on November 5th, then the Board can approve the application as complete on November 11th. Ed Brisson urged the Board to approve it tonight with appropriate conditions; he sees no advantage in delaying.

Attorney Waugh said that from the Board's perspective, if the application is accepted as complete tonight, the 65 day clock starts tonight. If the applicant is willing to waive the 65 day clock because not all the information is in then the number of days between tonight and November 11th can be added to the 65 day clock if the applicant agrees. Ed Brisson replied that the applicant has no problem adding to the 65 day clock stating, "that is fine, the number of days between now and November 11th."

John Scarinza recognized Executive Councilor Kenney. He thanked the Councilor for his support of the project and asked that he convey thanks to Governor Hassan for her on-going support. He also asked to relay to the Governor that the Board is very appreciative of all the help from the Fire Marshal's office, especially Ron Anstey.

John recessed the meeting for 15 minutes to allow Attorney Waugh time to draft a motion. After he called the meeting back to order, he stated that the applicant has agreed to provide certain items of information in advance and that there is broader information that will be required later.

Mike Waddell made the following motion, seconded by Jennifer Fish: In light of the applicant's offer to provide certain information prior to November 11, and waive the 65-day clock for decision, as to the interval between today and the scheduled November 11 meeting, I move to accept the October 6, 2015 Planned Unit Development Application of Dixville Capital, LLC as a completed application, subject to the following conditions: A. The application is contingent upon adoption by the County Delegation of the Zoning Amendments which this Board voted to recommend earlier this evening; and B. If in the course of its review of the PUD application, the Board determines that additional information pertaining to the application requirements is necessary to enable an informed decision, the Board may impose additional information requirements, or, alternatively may specify additional information which shall be provided at the time of future subdivisions or site plan applications which are submitted to implement the development.

There was no further discussion and the Chair called for a vote on the motion. All members voted in the affirmative.

DATE AND TIME OF NEXT MEETING:

Fred King made a motion to hold a Public Hearing on November 11th on the Dixville Capital, LLC application for a Planned Unit Development in Dixville. The hearing is to be held in Colebrook. Mike Waddell seconded the motion.

Burt Mills stated that in the process outside of this application process, the developers are negotiating mitigation parcels and they will need a minor subdivision that will need to be in parallel with the PUD application. A parcel that needs to be defined independent of the bigger parcel containing 48 acres is to remain wilderness and a subdivision is need to establish the boundaries. The conveyance will be an easement; the subdivision will be in the same ownership – Tillotson Trust ownership – and an easement deed will be created around the subdivision. Tara questioned if it needs a subdivision as the owner would still record a survey with metes and bounds of the easement area. Burt Mills replied that they want it more narrowly defined and he will try to submit a subdivision application as soon as possible to get it included on the November 11th agenda. John Scarinza noted that it must be submitted 15 days in advance of the November 11th meeting.

Commissioner Brady cautioned the Board members that there is a motion on the floor and the subdivision discussion is not pertinent to that motion.

With no further discussion on the King motion, the Chair called for a vote and all members voted in favor of scheduling a public hearing on the PUD application on November 11th.

Ed Brisson asked if it would be advisable to schedule subsequent meetings now. Board members tentatively agreed to schedule another meeting for December 2, 2015 if the date is agreeable to Tara and Attorney Waugh.

ADJOURNMENT:

Mark Frank made a motion to adjourn. Rep. Rideout seconded the motion. All voted in favor.

Respectfully submitted,

Suzanne L. Collins
Secretary to the Planning Board