

COÖS COUNTY PLANNING BOARD
Lancaster, NH
November 24, 2014

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

Present from the Public: Tara Bamford, North Country Council; Edith Tucker, *Coös County Democrat*.

John Scarinza, Chair, called the meeting to order at 6 PM.

MINUTES OF OCTOBER 28, 2014:

Ed Mellett made a motion to approve the minutes of October 28, 2014 as distributed. Scott Rineer seconded the motion. There was no discussion. All members, except Mike Waddell and Mark Frank, who had not attended the meeting, voted in favor of approval.

LETTERS/CORRESPONDENCE TO THE BOARD:

Jennifer Fish reported that no correspondence had been received.

NEW BUSINESS:

Chairman Scarinza reported that there was no new business to come before the Board.

RATIFICATION OF BUILDING PERMITS:

Chairman Scarinza presented a building permit application from Brian Morann to replace rotten deck boards and enclose a porch at a camp located in Odell on the State of NH Nash Stream property. John noted that the application was accompanied by the appropriate approval from the NH Department of Resources and Economic Development. Mike Waddell made a motion to approve the building permit. The motion was seconded by Scott Rineer and all voted in favor.

OLD BUSINESS:

- 1. Subdivision Regulations: Review to ensure the subdivision regulations are consistent with current Best Management Practices and are current with State Requirements and changes in the laws of the State of New Hampshire.**

Chairman Scarinza welcomed back Tara Bamford, Planning Director, North Country Council. Prior to the meeting Tara and Jennifer had forwarded the following documents for Board review:

- Land Subdivision Regulations Draft Revisions dated November 16, 2014;

- Site Plan Review Regulations Draft Revisions dated November 16, 2014; and
- Approaching “Conditions” to Approvals in Land Use Boards, Article from www.nhmunicipal.org dated November/December 2013.

Regarding the latest draft of the Subdivision Regulations, Tara noted a couple minor changes since the last meeting.

- Page 11. Definition 3.11 Minor Subdivision. The word “municipal” was deleted from the phrase “and which require no new roads, shared utilities and other ~~municipal~~ improvements.”
- Page 22. As agreed at the last meeting, the entire Section 6.02 was deleted.
- Page 26. Section 7.01 f. Streets. The grade of streets was changed from 12% to 10%.

Board members did not suggest any further revisions. Chairman Scarinza stated that in accordance with RSA 675.6, any Master Plan, Subdivision and Site Plan Review document may be adopted by the Planning Board after a public hearing is held. He stated that the Board would need to schedule a Public Hearing on the final revisions to the Subdivision Regulations.

Mark Frank asked to be recognized. He noted that on Page 27 of the Master Plan, Item #11 in the Development section, there is a reference to back country types of hunting and fishing camps in areas not served by year-round access roads. He stated that the minutes of the last meeting made mention of woods roads and right of ways and thought the Board should tweak its subdivision regulations with definitions related to back country camps and remote roads.

Tara Bamford replied that the definition of a back country camp does not belong in the subdivision regulations; it is more appropriately addressed in the zoning ordinances. Mark Frank replied that at the last meeting there was considerable discussion about woods roads and these subdivision regulations do not cover woods roads. Tara responded that Subdivision Regulations Definition 3.14 Street does cover woods roads.

John Scarinza stated that at the last meeting Board members did discuss camp roads and added that those roads are on private property and the Board does not regulate how these roads are built. The Board cannot require paper companies to build roads to state specifications. Tara Bamford reminded the Board that if it has a subdivision application that involves woods roads, the Board can vote to waive the state road design standards.

Mark Frank also noted that the Subdivision Regulations and the Site Plan Review Subdivision uses Arabic numbers and Site Plan uses Roman Numerals. Tara replied that if it is the Board’s wish, the format can be changed after adoption.

Sue Collins noted that the document references had been changed from Unincorporated Places to Unorganized Towns and Unincorporated Places. Tara replied that she had made these changes based on language in the RSAs. Sue Collins replied that the use of Unorganized Towns and Unincorporated Places occurs in some statutes. This is old language that should have been corrected by introducing a “housekeeping” statute in a session of the NH Legislature.

Mike Waddell asked what the Board would do if someone wanted to create a bunch of lots off a woods road. Tara replied that the Board would follow the waiver provisions in state law. Mike followed up with the question, “What if a timber company started developing house lots?” John Scarinza replied that if a timber company came in with a subdivision plan to create house lots, they would have to build the roads to state specifications. Mike continued with his concern that at some point in time, some people will want to live year round in some of these back country camps. Scott Rineer reminded Board members that this has already happened at Success Pond. The Board approved the subdivision of lots around Success Pond and some people do live there year-round. He noted that prior to approving any mortgages for these properties, banks had required deeds to contain a legal right of way from the nearest public road. Fred King stated that Millsfield Pond might someday present a similar scenario. Mike Waddell urged caution based on his experiences in Gorham with state requirements about a municipality’s obligation to get kids to school. In Gorham, the town did not want camps as year-round residences and we might want to address this for the unincorporated places. Fred King suggested that the Board might need to have an attorney craft some language to address this concern.

Edith Tucker suggested that Tara speak with Pat McLean, Director of Pupil Services at White Mountain Regional School District regarding children who are homeless. Tara stated that she will touch base with Ms. McLean.

Tara reminded Board members that this revision of the subdivision regulations contains new language addressing the issue of maintenance of roads. She added that when the Board updates its Zoning Ordinances, it will be the appropriate time to address the issue of remote camps. In Zoning, if a structure is converted to year-round use, a permit is required. John Scarinza stated that when the Board reviews the Zoning Ordinance, it should include zones for seasonal residences that cannot become permanent residences. Fred King added that he agreed that these new issues need to be incorporated into the zoning regulations. Some communities in Coös County already have some written regulations that the Board could use as a guide.

2. Site Plan: Review to ensure consistency and adequacy with goals established in the Master Plan and consistent with the Zoning Ordinances and Subdivision Regulations.

Tara began the review of revisions stating that she had added a new section on Page 3. **Developments with Potential Regional Impact.** This new language reflects similar language added to the Subdivision Regulations and is in compliance with state law.

Page 3. Section E. Board Action on Completed Application. Tara stated that changes in state law regarding timing and notification were updated. Specific fees were deleted, thereby allowing the Board to administratively change its fee structure from time to time without having to amend its regulations.

Page 5. **PERFORMANCE GUARANTY.** A new section **B. Inspection Fees** was added.

Pages 7-8. Parking Space Requirements contained several changes to minimum standards for parking lot construction. New uses were added including

- Commercial Sporting Camps;
- Golf Course/Clubhouse;
- Downhill Ski Area with Base Lodge;
- Indoor Recreation Facility;
- Nordic Ski Centers;
- Nonmotorized Trail Access;
- Motorized Trail Access; and
- Boating/Fishing Accesses.

Scott Rineer suggested adding another category for campgrounds. Tara stated that she will address offsite parking language to be more flexible. She will do more research on some of the parking requirements for recreational categories. Sue Collins suggested that she contact Jay Peak in Vermont which has recently added a golf course, base lodge, and indoor recreation facility among other attractions.

Page 9. New Section on Stormwater Runoff and Erosion Prevention. The new language is the same as the new language in the subdivision regulations. Tara stated she did look into flood plains and she will look further into soils maps. Scott Rineer stated that the most recent soils maps are much more sophisticated than previous versions.

Page 10. Item G. Lighting. (Some Board members noted that on their revised copy, the footer did not indicate page 10). To the regulation “Provision shall be made for adequate and appropriate outdoor lighting”, Tara suggested adding, “**that does not exceed what is necessary, and is aimed downward and shielded so it does not affect neighboring property or others.**” John inquired about dark sky standards. Tara asked if the Board wants dark sky standards incorporated into this document. These standards permit reasonable use of outdoor lighting for nighttime safety while preserving the degradation of the night sky with specific standards for dark sky compliant fixtures. Mike Waddell stated he would provide Tara with Gorham’s language for review.

Page 10. WAIVER OF REQUIREMENTS. Tara stated she had added RSA compliant language.

Page 11. ENFORCEMENT AND PENALTIES. The language changes mirror the new language in the Subdivision Regulations.

This concluded the discussion about revisions to the Site Plan Review Regulations. Mike Waddell asked if the residents of the unincorporated places have a say in the adoption of these revised documents. Sue Collins replied that a public hearing will be advertised and they are welcome to share their views at the public hearing.

Tara noted that the North Country Council's signed agreement with the County ends on December 31, 2014. She stated that she will have the next draft of the regulations before Christmas. Discussion followed on the best time to hold a public hearing. Edith Tucker suggested that February is a good time for a public hearing; by then the towns have already held their public hearings on budgets.

Jennifer Fish stated that the next Commissioners' meeting is scheduled for December 17th. The extension of the signed agreement will be added to the agenda for that meeting. Jennifer informed John Scarinza that the Board had invited him to that meeting to discuss the vacancy for a third alternate on the Planning Board.

TIME AND DATE OF NEXT MEETING:

It was agreed that the Board would meet on January 14, 2015.

"AFTER THE FACT" BUILDING PERMITS:

Jennifer and John reported on two additional "After the Fact" Building Permit applications that had been processed:

- Kevin Demers – Dam Road – Wentworth Location – Shed; and
- Nelson Smith – Summer Road – Wentworth Location – Seasonal Canvas Lean-to 5'x 24', Updated Outhouse and 4'x 5' Porch on the rear of the camp.

Fred King made a motion to approve the permits as described. Mike Waddell seconded the motion. All members voted to approve the motion.

ADJOURNMENT:

Mark Frank made a motion to adjourn. Mike Waddell seconded the motion and all voted yes.

Respectfully submitted,
Suzanne L. Collins, Secretary to the Planning Board