

TOWN OF GOSHEN
PLANNING BOARD
APPROVED MINUTES OF PUBLIC HEARING
AUGUST 29, 2006

Members Present: Chairperson John Wirkkala, Selectman Jim Carrick, Allen Howe, Richard Moen, Alternate Board Members Carl Wideberg, Jack Scranton and Sue Peacock, Secretary.

Others Present: Bernie Waugh-Town's Attorney, Peter Dzewaltowski-UVLSRPC, Mark Loehr-Mtn. Reach Dev. Partner, David Eckman, Eckman Engineering, Roger Wells-Wells Appel Land Strategies, Attorney Richard Uchida, Jack Warburton-Building Inspector, Richard Greene, abutter Scott Bennett, Mary Wirkkala, Bea Jillette and Tom Elliot-Friends of Mt. Sunapee.

The Planning Board meeting was called to order by Chairperson John Wirkkala at 7:00 p.m.

Agenda Item 1: Public Hearing on subdivision proposed by Richard Greene.

Chairperson John Wirkkala started the meeting by stating that he did have certified receipts indicating that abutters had been notified. He also had a driveway permit. Mr. Wirkkala also asked Mr. Greene about the trees that were necessary to take down in order to put in the driveway.

Mr. Bennett then spoke and said he had spoken to Mr. Greene earlier, and stated he did not get a chance to look at the survey. But, also depending on how much Mr. Greene was to put it on the market, he is mostly concerned about his privacy.

An abutter, Mr. Bennett, then spoke and said he had spoken to Mr. Greene earlier, and stated that he had not yet had a chance to look at the survey. He is mostly concerned about his privacy.

Mr. Greene talked passed out copies of the survey of the land to the board, and also for Mr. Bennett to view. Mr. Bennett looked them over and noted that he saw no problem in working something out.

Mr. Greene talked about a meeting with the Road Agent, Mark Beaudry. Mr. Wideberg questioned Mr. Greene about the slopes and if there should be more contour lines on the survey map. Mr. Greene stated that he thought there should be more contour lines and is not sure of the exact number of what the percentage of the slope was.

Mr. Wirkkala suggested that if there is a question about the actual slope, there could be a site visit, or a Zoning Board session to discuss further. Mr. Wirkkala also wondered if Cliff Richer, the surveyor, could verify the slope.

It was then suggested that Mr. Greene bring a map with contour lines and Mylar plans to the next regular board meeting, on Tuesday September 5 for this hearing to be continued. Mr. Greene told Mr. Wirkkala that he would give him a call with an update on the situation before the next meeting.

Agenda Item 2: Continuation of review of draft building permit application forms and review of draft forms for Building Inspector use, with Jack Warburton.

The board members were all given a draft application for review for the Zoning Compliance Certification for recreational campground or camping park. Mr. Wirkkala had received a call from realtor, Anne Hallahan. She was concerned about a prospective buyer who had decided against purchasing property on Rand Pond Road. The reason was given that the prospective buyer had called the campground and had spoken to the neighbors and was told that the campground would be expanding. The current amount of campsites is now 53, and it was allegedly going to be expanded to 200. Ms. Hallahan was also concerned because she was told that the Town of Goshen did not have any regulations involved in campgrounds, and that all that were in effect were through the state. The campground owner had told her that she had the state's permission to expand and that was all that was needed.

Mr. Wirkkala told Ms. Hallahan that the Board is currently reviewing and updating building inspection forms and he would have the Board review what the Town ordinances are regarding campgrounds. The proposed campground inspection form that was currently being reviewed by the Board would be used by the Building Inspector, Mr. Warburton, for any type

of expansion, to make sure that it does meet the local regulations.

Basically, anyone filling out this form has to specify:

- Gross area of campground or camping park *within the tourist-related district*.
- Number of campsites allowed (15 per acre of gross area *within tourist-related district*).
- Number of existing campsites.
- Number of new campsites proposed.

Mr. Wirkkala then passed out maps for everyone to study to see if the Board could agree as to the location of the Tourist Related District.

Mr. Moen then discussed the existing campground, which is located on Rand Pond Rd. He stated that there were originally 25 acres, but now 7 more acres had recently been purchased.

Mr. Wirkkala then stated that Mr. Moen was discussing an area which had a considerable portion of that land that is *not in the tourist-related district*. He then went on to say that if board members wanted to reference the zoning ordinance, it was on page four of the ordinances, section three; subsection A2. "There should be a *tourist-related district* from the northern point of lot number 098", which is the lot just below the shared common boundary. So from the northernmost corner, you draw a parallel line across to Brook Road. This is the starting point and the district continues south on both sides of Brook Road, 500 feet back, or the existing property line upon the date of the passage of this amendment, which is 1988. Also important to note, the next qualifying description there says *whichever is less* to the southernmost boundary of lot number 002, which is the Back Side Inn. To summarize, Mr. Wirkkala said that if he is reading the ordinance correctly, quite a lot of the area owned by the current campground would *not* be in the *tourist-related district*.

Mr. Scranton then questioned who was granted permission to have many trees taken out and tons of local sand put down there by the beach. Mr. Carrick then commented about that the DES is supposed to have control of that area, and that there are state regulations on campgrounds.

Mr. Wideberg then questioned the slope issue of the area, and Mr.

Wirkkala then suggested talking to the Town Attorney, Bernie Waugh about the issue and the number of campsites allowed per acre.

An abutter of Rand Pond Road, Steve Belden, read from the permit regarding the site. Mr. Carrick then replied that he did not receive any application approval, and that the DES will have to take care of any issues that exist.

Mr. Belden questioned about the state and town regulations, seems that the state wants to take over. Mr. Wirkkala said that if citizens have concerns about local regulations, they can always petition to put a proposal on the ballot.

Mary Wirkkala, who was helping the Board to draft the building inspection forms, asked whether the Board was ready to adopt the campground form or had any additional changes to make. There was a discussion between the Board members as to whether or not a new form could be put into effect.

Mr. Moen made a motion to accept form as is, Mr. Carrick seconded the motion. All were in favor.

Agenda Item 3: Correct meetings of July 25, 2006 and to distribute minutes of August 1, 2006, and August 19, 2006.

Mr. Wirkkala suggested that, as the time allocated to the regular meeting had largely expired, the Board could postpone correcting minutes until the next regular Board Meeting, which is on Tuesday, September 5, 2006.

Agenda Item 4: Other Business

None noted.

Mountain Reach Continued Public Hearing

The continued public hearing of Mountain Reach was called to order at 8:08 PM. Mr. Wirkkala read a statement summarizing the status of the application and the hearing process. Atty. Waugh then suggested that this would be a good time for the Board to meet with him in a non-public

session. The Board agreed.

The Board resumed its public hearing at 8:44 PM.

Mr. Wells started out by stating that he would walk the Board through the new submissions in regards to the Review Submittal of the Mountain Reach dated August 29, 2006. He then referred to the Review Submittal plan:

On the utility plans, all power lines are now underground. They will not be using the power line along the state park line. If the park is not using this line, then this can be removed later. Mountain Reach will use it only during construction.

Mr. Wells noted that the conceptual plan for the combined maintenance/trash/community room/pool had been removed.

The wells have been moved to follow state regulations. No impervious surfaces are now in any well protection areas.

Mr. Wells noted that maps C-9 and C-10 show that there is an improvement in the drainage onto abutting properties.

He said that the open space plans submitted this evening show the total open space that would still remain even if the proposed paths and the current utility lines were removed from the open space. There would still be more than 65% open space. However, these features will be put back into the open space.

Mr. Wells said he planned to try to reuse rhododendrons that will be dug up during the construction.

On pages P1 and P2 there is a proposed interior road profile in which there is no grade greater than 10%. There is also a phase plan on phase 1 and 2, and which there is a larger scale pertaining to the maintenance/trash/storage shed using existing buildings which is an additional submission to earlier questions. The area would be untouched from the stone wall to the west.

Mr. Wells also noted that there are going to be three phases:

phase 1 is colored in yellow on the submittal, phase 2 is in blue, where the roadway is and 11 possible units, and phase 3 in green would be where there would be the proposed 8 remaining units.

Mr. Wells also referred to the sign drawing; which is revised, it would be a pillar sign, and it does not exceed the 6 foot size requirement. There would also be a white light under granite cap stone.

Chairman Wirkkala questioned if the trash removal will be contracted out, Mr. Wells replied that he will not be using the township to dump, and that the recycling would be through a private contractor.

Mr. Waugh asked how the information regarding the provisions from the zoning board would be submitted and when the 30 days start. Also, there does not have to be a meeting on the provisions unless it is requested by the zoning board.

Mr. Uchida said he wanted to make sure there would be no concerns with any of the documents submitted to the zoning board.

Mr. Eckman will meet with Mr. Hansen of the DOT to discuss the end-of-road traffic plan, drainage, and who will pay for all those needs. Mr. Wells stated that he will discuss those needs when that bridge is crossed.

Chairman Wirkkala wanted to discuss the changes that were to be made that were talked about at the public meeting August 19, 2006.

Mr. Wells went on to tell about the changes to be made:

On page OS1 (which is not drawn) there is a proposal for a possible trail on the western edge of the property, to the Northeast corner, at least 10 feet wide and not more than 30 feet. Mr. Moen then stated he would like to see what is not drawn, and Mr. Wells agreed that he could draw it on a plan sheet to show that.

Bea Jillette then commented that she had sent letter to Beth McGuin, and that Beth suggested that monitoring be done by a land trust because Board members change and Selectman change, and people forget. Beth also asked Bea to send an open space plan to her so she could see the pros and cons.

Mr. Uchida then commented that easement deed has to be executed to the Town of Goshen, and if a third party is desirable, the document must be amended. Before the Town of Goshen decides, the select board needs to meet and state if it is desirable. Mr. Vaughn agreed with Mr. Uchida and stated that the Town cannot relinquish its right to control the easement, but there is no need to resolve the issue now.

On pages C7 and 8, regarding the drainage, there will be all new contours and the entire road will be graded.

Mr. Wells also stated that there are no new walkways planned.

Mr. Uchida talked about the issues of the 20 foot-wide road, the premarked trees, the 11' to 9' pavement, and the open space issues.

Mr. Howe commented that he was impressed with the tree removal plan, and then brought up the discussion of the 11' to 9' pavement. Chairman Wirkkala then added that he talked with the road agent and that while the road agent liked the pavement idea, Mr. Wirkkala himself preferred a center line in the middle of the road and gravel shoulders on each side for safety reasons. Also the issue of plowing was talked about. There was a discussion among the board members on the pavement plan and the shoulder width. The discussions was inconclusive and the Board left this to the Select Board to decide.

Selectman Carrick questioned about the turn around at the top of the road, and that there were also parking issues. Chairman Wirkkala said that he would be satisfied if selectman has a unified decision, but suggested that they consider whether the plowing issues would outweigh the safety issues.

Mr. Uchida stated that the parking issue is going to be the same, whether the people using it are locals or people from Connecticut. He also discussed the issue of slope-side access. He said that they did not have an answer from DRED yet. They had asked DRED to do research on the fence. However, whether or not there is slope-side access, their site plan will be the same.

Chairman Wirkkala followed up on this discussion by stating that he feels that a ski across should not be judged by the board, and that the state

should decide about the ski across. He suggested Mr. Waugh talk to DRED to clarify the Board's decision making process.

Mr. Uchida brought up the issue about the parking, and said that it would not go away, whatever happens at the top of the road.

Bea Jillette commented regarding Goshen residents that the best access is to hike up Mount Sunapee. You could push back stone walls to create more parking, but plowing is possible anyway. What is so different about the parking area at top of road in regards to plowing compared to other parking areas in and around Goshen?

Mr. Moen questioned if it was possible if an opinion from the commissioner could be requested.

Chairman Wirkkala suggested that it would be appropriate if the Town's Attorney could present this to commissioner. The Board agreed that they would like Atty. Waugh to ask the Commissioner for a decision about slope-side access and about access from the Class VI road.

Mr. Waugh then went on to another subject. He asked if there was anything else that was needed tonight or at the next meeting before the Board could reach a conditional decision.

The Select Board will meet on Monday, September 11, to talk about proposals for upgrading Old Province Road. Chairman Wirkkala stated that he would like to talk about the phasing plan at the next planning board meeting.

Chairman Wirkkala suggested other outstanding issues to be discussed and the Board agreed to continue the hearing until the next meeting on Tuesday September 5 at 8:00 PM. The meeting was adjourned at 10:27 PM.

Respectfully submitted,

Sue Peacock
Planning Board Secretary