

## Danbury Planning Board

April 25<sup>th</sup>, 2023

### Un-Adopted

The Danbury Planning Board met on Tuesday April 25<sup>th</sup>, 2023 in accordance with the schedule adopted and posted. John Taylor called the meeting to order at 7:00 p.m. and welcomed everyone present. John asked if anyone had a conflict of interest and hearing none proceeded with the meeting.

#### **Present:**

John Taylor, Chair

Ruby Hill, Selectmen ex-officio

Anna Offen, clerk

Jim Phelps, alternate

Matthew Remillard, Secretary

Mark Zaccaria, Vice Chair

#### **Not Present:**

Gary Donoghue

**Guests:** Joan LaPlante, Chris & Jennifer Fore, Phil Hastings, Doug Anderson (Principle of Ragged), Tad Schrantz, Richard Chase, Tracy Shepherd, Mike Donovan, Andrew Nazzaro, Corey Giroux, Jess Hatch

At 7:08pm John Taylor opened the public hearing on the review of the Master Plan update for Ragged Mountain Resort. Phil Hastings, along with Tad Schrantz and Doug Anderson were present to discuss the updates. John read into record questions that were emailed by board member Gary Donoghue, who was unable to attend. (Email attached)

Question 1 – Phil Hastings answered – there is no change in the principals of the entities, RM Devco owns some land and SRK Holdings LLC owns everything else. Ownership has remained the same since 2012. The updated Master Plan does specify what lots are owned and by who.

Question 2 – Phil Hastings answered – Forest Knolls West will not necessitate updates to the road other than drainage. Forest Knolls East might require this, but would most likely require a traffic study. Jim Phelps asked if there was a possibility of Ragged taking ownership of the road (from New Canada Rd to the resort) and Doug Anderson said no. Jim also asked that if the town were to improve that section of the road, would Ragged then be planning on creating any type of crossings or anything like that, which could damage the road? Phil answered that he thinks that Ragged will need to have a discussion with the Selectmen about this because there will be crossings involved for drainage and water. Jim said that he believed that Erik from Ragged met with the Board of Selectmen regarding the road. Ruby and Jess filled in that Ragged was going to have their engineers contact the town with their plans, but to date they have not heard anything. Phil said that as part of Forest Knolls West they will address those concerns. Jess asked

if there were any plans or designs for this, and Phil said that he thinks that would be part of Forest Knolls West. Ruby and Jess stated that they were expecting something regardless of the subdivision. Jim just generalized that the condition of the road and the money that the town has set aside to improve it is the concern that we will want to work with Ragged on. Mike Donovan did state that some towns ban excavation permits for a number of years after major improvements to a roadway.

Prompted by the comment in Gary's email, there was discussion on the covenants, conditions and restrictions (CC&R's) for proposed houses and buildings that will be built as a result of future subdivisions. Phil does not envision a circumstance where there isn't an entity overseeing the development of housing. Mike Donovan suggested that the CC&R's be part of the documentation presented at the time of subdivision and include language that provides Ragged and/or the town the ability to enforce the regulations set forth for building regulations and covenants.

Mark Zaccaria had some additional questions, which might be answered in Mike's memos, but he wanted them highlighted. The first is the disparity in the town's zoning ordinance that calls for "open space" volume of at least 50% and whether Ragged is planning on applying for a variance? Phil replied that he does not think that they need to and John stated that Ragged is exempt from the 50% as they have their own percent that was set forth in previous master plan reviews. That exception already exists for Ragged. Mark also asked for a little more clarity in how a Homeowners Association (HOA) is formed? What is the authority when it is individual lots being created versus a condo? Phil stated that it is fairly common to have subdivisions that are subject to a set of CC&R's that would be recorded at the same time as the subdivision plans, so when a buyer buys a lot they are agreeing to those restrictions and it is a mandatory part of the ownership.

John Taylor then asked for clarification on the open space. Phil said that when the subdivision is approved by the planning board, the board will also have to determine that they are comfortable with the amount of open space that has been set for the lots created in the subdivision. Ruby asked if the open space had to be adjacent to the lots created? Phil said not necessarily, but it might happen to be. For example, the land that has been given to Fish & Game as conservation land is NOT adjacent to Forest Knolls West, but still counts as open space to offset the subdivision. She also asked about the style of homes they are envisioning. Phil answered that a few different style options are the vision. First, the CC&R's would restrict homeowners to certain size homes and certain standard of building, but would not necessarily restrict the type of style of the homes. The restrictions would allow Ragged some leniency on proposed styles per subdivision. Matthew Remillard asked for clarification on the enforcement of the style of homes and Tad answered that would be clearly stated in the CC&R's. Doug Anderson also added that they might be able to review the plans prior to a homeowner building anything and also set a timeline of when the build should be completed. John asked if Ragged would still have a design review committee for each phase of the subdivision and Phil answered yes. Mark Zaccaria stated that he would like to see all of these building requirements prior to issuing any building permits.

John brought up another point of discussion – the septic and portable water. Has the engineering been done to support the septic systems for each individual subdivision? Doug answered that the main plan is to hopefully tie them all together at some point in the future. He said that they want to do it in phases to better support the actual number of homes that will be using the systems. Mike Donovan asked if there is any plan to have on-site septic and wells for the individual lots and Phil answered that it would be a community system, at least for Forest Knolls West. John also brought up the change in the update that allows Ragged to use some of the designated open space land as spots for septic. Phil said that there are few different types of open space land. Some land will not be developed for buildings, but could serve for other purposes like septic, water storage for the ski area, etc. Along with this type of the land, there will also be truly open space land designated as well. Ruby Hill asked if that truly meets the definition of “open space” land?. Mike Donovan believes that it does count as open space and that the board went through an administrative review at the last master plan update that these types of uses would be acceptable. Chris Fore (member of the public) stated that land being put into conservation land has strict rules on what can be included i.e. no septic included. Phil stated that there is a difference in conservation land and open space land. Mark had a question on the engineering of the water and sewer – are you looking for a well for each subdivision and an ISDS (individual sewage disposal system) as well? Phil said yes and any additional cost or add-on (filter, etc) would be covered by a monthly bill to the homeowner.

Anna Offen asked if there is any plan for additional employee housing for the mountain? Tad answered that housing is a challenge across the board and the industry. They currently have a small base for employees to use as well as the manager’s house but they do not have plans for any expansion in this area. Currently they are not seeing this as an issue, but are continuing to monitoring.

John asked about how the original plan included a fitness center, etc. but the update does not include those, is there a plan to continue this idea? Doug Anderson answered that it is a possibility down the road, but not a current plan.

Mike Donovan reviewed the comments and questions that he included on his memo. The first suggestion that he had was to update the language in Tab 2 regarding the formula used for open space. Phil agreed that an update would be needed in either the Master Plan or the development agreement to better outline the amount of acreage currently set aside as open space land.

Mike then reviewed Tab 3 – the Natural Resources Management Strategy (NRMS). Mike believes that the most important part of the NRMS is the part on drainage and thinks that it is important that the board have some more detail in this area to fall back on. Phil Hasting does not have an issue re-visiting this section of the plan.

Jess Hatch commented that it would be nice for the language to be updated in the plan to include that all school age kids be included for free passes, not just those enrolled in school.

The board then reviewed the additional comments/revisions that Mike Donovan suggested. On number 4, Phil asked if the building permit fees could go towards other improvements if needed,

i.e. the roads, etc. Phil also asked for more specifics in the future about when traffic studies would be required.

Mike Donovan also suggested that one Master Plan document be created to replace all the additional addendums. Jim Phelps asked if the Master Plan and development agreement are separate documents, and the answer is yes they are, but they both reference the other.

Mike pointed out that the proposed design guidelines in Tab 4 should be updated to reflect the comments that made by Phil this evening.

John asked if any thought had been given to alternative energy? Tad – the national ski association has taken on a bigger stance on sustainability, and the mountain team has to follow certain rules regarding land use, garbage, rain retention, etc. But a major investment such as solar panels would be looked at on case by case.

Richard Chase (abutter in Wilmot) asked what is the plan for ski area expansion? Tad – in the master plan update, Pinnacle peak is not part of the plan. The plan focuses on housing and the Sunset Lodge.

Andrew Nazzaro (abutter) asked where is the east and west developments going to be, with landmarks? Jim Phelps helped to explain. He also asked if any new lifts would be going in? Not at this time.

John then asked how we should proceed? Phil would like to continue the discussion in May if possible. The public hearing will be continued to 5/23. Anna will re-notice the hearing and Phil will have the updates to the Board and available for the public by 5/13/23. Ruby Hill made a motion to continue the public hearing on the Master Plan update to 5/23/23, Mark Zaccaria seconded. **Motion passed unanimously.**

Ruby Hill made a motion to continue the public hearing on the subdivision for Forest Knolls West to 5/23/23, Matthew Remillard seconded. **Motion passed unanimously.**

John asked about Mike Donovan's involvement in the Master Plan update and the subdivision. Mike asked that documents be sent to him in this case. Phil will send this information to him.

At 9:30pm John Taylor opened the public hearing on the Site Plan Review for Danbury Storage LLC, property located at 663 Rt 4, Tax Map 201, Lot 50. Jim would like to build one additional building. Mark Zaccaria made a motion to approve the site plan review, Anna Offen seconded. **Motion passed unanimously.**

Anna Offen made a motion to defer the review of meeting minutes to the next meeting, Jim Phelps seconded. **Motion passed unanimously.**

At 9:45pm Ruby Hill made a motion to adjourn, Matthew Remillard seconded. **Motion passed unanimously.**