

**Waterville Valley Planning Board
Town of Waterville Valley, NH**

NOTICE OF DECISION

Site Plan and Subdivision: Green Peak II, A Condominium Map 105 Lot 8, 40 Village Road
Application: Tyrell Development Company, LLC

Findings

1. The Site Plan and Subdivision Applications were accepted as complete on August 12, 2021, and a duly-noticed public hearing was held immediately after.
2. The application consists of the following materials, which are hereby incorporated by reference:
 - A. Plan Set Dated July 2021 Revised August 2021 prepared by Horizon's engineering and containing:
 - C-1 COVER SHEET, LOCATION PLAN & SHEET INDEX
 - C-2 EXISTING CONDITIONS
 - C-3 GRADING, DRAINAGE, UTILITIES AND EROSION CONTROL PLAN
 - C-4 ROADWAY PLAN, TYPICAL SECTIONS, AND PROFILES
 - C-5 DRAINAGE DETAILS
 - C-6 STANDARD WATER SYSTEM DETAILS AND NOTES
 - C-7 STANDARD SANITARY SEWER NOTES AND DETAILS
 - C-8 EROSION CONTROL NOTES & DETAILS
 - S-1 GREEN PEAK CONDOMINIUM PLAN
 - S-2 GREEN PEAK CONDOMINIUM PLAN
 - 1 FLOOR PLANS
 - 2 ELEVATIONS
 - B. Drainage Report prepared by Horizon's Engineering July 2021 as revised.
 - C. Signage Plan prepared by Ironwood dated August 10, 2021
 - D. Landscape Plan prepared by Ironwood dated August 10, 2021
 - E. Lighting Plan prepared by Ironwood dated August 9, 2021
3. Proposed is the creation of 3 new lots and development of each lot with a 3-unit condominium.

Action of the Board

On August 12, 2021, at a properly noticed meeting of the Waterville Valley Planning Board, it was voted to approve the Site Plan and Subdivision Applications of Tyrell Development Company, LLC as summarized above, subject to the following waivers and conditions:

Waivers

The following waivers were granted:

1. The Planning Board approved the use of a turnaround, as shown on the plans and modified by Condition #6 below, instead of a cul-de-sac as required in the Town of Waterville Valley Subdivision Regulations Section 9.03.C.5.

2. The Planning Board waived the requirement to bring the existing sections of Gorwood Way and Devereaux Way up to the current standards for a Local Road with the understanding that this waiver shall apply to the current application only. No waiver for any additional development utilizing these roads as access in the future is implied.

3. The Planning Board approved a reduction in the right-of-way width for Gorwood Way and Devereaux to 40 feet as provided in the Town of Waterville Valley Subdivision Regulations Section 9.03.C.8. Note 2.

Conditions Precedent

The following items will be required before the plan is signed and recorded:

1. Town DPW Director to verify that the revisions to Sheet C3 are as requested via Town Services Review letter to Chairperson Rathgeber, dated August 5, note #3. This revision date and description need to be noted on Sheet C3 as well.
2. Provide documentation that appropriate provisions have been made for emergency stormwater overflow for a 100-year storm.
3. Revise wording of stormwater Inspection and maintenance plan to reference same as a condition of the Planning Board's approval. Town Counsel to review and approve language regarding roles and responsibilities.
4. Revised language for Deeds for Town water line and Town road emergency access approved by Town Counsel and then provided to Town for recording.
5. Proposed language for condominium documents and deeds to be approved by Town Counsel, clearly identifying roles and responsibilities and mechanisms for routine road maintenance and emergency repairs, and stormwater system inspection and maintenance and emergency repairs, and clear identification of transfer of responsibility from applicant to homeowners' association. Include drainage easement language.
6. Revised plan to show dumpster enclosure meeting town requirements in accord with Town ordinance #21, dated March 12, 2019, showing an adequate turnaround. Design and turnaround to be approved by Town Manager or Public Works Director.
7. All fees paid, including planning consultant, Town Counsel, and recording fees.
8. Final approved plan set provided in paper and PDF.
9. Final mylar copies of Sheets S1 and S2 stamped and signed by the engineer for recording.
10. Subdivider Improvement Agreement approved by Town Manager.

The following items will be required before any building permits are issued:

11. Engineer's estimate for road improvements, water and sewer and drainage submitted, and performance guarantee for same in a form acceptable to the Town Manager.
12. Engineer's estimate for restoration of sidewalk along Snows Brook Road submitted, and funds equivalent to the estimated cost to be provided to Town for use in future sidewalk improvements.
13. Cash deposit provided to the Town to be put into escrow for inspection fees.
14. Provide documentation of compliance with NH RSA 356-B.

Conditions Subsequent

15. Provide as-built plans certified by a licensed engineer for road, water, sewer and stormwater improvements.

16. Road, water, sewer and stormwater improvements as shown on the approved plans shall be completed within two years from the date the final plat is recorded, unless extended by the Planning Board.

17. The approved inspection and maintenance plan for the stormwater facilities must be adhered to and performance documented. Any changes to the plan must be recommended by a licensed engineer and approved by the Selectboard or designee.

18. Building footprint and associated improvements as necessary may vary by up to 10% without Planning Board approval.

19. Lighting and signage will be in compliance with Zoning Ordinance.

This approval shall be null and void if Conditions 1 through 10 have not been met by August 12, 2022, unless an extension has been granted by the Planning Board at a duly noticed public hearing.

Appeals and Enforcement

1. Any person aggrieved by this decision has the right to appeal within 30 days from the date of the decision by the Planning Board (RSA 677:15).

2. The Planning Board may revoke this approval pursuant to RSA 676:4-a for failure to conform to the statements, plans or specifications upon which this approval was based, or material violation of any requirement or condition of approval; failure to perform any condition of approval within the required timeframe, or if no timeframe is specified herein, within the time periods specified in RSA 674:39; when the time periods specified in RSA 674:39 have elapsed without any vesting of rights as set forth therein, and the plan no longer conforms to applicable ordinances or regulations; or if required security is no longer provided.

3. This decision shall be subject to enforcement as provided in RSA 676:15 et seq.



Wendi Rathgeber
Chair, Waterville Valley NH Planning Board

8/20/21

Date