

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

NOTICE OF DECISION

Application for Site Plan and Subdivision Approval: Green Peak V-VIII Condominiums, Map 105 Lot 8, Devereau Way
Applicant: Tyrell Development Company, LLC

Findings

1. The Site Plan and Subdivision Applications were accepted as complete on March 10, 2022 and a duly-noticed public hearing was held on April 14, 2022.
2. The application consists of the following materials, which are hereby incorporated by reference:
 - A. Plan Set Dated February 17, 2022 Revised March 24, 2022 Revised April 13, 2022 prepared by Keach-Nordstrom Associates, Inc. and containing:
 - SHEET NO. 1 – SUBDIVISION OVERVIEW PLAN
 - SHEET NO. 2 – RESIDENTIAL SUBDIVISION PLAN
 - SHEET NO. 3 – MASTER CONDOMINIUM PLAN
 - SHEET NO. 4 – CONDOMINIUM SITE PLAN
 - SHEET NO. 5 – EXISTING CONDITIONS PLAN
 - SHEET NO. 6 – REMOVALS/DEMOLITION PLAN
 - SHEET NO. 7 – GRADING & DRAINAGE PLAN
 - SHEET NO. 8 – UTILITY PLAN
 - SHEET NO. 9 – EROSION CONTROL PLAN
 - SHEET NO. 10 – ROADWAY PLAN & PROFILE
 - SHEET NO. 11 – SEWER PROFILE
 - SHEET NO. 12-16 – CONSTRUCTION DETAILS
 - B. Alteration of Terrain Application prepared by Keach-Nordstrom Associates, Inc February 17, 2002.
 - C. Landscape Plan prepared by Ironwood dated March 4, 2022 revised April 4, 2022.
 - D. Lighting Plan prepared by Ironwood dated March 4, 2022.
3. Proposed is the creation of 4 new lots and development of each with a 3-unit condominium.

Action of the Board

On April 14, 2022, 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 T-turnaround, as shown on the plans and modified by Condition 1 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 relaxed the road centerline curve radii contained in the Town of Waterville Valley Subdivision Regulations Section 9.03.C.8 to serve the currently existing and proposed units only, a maximum of 24 dwelling units. This waiver shall not apply to any additional development utilizing Gorwood Way or Devereau Way. Additional development accessed through connectors or extensions will require reconstruction of the Gorwood-Devereau curve to comply with the current regulations.

Conditions Precedent

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

1. Waterville Valley Director of Public Works and Director of Public Safety shall approve the proposed T-turnaround and dumpster enclosure.
2. Any changes to language for condominium documents and deeds previously approved by Town Counsel to be approved by Town Counsel, including that identifying roles and responsibilities and mechanisms for routine road maintenance and emergency repairs, and stormwater system inspection and maintenance and emergency repairs, drainage easement, and identification of transfer of responsibility from applicant to homeowners' association.
3. All fees paid, including planning consultant, Town Counsel, and recording fees.
4. Final approved plan set provided in paper and PDF with correct revision date.
5. Final mylar copies of Sheets 1 and 2 stamped and signed by engineer for recording.
6. Subdivider Improvement Agreement approved by Town Manager.

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

7. 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.

8. Cash deposit provided to the Town to be put into escrow for inspection fees.
9. Provide documentation of compliance with NH RSA 356-B.
10. Alteration of terrain permit from NHDES.

Conditions Subsequent

11. Language approved by Town Counsel may not be changed without the approval of Town Counsel, including condominium document and deed language identifying roles and responsibilities and mechanisms for routine road maintenance and emergency repairs, and stormwater system inspection and maintenance and emergency repairs, drainage easement, and identification of transfer of responsibility from applicant to homeowners' association.
12. Provide as-built plans certified by a licensed engineer for road, water, sewer and stormwater improvements.
13. 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.
14. 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.
15. Building footprint and associated improvements as necessary may vary by up to 10% without Planning Board approval.
16. Lighting and signage will be in compliance with Zoning Ordinance.
17. The paved area and shoulders of the road and turnaround shall be kept clear of snow at all times.

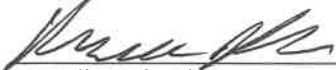
This approval shall be null and void if Conditions 1 through 10 have not been met by April 14, 2023, unless an extension has been granted by the Planning Board at a duly noticed public hearing.

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

4/19/22

Date