

**TOWN OF BARTLETT PLANNING BOARD  
PUBLIC HEARING**

**December 2, 2013**

**Members Present:** Chairman David Publicover; David Patch; Doug Garland; Lydia Lansing; David Shedd; Margaret Lavender; Julia King. **Members Absent:** None.

Also present were Joe Berry and Sheila Duane from AMSCO; Mark Lucy from White Mountain Survey; Atty. Ken Cargill from Cooper Cargill Chant, Mark and Beverly Dryjas; Norman Head; Sophie Duane Leavitt.

Chairman David Publicover opened the meeting at 7:03 pm.

**1. Continuation of Public Hearing: Attitash Mountain Service Company (AMSCO), Blocks F & G, off Parker Ridge Road, Stillings Grant.** File: 2013-1187. Application for subdivision of Stillings Grant Blocks F and G into 57 residential units. Block F will contain 17 units and Block G will contain 40 units. Tax Map 5STLNG, Lots F00-0, F00-1, G00-0.

Mark Lucy presented. The Chairman noted this application had not been accepted since it was not in compliance with the requirements for submittal of a preliminary plat. The applicant had been advised to either correct the discrepancies or to submit written waivers for those items not in compliance. Mr. Lucy was asked where he stood on that. Mr. Lucy advised the application had been revised and the applicant was now seeking approval for Block G only, which would contain 40 lots on 76.47 acres as approved in 1989. He provided a new plan showing the layout of the lots and density calculations. Also submitted were six written waiver requests and their justification to the provisions for submittal of a preliminary plat. The waiver requests were for the following items:

Article V, Section II, Scale of Plan. Waiver for the scale to be 1" = 125' instead of 1" = 100'. Justification being that a 1"-125' scale produces a legible plan on one sheet, instead of 2 sheets if drawn at 1"=100'.

Article V, Section III (M) Road Specifications. Justification being that it has yet to be determined which street standards will apply to the construction of Cave Mountain Road.

Article V, Section III (F), Location, Width and Distance of Existing and Proposed Easements. Justification being that proposed easements will only be known once the road standard is determined.

Article V, Section III (G), Grades of Proposed Streets. Justification being that it has yet to be determined which street standards will apply to the construction of Cave Mountain Road.

Article V, Section III (H), Proposed Utilities. Justification being that street geometry will have a bearing on utility layout and it has yet to be determined which street standards will apply to the construction of Cave Mountain Road.

Article V, Section III (I) Dimensioned Unit Boundaries. Waiver to not show the metes and bounds on the preliminary plat. Justification being that the unit layouts may change. They will be shown on the final plan.

Mr. Lucy said he hoped what he had provided was sufficient to allow the application to be accepted so that substantive discussions could commence. The board reviewed each waiver request and the Chairman asked if there were any questions. Doug Garland confirmed that these waivers applied to the preliminary plat only, and that all the information would be shown on the final plan. Mr. Lucy said that was correct. He also reminded Mr. Lucy that the name "Cave Mountain Road" would need to be approved by the state for E911 purposes. David Patch felt the waiver requests were reasonable. Doug Garland asked whether the blocks needed to be built-out in alphabetical order, that is, Block F would need to be approved and developed before seeking approval for Block G. The Chairman said he didn't believe there was any requirement stating that, and noted that Blocks B and C had been approved before Block A was. The Chairman called for a motion to accept the six waiver requests to the preliminary plat requirements. Motion made by David Patch; seconded by David Shedd. Vote: All in favor.

With the waivers accepted and the preliminary plat submittal requirements satisfied, the Chairman called for a motion to accept the application. The motion was made by Lydia Lansing; seconded by David Shedd. Vote all in

favor. The Chairman opened the public comment period and asked if there were any comments or questions from the audience. There were none.

The Chairman addressed the so-called hybrid road design proposed by Mr. Lucy a few months ago, which was a compilation of the 1989 and the 2005 standards. He said to be able to build the road as proposed, Mr. Lucy would need to submit a list of waivers and their justification from the 2005 road standards. When they were in hand, town engineer Burr Phillips would be asked to review the conceptual design and the waivers to ascertain their justification for being requested, and to determine if granting them would have any adverse consequences to public safety. The Chairman suggested that without a full road design, Mr. Lucy should perhaps point-out how extensive each waivers would be, i.e., would it involve the entire length of the road or just specific areas. The three-inch thick travel surface would obviously involve the entire length of the road, whereas a waiver to a grade to prevent a canyon-like appearance may only pertain to a certain area. To prevent a lot of back-and-forth and to expedite the process, Mr. Lucy asked for permission to meet with Burr face-to-face to discuss the issues, which would enable them to cover a lot of ground. This permission was granted. Margaret Lavender and David Shedd both asked if they could sit-in on the meeting between Burr and Mr. Lucy, which was agreed to. Once a meeting date is determined, all parties will be advised of it. The Chairman said he would send an email to Burr to give him a heads-up that this project was upcoming. Mark Lucy requested permission to use email as a means of contacting the planning board secretary to coordinate the meeting, which was granted. The applicant was advised he will need to sign an engineering review contract prior to Burr's work commencing.

Since the review process may take longer than the 65-day period allowed to approve or disapprove the project, the applicant submitted a written request to waive the 65-day period ahead of time. The applicant indicated he would be willing to waive the period for an undetermined time. The Chairman asked if there was a motion to grant an open-ended waiver, as requested by the applicant. Doug Garland indicated he would prefer it not be open-ended, but would rather it have a set time limit. This was discussed and it was agreed that 180 days would be an appropriate amount of time. The Chairman called for motion to amend the applicants request to grant a waiver to substitute the 65-day approval/disapproval deadline to 180 days. Motion made by Julia King; seconded by David Shedd. All in favor. A motion was then made by Margaret Lavender; seconded by David Shedd to continue the public hearing for Block G to the January 6, 2014 meeting.

**2. Continuation/Final Approval: Red River Properties Development Corp., Highland Road.** File: 2013-1184. Application for amendment to subdivision plan to reduce a previously-approved 8-unit subdivision to 4 units. Tax Map 6SACOR, Lot 037HRO.

Mark Dryjas presented. The Chairman said he would like to address each of the fire chief's review comments with Mr. Dryjas, as this was the first opportunity the board has had to do that due to Mr. Dryjas' accident. Mr. Dryjas said he had a general question and commented that his initial application had been previously reviewed by the board and his engineers had produced plans to conform to the board's requirements. Now a second source was weighing-in, who required more-specific requirements, and he wondered why. The Chairman explained that were these driveways "road-standard" driveways, further review would probably not be needed, but since the board had granted waivers to them, further review was justified.

The board address each item noted in the fire chief's review letter with Mr. Dryjas. After discussion, Mr. Dryjas felt that a lot of the items could be resolved once he spoke to his engineer. A question arose regarding the emergency passing zone that is required every 500 feet. It was questioned whether the 25' required width was in addition to the 16-ft. wide driveway, or did the driveway merely need to be widened to 25-ft? Mr. Dryjas was referred to the fire chief, but the board indicated they would like to see the clearing kept to a minimum because of the ridgeline. Mr. Dryjas then asked the board's direction on fire suppressant, and whether a dry powder system was acceptable. The board again referred him to the fire chief and indicated they were agreeable with Mr. Dryjas speaking directly to the chief. The Chairman noted the plan showed four building envelopes for two residences. Mr. Dryjas said two of the sites were shown as alternates, as several people had expressed an interest in building higher up on the lot to take

advantage of the view. Mr. Dryjas was informed that the final plan will need to show the final location, and it was suggested it may be easier to take the lower two sites out and use the top two.

Mr. Dryjas lastly asked about the procedures of going to the ZBA to obtain a special exception to allow three houses on a driveway. It was explained that was a regulation in both the subdivision regs and the zoning ordinance. The planning board had already approved a waiver at the planning board level. Once the subdivision was approved, the next stop would for the selectmen to deny a building permit for the third dwelling which would enable him to appeal to the ZBA. A motion was made by Margaret Lavender; seconded by David Shedd to continue consideration of the application to the January 6, 2014 public hearing. Vote: All in favor.

**3. *Mail and Other Business:***

Copies of items listed on the agenda were reviewed.

With no further business, a motion to adjourn was made by David Patch; seconded by Doug Garland. Vote: All in favor. The meeting adjourned at 8:45 p.m.

Respectfully submitted,  
Barbara Bush  
Recording Secretary