

**TOWN OF BARTLETT PLANNING BOARD  
PUBLIC HEARING**

**January 6, 2020**

**Members Present:** Scott Grant; David A. Patch; David Shedd; Kevin Bennett; Kevin McEnaney.  
**Members Absent:** David L. Patch and Barry Trudeau (with notice).

**Also Present:** Ed Kelley.

Chairman Scott Grant called the meeting to order at 6:00 pm and reviewed the agenda.

**1. Pledge of Allegiance.**

**2. Continuation/Final Approval: BBSK Properties, LLC, Route 16A.** File: 2019-1259. This is an application for a two-lot subdivision of the 12.82-acre Swiss Chalet property. It is proposed to create a 1.20-acre lot to allow an existing residence to be on its own separate parcel. Tax Map 1RT16A, Lot 227-L00.

There was nobody present to speak to this application. The board briefly discussed greenspace and setback issues, with David Shedd saying the minutes appeared to show there was a little bit of unclarity between the two. Mr. Shedd noted there was already parking in front of the main building, as well as a driveway behind the parking, and both these were located in the greenspace area as well as in the structure setback. He said the applicant's engineer felt the zoning was vague and had raised the question of whether parking was allowed in the structure setback. Mr. Shedd recalled one of the items discussed last meeting was whether pavement was considered a structure. He noted the definition of a structure in the zoning ordinance had been revised by a zoning amendment in 2011. This amendment showed pavement as being redlined or taken out of a list of items which were considered to not be structures, but Mr. Shedd said it wasn't clear whether that was done because it was confusing, or whether the board wanted pavement to be considered a structure. He said since the main building's existing parking and driveway were in both the greenspace and structure setback, the question was whether it was the board's opinion that either of those situations should be considered as being appropriate. Mr. Shedd said if this was new parking being created that he would be a little more cautious, but because it was there and grandfathered, he did not see why the board could not allow the current parking to remain in the structure setback. However, he did not feel we could disregard the fact that they would need to have a 25-ft. greenspace buffer along the new boundary they were creating, since this was a provision of the zoning ordinance which the board did not have the authority to waive. He said his recommendation would be that the greenspace buffer should be required.

The Chairman said he was kind of okay with what Mr. Shedd said, but felt the driveway situation should be cleared with the state first, and also felt the sign location needed to be dealt with. Mr. Shedd said he felt the applicant was not inclined to go to the state until some of the other issues were resolved, which he felt was a mistake since the other issues may not happen should the state deny their driveway permit. He further felt the applicant was looking for guidance as to what the board would or would not require so they would know what items they needed to apply to the ZBA for. Kevin Bennett asked about the existing sign on Route 16A, noting it would be in the greenspace should it be moved off the residential parcel and relocated further down Route 16A at the far entrance. David Shedd felt they could probably ask for it to stay in the same place as it was a grandfathered sign. David A. Patch said he thought that signs were allowed to be placed in the greenspace and said while he was fine with the grandfathered status of what they have now, the applicant was changing things which now made a difference. Kevin McEnaney asked if the board was in agreement that greenspace requirements needed to be met, then would it make sense for the board to vote on that tonight and let the applicant know, so when they came to the next meeting there would be no need to go through this redundant process again. It may also help them decide what direction they wanted to take this application in. David Shedd agreed he would like to be helpful, and suggested instead of taking a vote that the secretary convey the board's decision to the applicant before the next meeting. This will be done. With no further discussion, a motion was made by David A. Patch; seconded by Kevin McEnaney to continue the application to the January 21 meeting. Vote: All in favor.

**3. Continuation/Final Approval: RSM Bartlett Properties, LLC, (Richard Girardin), 590 US Route 302.**  
File: 2018-1251. This is an application for a 14-unit subdivision (7 duplexes) on a 13-acre parcel identified as Tax Map 3RT302, Lot 53R00.

There was nobody present to speak to this application, which is currently undergoing an engineering review of the road design. A gentleman had been waiting in the audience and David Shedd asked whether the board could help him. He identified himself as Ed Kelly and said he had seen this application listed on the agenda and would like to know a little bit about it. David Shedd explained what was being proposed. He advised state permits had been received but that issues had been identified regarding the road radius during a review by the town engineer. He said the applicant was working with the engineer to resolve these issues. Mr. Kelly asked whether the road was going to be a town road or remain private, and if the fourteen units were going to be second homes or full-time residences for local people. He also asked whether the board could require some of them to be dedicated to affordable housing. He was informed that the owner had indicated that the road would be a private road and privately maintained and the status of the housing had not been discussed, though the town could not mandate that any of the units be affordable housing. With no further discussion, the Chairman called for a motion to continue the meeting to January 21, 2020. Motion made by Kevin McEnaney; seconded by Kevin Bennett. Vote: All in favor.

**4. Review and Approve Minutes:** The minutes of the December 17th meeting were reviewed. On page 3, second last line of the second paragraph, David Shedd noted the restaurant name was Margarita Grill. A motion to approve the minutes, as amended, was made by Kevin Bennett; seconded by Kevin McEnaney. Vote: 4-0-1, with David A. Patch abstaining since he had not attended the meeting.

**5. Mail and Other Business:** There being no mail listed on the agenda nor any other business to discuss, a motion to adjourn was made by Kevin McEnaney; seconded by David Shedd. Vote: All in favor. The meeting adjourned at 6:55 pm.

Respectfully submitted,  
Barbara Bush  
Recording Secretary