

**TOWN OF BARTLETT PLANNING BOARD  
PUBLIC HEARING**

**November 1, 2021**

**Members Present:** Scott Grant; David L. Patch; Michael Galante; Kevin Bennett; Gus Vincent; David Shedd. Barry Trudeau participated remotely.

**Also Present:** Dan Lucchetti of HEB; Scott Cameron of Ledge View Lodges, LLC; Kate Briand.

**1. Pledge of Allegiance:** Chairman Scott Grant opened the meeting at 6:00 pm and led all present in the Pledge of Allegiance. He then reviewed items on the agenda.

**2. Public Hearing: Ledge View Lodges, LLC (Scott Cameron), Route 16/302, Intervale.** File: 2021-1278. This is an application for a 19-unit planned unit development (PUD) on a 19.30-acre parcel identified as Tax Map 1RT16-2, Lot 145L00.

Dan Lucchetti and Scott Cameron presented. Mr. Lucchetti said this project was for 19 units on a 19.30- acre parcel located between the former Scarecrow Pub and the Fox Run condominium complex. He said the units would be served by 960 l.f. of private road with a circular cul-de-sac at the end to accommodate emergency equipment in lieu of the paddle-shape turnaround; all utilities would be underground; stormwater would be controlled by roadside ditches and driveway culverts which would drain into two stormwater basins; and Lower Bartlett Water Precinct would supply water. Mr. Lucchetti said they still need a driveway permit, subdivision permit, and an Alteration of Terrain permit and these items had all been submitted to the state. A copy of the Alteration of Terrain permit had also been submitted with the application.

The Chairman asked if the board had any questions. Kevin Bennett asked about green space and how many trees would be removed from the parcel. Mr. Lucchetti pointed-out the greenspace area on the plan and said about 50% of the existing trees would remain. He said of the 19.30 acres, 4.57 would be dedicated open space and 9.88-acres would be cleared for development purposes. Mr. Cameron said he had also been in discussions with local ski and recreation groups and would hopefully be working with them to add a recreation trail on the rear of the property. Mr. Bennett asked what style of house was being proposed. Mr. Cameron said a firm decision had not yet been made, but he was leaning towards detached two-story, raised-ranch style buildings with a one-pitch roof and a garage underneath. He said each unit would have between 2,500 and 2,700 s.f. of living space and would contain four bedrooms.

David Patch said he assumed there were good soils in the area. Mr. Lucchetti agreed, and said a HISS study had been performed by Greg Howard. David Shedd asked if a road bond would be required. The Chairman said that would be handled by the selectmen. When Mr. Shedd asked about septic capacity, Mr. Lucchetti said the project was located in the Lower Bartlett Water Precinct's commercial district, so the Precinct's septic requirements had to also be met. He said the Precinct required a minimum of one acre per unit. He said the proposed density was well below what both the state and town required. Mr. Shedd asked whether the land under the road had been used in the density calculations and whether it was ever intended for the road to become a town road. Mr. Lucchetti said the land under the road had been included in the density calculations, and it was intended for the road to remain privately-owned, or owned and maintained by a home owner's association.

The Chairman called for a motion to accept the application. Motion was made by David Patch and seconded by David Shedd. Vote: All in favor. The public comment period was opened. Kate Briand spoke, saying she was curious to see what was being proposed. She offered no other comments or concerns. With nobody else present to speak, the Chairman closed the public hearing.

The Chairman asked if there were any further questions. He explained to Mr. Lucchetti that the road design and technical aspects of the project would need to be reviewed and approved by the town engineer, Burr Phillips of Civil Solutions. Mr. Lucchetti said he understood that need, and was given instructions on how to proceed with that process by signing a contract with the selectmen. A motion was made by Michael Galante; seconded by Barry Trudeau for the secretary to forward the plans to Civil Solutions. Vote: All in favor. Mr. Lucchetti was advised he could communicate directly with Civil Solutions to address any issues arising out of the technical review. With no further questions, a motion was made by David Patch; seconded by Michael Galante to continue the application to the December 6, 2021 public hearing.

**3. Review and Approve Minutes:** The minutes of the October 4, 2021 meeting were reviewed. A motion to approve the minutes was made by Michael Galante; seconded by Kevin Bennett. The Chairman asked if there were any comments or corrections. With none, four members voted to approve the October 4, 2021 minutes, as written, with Gus Vincent, David Shedd, and Barry Trudeau all abstaining since they had not attended the meeting. There were no minutes for the October 19 work session as the meeting was not held.

**4. Mail and Other Business:**

- An email had been received from a property owner on Tall Woods Loop, asking how to “re-grandfather” a small area across the road from his residence to make it a buildable lot again. The land in question was once known as Lot 27, and was a grandfathered buildable lot with an approved septic design. However, the lot was subsequently sold to Mt. Attitash Lift Corp by a previous owner in 1987 and became part of the Attitash parcel, and thus it is no longer an individual lot. The former lot was identical in size and dimensions to six other abutting lots along the road, which are now all developed, however these six lots were never sold to Attitash and have always been individually owned. The property owner would like the former Lot 27 to regain its previous dimensions and grandfathered status and become a buildable lot again so he can purchase it. The board discussed this and unanimously agreed that once grandfathered lots were merged it was a one-way street, and it was not possible to unmerge them without going through the subdivision process. There was no such thing as “re-grandfathering.” This information will be passed along to the property owner.
- An item in the minutes prompted David Shedd to ask what the outcome had been regarding a 1976 subdivision on Towle and Ridge Roads. The subdivision had originally been approved for 23-lots, but five of those lots were subsequently revoked by the planning board in 1979 at the request of the owner. The issue had arisen as to whether the area of the road, which had been intended to serve these five lots, had ever been revoked as well. Mr. Shedd, who had not attended the October 4 meeting, was advised the attorney for the current property owner had come to town hall and reviewed the old town files and felt adding a legal note to the recorded deed was the best way to deal with the issue. No further action was required of the planning board.
- David Shedd asked about the proposed zoning amendment to add dormitory-style accommodation as an allowed use in the zoning ordinance. David Patch explained that Story Land were going to come back in when they had something more-definite in-place. A long discussion ensued about where this type of accommodation could be located.
- Mike Galante re-addressed the subject of our Voluntary Merger of Lots form which had been briefly discussed by the board at the October 4 meeting. The requirements of voluntarily merging lots are governed by NH RSA 674:39-a. This RSA was revised by the state in 2016 to

add the requirement that property owners wishing to merge their lots shall provide written notice of their intention to any mortgage holders of the lots being merged. The mortgagee was then required to provide their written consent to the merger as a condition of approval, and that written consent would then be recorded at the registry of deeds, along with the official Notice of Merger signed by the planning board. On August 15, 2017, the board had reviewed the revised RSA and agreed to amend the voluntary merger of lots form to reflect the change. Several members of the current board were now characterizing that requirement as cumbersome and intrusive, among other things. They felt it was not the board's business to look after or look-out for the interest of banks and mortgage companies as they would know that a merger had taken place when taxes, etc. were paid. It was also felt that residents should not be subjected to this extra burden just to merge their property when mortgage holders often made the process of giving permission difficult. This long discussion ended when the Chairman called for someone to make a motion to "eliminate the request from the checklist." The motion was made by Michael Galante and seconded by Scott Grant. Vote: 5-0-2, with Gus Vincent and Barry Trudeau abstaining.

There being no other business, the Chairman called for a motion to adjourn. Motion was made by Kevin Bennett, seconded by David Shedd. Vote: All in favor. The meeting adjourned at 7:05 pm.

Respectfully submitted,  
Barbara Bush  
Recording Secretary