

**TOWN OF BARTLETT PLANNING BOARD
PUBLIC HEARING**

June 6, 2016

Members Present: David L. Patch; David Shedd; David A. Patch; Richard Stimpson; Scott Grant; Peter Gagne.

Members Absent: Philip Franklin (with notice).

Also present: Mark Lucy of White Mt. Survey Co.; Joe Berry; Sheila Duane; Kyler Drew; Norman Head.

The meeting was opened at 6:00 pm by Vice-Chairman David L. Patch.

1. Informal discussion with Attitash Mountain Service Co. (AMSCO) re Block G, Stillings Grant: Mark Lucy presented. After commending the board for meeting earlier at 6:00 pm, he introduced himself to the new board members. He said this was a courtesy call to update the board on the status of the Block G development in Stillings Grant. He provided each member with a set of reduced-size plans to complement the full-size plans he was using on an easel, which allowed members to better follow and visualize his presentation. He said the plan set consisted of nineteen sheets so far, and represented the project as it sits today, but that the number of sheets would increase as more work was accomplished. Recalling the application had been continued to the September meeting, Mr. Lucy said the applicant was proposing to submit material in July for consideration in August, with the hopes of obtaining conditional approval by the September work session. Mr. Lucy then described the design of Cave Mountain Road which would serve the 76.5 acres incorporating Units G1 to G40. He said he was using the term “units” since this was a PUD (planned unit development). David Shedd asked Mr. Lucy to explain the difference between a “lot” and a “PUD.” Mr. Lucy said a PUD was essentially akin to a condominium. Whereas a condominium was regarded as a “residence within a building” and the condominium owner usually owned everything within the walls of their residence, a PUD owner also owned outdoors by way of a deeded exclusive-use area that surrounded their unit. This area could be used for septic systems, driveways, etc. Mr. Lucy went on to say a “lot” was similar, and in Bartlett the size of a lot was based on MLAR (minimum land area requirements) determined by soils type. During the original design of this development back in the 1980s, Mr. Lucy said he had taken the entire 500-plus-acre parcel and calculated its density to see how many three-bedroom units could go on it. He noted that the number of units being proposed today was approximately 60% of that original number. David Shedd asked whether each lot met the fifty-foot residential road frontage requirements. Mr. Lucy confirmed that everything had been designed to code, and all lots complied with road frontage requirements.

Mr. Lucy walked the board through the road layout, grading, profiles, and cross-sections of Cave Mountain Road as shown on the plans. He explained how, as part of the road design, he had worked with town engineer Burr Phillips to come-up with a short list of road waivers which the board had granted last year. He said granting these waivers had resulted in a more-acceptable country road which was a better fit aesthetically. Peter Gagne asked which road standards had been used in the design of the road. Mr. Lucy said it had been designed to current standards with inclusion of the waivers. He again noted that by working with the board and requesting waivers from the current road standards, they had come-up with something very reasonable all the way around. Several members who were on the board at that time agreed with Mr. Lucy’s comment. Scott Grant inquired whether the road was going to be fully built before the lots were sold. Mr. Lucy said they were still working on the scheduling and it would depend on the market. He showed an area on the plan which would be suitable to locate a cul-de-sac should it become necessary to terminate the road construction before it was fully completed. The rest of the road could be built from that point on at a later date. Peter Gagne asked what the total length of the road was. Mr. Lucy said it was approximately 4,100 ft. long and had been designed with the town’s driveway regulations in mind.

Mr. Lucy said the Alteration of Terrain permit issued to AMSCO by the state in 1989 was one of the last ones issued without an expiration date and was thus still valid. Acknowledging the rules had changed, Mr. Lucy advised AMSCO still files a yearly report with the DES to show conformance with what was in place in 1989, and also tries very hard to come as close as they can to complying with today’s standards. He said the water system initially approved in 1989 has been upgraded and re-permitted over the years at the DES level. David Shedd commented on the areas of fill and specifically asked what depth of soil was over the culverts. Mr. Lucy referenced Sheets C1.13 and 14 and said a deep culvert shown in the vicinity had a fill depth of approximately thirty feet, which elicited discussion as to the construction material, size, and life-expectancy of the culvert. Mr. Lucy said the culvert had been designed to accommodate a 100-year storm. It was a multi-barrier construction of rugged HDPE (high-density polyethylene), 48-inches in diameter, and had a life guarantee of

many decades. He said a smaller secondary culvert draining from a nearby wet area had been designed to provide relief in the unlikely event that the main culvert ever became clogged. Mr. Lucy completed his presentation by saying each unit would be served by individual septic systems and asked if the board had any questions. When asked by David Shedd, Mr. Lucy confirmed that water would be presently supplied by two reservoir sites, pressure and gravity, and that a third site was being planned. After Mr. Lucy departed, David Shedd asked whether the board had been aware that this development was being considered a PUD. Vice-Chairman Patch advised that the original master plan for this development was approved back in the 1980s. At that time, because it was impossible to foresee how the economy and market conditions would evolve, the development was authorized for x-number of dwelling units based on density and did not limit the development format to lots, condominium units, or cluster forms of development. He noted that the number of bedrooms being proposed today was far fewer than what was authorized under the original master plan.

2. Discussion with Kyler Drew of Triple K Properties: Mr. Drew had been asked to come in and speak to the board regarding an Intent to Excavate permit he had submitted to the selectmen's office. The Vice-Chairman explained the selectmen had passed the permit onto the planning board for review after having concerns that the excavation process may be expanding into an unapproved area. Mr. Drew provided HEB-prepared plans and explained and pointed-out the area the proposed excavation was to take place. Mr. Drew was fully aware that expansion could not occur onto the abutting lot to the south and back of the pit. When asked, he advised the depth of the excavation would be approximately 25-ft. and that a mix of both sand and gravel would be removed. He also advised they too had been issued an Alteration of Terrain permit by the state that did not have an expiration date, but said they had recently updated it. He said an old excavation area covered under the original permit was being filled in. Mr. Drew said he had heard rumors circulating that it was being filled with stumps and brush but emphatically denied that was true, saying that clean fill was being used. He said some stumps were being stored on the rear of the property, but they were slated to be ground-up and used for L.A. Drew's own erosion control purposes.

David Shedd explained to Mr. Drew how another local pit owner had purchased a lot adjoining his pit back in 2000 with the intent of expanding his operation onto it. He later became aware that expansion was not permitted, however the Intent to Excavate permit he submitted to the town included the acreage of the lot under Item 12, "Remaining Earth to Excavate." Mr. Shedd asked Mr. Drew about the figure shown on his permit, saying it was important it was accurate. Mr. Drew advised he had found it necessary to bump the numbers up a while ago because they were a "shot in the dark" fifteen years ago when he originally started submitting the permits. He said it became obvious they were inaccurate when the figures were running out but they still had a lot of permitted excavation area left. He then addressed the prior concerns of the Lower Bartlett Water Precinct that the excavation activities and resulting pond may have an adverse impact on the precinct's wells, which were located on an abutting property. Mr. Drew advised the issues with the precinct had been addressed when their twice-yearly testing revealed the pond water was very clean due to being located over a huge aquifer and a very fast-moving underground river. He said the pond supported several varieties of fish including trout, pike, and bass. In addition, the wells were located "upstream" of the site which diminished the chance of them being contaminated. The board thanked Mr. Drew for coming in and talking to them and were satisfied that no unapproved expansion was taking place.

3. Minutes: The minutes of the May 17, 2016 meeting were reviewed. Motion to approve, as written, made by Scott Grant; seconded by David Shedd. Vote: All in favor.

4. Mail and Other Business:

- There was no mail listed on the agenda.
- A motion was made by Scott Grant; seconded by David A. Patch to reschedule the date of the July public hearing from Monday, July 4 to Tuesday, July 5 to avoid conflicting with the public holiday. Vote: All in favor.
- The Vice-Chairman requested that the minutes reflect that today is the 72nd anniversary of D-day.
- Peter Gagne reported he had attended the NH Office of Energy and Planning's Spring Planning and Zoning Conference held in Concord on June 4. Mr. Gagne said it was a very good and enlightening conference and highly recommended that other members attend any further ones that become available. He said the conference stressed over and over the importance of the master plan. He said although it wasn't a requirement that the plan be

updated, it was strongly suggested that happen. Mr. Gagne shared a lot of other information he had learned at the conference with the board. The Vice-Chairman thanked him for attending the conference and for sharing what he had learned.

- David Shedd reminded the board that it was the obligation of adjoining towns to get permission from Bartlett if the only access to that part of their town was over a Bartlett road. He cited an instance a few years ago where this applied in Jackson and said although Jackson had been notified of the requirement no response had ever been received from them.
- Peter Gagne suggested that if any changes to the zoning ordinance were being proposed, it would be a good idea to first meet with other town departments. Vice-Chairman Patch said this type of meeting often took place.

With no further business, a motion to adjourn was made by Richard Stimpson; seconded by Scott Grant. Vote: All in favor. The meeting adjourned at 7:12 p.m.

Respectfully submitted,
Barbara Bush
Recording Secretary