

**TOWN OF BARTLETT PLANNING BOARD
PUBLIC HEARING**

June 6, 2022

Members Present: Scott Grant; David L. Patch; Kevin Bennett; David Shedd; Michael Galante; Joe Heuston; Gus Vincent. **Members Absent:** None.

Also Present: Andrew Fisher from Ammonoosuc Survey; Burr Phillips of Civil Solutions; Joe Berry, Alec Tarberry, and Sheila Duane of AMSCO; Chris Fithian, Steve Hempel, and Jim Wilson all residents of Stillings Grant; Paul Doucette.

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

2. Continuation/Final Approval: Attitash Mountain Service, LLC, Block F, Stillings Grant. File: 2022-1279. This is an application to subdivide Stillings Grant Block F into 12 residential units, and the extension of Cave Mountain Road right-of-way. Tax Map 5STLNG, Parcel F00-0.

Joe Berry advised they were waiting for Burr Phillips to arrive and suggested the board proceed to Item 3 on the agenda. The board agreed.

3. Informal non-binding pre-application review with Andrew Fisher of Ammonoosuc Survey. Mr. Fisher was before the board for a preliminary discussion regarding two projects he was working on. The first one involved a proposed subdivision of the former Russell property, also known as the Cedarcroft Farm on Thorn Hill Road. Mr. Fisher provided a conceptual plan. He said a boundary survey with 1-ft. contours had been performed, topography and wetlands had been mapped, and Greg Howard had completed a high-intensity soil survey (HISS). Mr. Fisher said a new 4-bedroom septic had recently been installed for the old Cedarcroft farmhouse on Thorn Hill Road, and this was the only septic on the property at the moment. Mr. Fisher said the old farmhouse would probably be the only dwelling on the Thorn Hill side of the property. He described this portion of the property as being typical farmland, which was quite steep in areas and quite wet and had a woods road running through it. Mr. Fisher said access to the rest of the property was proposed to be off Route 16/302 through a 66-ft.-wide right-of-way and existing curb-cut and driveway which would be upgraded to a town-spec road. He said the ROW was reserved for access to the subject parcel, as well as to a separate lot next door belonging to Jason Young, the Russell's grandson. David Patch asked who owned the ROW. Mr. Fisher said it had been retained by the Russell family when they created the subdivision which created the Young lot.

David Shedd asked about the Young lot having frontage onto a town road. David Patch said he recalled that the developer needed to own the land which was to be used to access a property via a town road, not via a ROW. When Mr. Fisher said he did not believe that was the case, Mr. Patch agreed to leave it as a question which needed to be answered. Mr. Fisher said there was clear wording that both parcels retained the right to use the ROW for access. David Shedd asked about development plans for the surrounding land, stating the subdivision regulations allowed that question to be asked. Mr. Fisher said there were no development plans for that land at the moment and reminded the board this project was just in the conceptual stages and was being presented for the board's review to see if they had any concerns before proceeding further.

Mr. Fisher said this was a large project and he was trying to minimize the need to request waivers, though said some would probably be needed. He recalled there used to be a provision for a town road ROW to be 50-ft instead of 66-ft., as is now required. Mr. Patch said that waiver had been done away with a few years ago. It had been established to allow more density by having a narrower road with the intention the road would never become a town road because it would not meet the road standards. When it was subsequently found that any road could become a town road if voters voted for that to happen, regardless of width, the waiver was discontinued. David Shedd noted that another recent subdivision had been allowed to use the area under the road for density purposes. Mr. Fisher said another waiver he would be seeking would be to use circular cul-de-sacs with greenspace in the center instead of the unattractive spatula hammerhead type specified in the road specs. David Patch said what would govern the circular cul-de-sac was emergency vehicle turnaround and plowing ability and explained the radius of the cul-de-sac would need to be large enough to allow fire trucks to turn around without a six-point turn. Mr. Fisher said this was a very attractive property and they would like to develop it to be as appealing as possible. He said there were several acres of upland area which may be developed with multi-family units for potential affordable housing. David Patch reminded Mr. Fisher that the town did not give a density discount for projects having town water. Mr. Fisher said he was aware of that.

Joe Heuston asked what was being proposed to provide water and sewage. Mr. Fisher said the development would be served by Lower Bartlett Water Precinct (LBWP) and each dwelling would have an on-site sewage system, though there was the possibility some systems could be shared. David Shedd advised he had observed the test pits being dug on each lot and said they had gone down 8-10 feet without encountering ground water. In response to a question from Kevin Bennett, Mr. Fisher said they had been in touch with the DOT and it was felt sight distance was not an issue with the existing driveway. He said he did not know the history behind Mr. Young's driveway permit, but said there may be some things that would need to be "squared away." The Chairman suggested that starting with the DOT should probably be Mr. Fisher's first step.

The Chairman asked if there were any further questions. Mr. Fisher said his general question would be whether anything jumped-out at the board as far as things they would like to see happen, or had questions about. Kevin Bennett asked whether there was already a developer. Mr. Fisher said the current owner was the developer. David Shedd asked whether they were at maximum density. Mr. Fisher said after wetlands had been delineated, it was calculated that thirty-nine units would be currently allowed. He said he believed the present design maxed-out the density, but it was not necessarily the final design and was not set in stone. He said the new 4-bedroom septic for the existing farmhouse used-up some of the density; the units in the field would each have three bedrooms; and anything built in the upland area as possible affordable housing was yet to be determined.

Mr. Fisher said his next project should have been simple, but became less-so. It involved three parcels on Route 302 across from the Golden Apple Inn. The parcels had originally been part of a 1972 twelve-acre subdivision, which would have been regarded as a lot-of-record. Over the ensuing years, the property had changed hands but had always remained under a single ownership. Mr. Fisher said one owner had grand plans for a commercial venture and had performed a boundary survey, wetland delineation, and Greg Howard had performed a HISS study. However, that project had never eventuated and the 12-acre lot had subsequently been subdivided into three separate lots. Mr. Fisher

was now in the process of developing one of those three lots into a 3-unit subdivision, which would have three houses on a driveway. He said when he applied to the DOT for a driveway permit for that one lot he decided to apply for a permit for the other two lots as well, to save time when and if they were also developed. However, the DOT indicated they were only willing to grant one driveway permit for the original 12-acre parcel and were refusing to issue one for each of the three current lots, stating they were issuing too many permits on Route 302. Mr. Fisher said he had been stunned at the NHDOT's decision as each block was a legal and conforming lot. He said he was looking for feedback from the board regarding the situation.

David Shedd asked what the commercial frontage requirements were along Route 302. When David Patch advised it was 200-ft., Mr. Shedd noted that two of the lots did not have adequate commercial frontage, therefore a commercial activity would not be allowed on them. Mr. Fisher said he appreciated that point being raised, but it was a moot point since no commercial activity was being planned and this was only proposed to be a simple residential development. As far as the NHDOT driveway limitations went, the board acknowledged they had no influence whatsoever in Concord, and suggested a talk with the selectmen would not hurt. Mr. Fisher acknowledged the zoning did not like multiple driveways being constructed close together in an effort to avoid building a town spec road, but asked whether the board would be opposed to the applicant building a town spec road with a cul-de-sac at the end, with three driveways coming off the cul-de-sac. David Patch said it had been done before, but was not the board's favorite option. Mr. Fisher thanked the board members for their time.

2. Continuation/Final Approval: Attitash Mountain Service, LLC, Block F, Stillings Grant. With the arrival of Burr Phillips, the board returned to the AMSCO Block F application.

Joe Berry and Burr Phillips presented and provided updated plans which addressed items which had been corrected based on Civil Solutions' previous report. Mr. Phillips said he and Mark Lucy had met recently and had gone over the outstanding items, most of which had been resolved and some which were still being worked on. He said of the outstanding items, only three or four were significant and those could all be taken care of; it was just a matter of deciding which approach would be best. Mr. Phillips said one of the major items was the cul-de-sac at the end of Stanton Farm Road, which had been built in the wrong place by a previous owner. Mr. Phillips described several corrective options including replacing the cul-de-sac with a standard road curve or extending the road and moving the location of the cul-de-sac to where it should have been built. Also being submitted were two more waivers, one which addressed the road agent's request for a 40-ft. area to be excavated around the end of the temporary cul-de-sac on Cave Mountain Road for snow storage. Mr. Phillips said this would cut right into the side of the mountain; an area which would get filled-in when the road was extended into Block G in the future. Mr. Phillips said it was pretty impracticable to cut into the mountain, so a waiver was being submitted with the understanding that they would not ask for Cave Mountain Road to become a town road, so the road agent would not have to maintain it, until either the 40-ft. area was provided, or after the road was extended into Block G at which time the cul-de-sac would not be required.

The water system was also addressed. Mr. Phillips said the water system engineer, Chris Albert, had visited the site recently to gain a better understanding of the water system and things were progressing nicely in that department. He said the booster pump station which had been part of the original design

but had since been removed, had now been put back which Mr. Phillips felt was a good thing. The Chairman asked if there were any questions from the board. David Patch asked whether there were any outstanding items which were not solvable. Mr. Phillips said no, it was just a matter of deciding which was the best approach to take to fix them. David Shedd asked Joe Berry whether the plans were going to be revised again. When Mr. Berry said yes, Mr. Shedd said in that case he would like to see a reference to the June 12, 1989 letter from former fire chief Roger Labbe included on the subdivision plan, as he felt the chief's decision regarding the water supply as it related to the build-out of future blocks was important to document.

Mr. Berry said he was in talks with two vendors to provide the 120,000 gallon reservoir proposed for the high point in Block G. He provided an illustration of the tank they were leaning towards and said he hoped to have it installed next year. Mr. Berry said once they got Block F's road in they could continue right up over the hill to the reservoir site. He said this was why he was so anxious to get Block F approved. Mr. Shedd asked Mr. Berry whether he had any objection to including a reference to the fire chief's letter on the plan. Mr. Berry said he did not and asked if the application could be continued to the work session where, hopefully, the board could entertain granting conditional approval, as Mr. Berry felt most of the outstanding items would have been taken care of by then. There was talk of whether the road bond would need to be provided before conditional approval could be considered. Burr Phillips said most of the other towns he works with granted conditional approval without a bond being provided, but it was required before they gave final approval. He said it did not make sense to go to the effort and expense of acquiring a bond before some kind of approval was granted on the off-chance the project was not approved. David Shedd reminded Mr. Berry that NHDES approval for the water system would also be required. Mr. Berry said he understood.

With no further comments, the Chairman called for a motion to continue the application to the June 21, 2022 work session. The motion was made by David Patch; seconded by David Shedd. Vote: All in favor.

The secretary advised the scheduled meeting for the July public hearing fell on July 4, a public holiday. The Chairman asked whether the board wanted to meet on the holiday or change the date. It was decided to change the date to Tuesday, July 5. A motion to that effect was made by David Patch; seconded by Joe Heuston. Vote: All in favor.

4. Review and Approve Minutes: The minutes of the May 17, 2022 meeting were reviewed. A motion to approve, as written, was made by Scott Grant; seconded by Gus Vincent. Vote: All in favor.

There being no other business, the Chairman called for a motion to adjourn. Motion was made by David Shedd; seconded by Joe Heuston. Vote: All in favor. The meeting adjourned at 7:10 pm.

Respectfully submitted,
Barbara Bush
Recording Secretary