

TOWN OF BARTLETT
ZONING BOARD OF ADJUSTMENT
56 TOWN HALL ROAD
INTERVALE, NH 03845
603-356-2226

Approved Minutes

ZBA MEETING

January 13,2025

6 p.m.

Present: Julia King (Chairman), Steve Hempel (Vice-chair), Peter Pelletier, Scott Grant, Peter Gagne, Richard Plusch (Alternate)

Absent with notice: Kali Brennick (Alternate)

- 1. Call to Order-** at 6 PM by the chair
- 2. Pledge of Allegiance-** led by Peter Pelletier
- 3. Minutes of last meeting-** Motion made by Scott Grant seconded by Julia King to accept the minutes of the December 9, 2024 meeting as written Vote unanimous
- 4. Unfinished Business**
- 5. New Business**
 - Julia King mentioned she was attending a forum at Cheese Louise to stimulate interest in the Valley for the public to run for public office. She encouraged other board members to attend if they can.
- 6. Communications**
 - **Changes to Planning & Zoning Laws 2024-** handout provided to the board members. Board discussed the handout. Peter Gagne stated that the New Hampshire Campground Association has brought forward a change that may impact the Glen Ellis Campground something about classification, taxation and park models. Scott Grant told the board that regarding the DOT and Cedarcroft Farms there was a traffic study and there will be a southbound turning lane. Peter Gagne asked a point of clarification- if our zoning ordinance does not address these changes, do we have to adopt them- are these RSA's bills? Scott Grant stated that the state can supersede the local takeover. That is why the

Planning Board has a sewer amendment coming up to restrict the sewer within their boundaries. Julia King stated that you may receive a call from BEA to call your legislator because more and more the state is trying to take local control away. Scott Grant further stated that there are 400 representatives in the house but the local representatives are outnumbered in Concord. Case in point is workforce affordable housing. In the lower part of the state they can do that but here it will not be affordable- it will be short term rentals.



Changes to
Planning and Zonin

- **Proposed Law (House Bill 92) change regarding a member of the Planning Board cannot be on the ZBA-** Handout provided to the board. Board discussed and stated that the people of Bartlett vote on who sits on the boards and let the voters decide who sits on the board not Concord. This is a political move. In the North Country the tradition has always been that there is a representative from the Select Board on the Planning Board and a representative from the Planning Board on the Zoning Board.



House Bill 92.docx

- **Updated instructions for ZBA applications-** FYI and discussion. Clerk provided history as to why this changed regarding the amount, types of stamps needed for the abutters. It was the AA from the Selectmen who voiced the alternative that the applicant would submit their list and the amount of the cost per abutter letter in one check addressed to the Town of Bartlett. Peter Gagne asked if the application fee for the ZBA in line with other towns? Clerk was asked to reach out to the towns and ask them what their fees are. Board is in agreement with the stamping of the abutter letters.



Updated
instructions for zoni

7. Other Business

- **Joseph/Susan Shepard (Tax Map 2COVBR-11-0)** - address 73 Covered Bridge Lane Town of Bartlett has denial from Selectmen regarding a shed wants to ask questions prior to meeting in February. Mr. Shepard was made aware advice cannot be given by the board. Letter stated from the Selectmen stated he could do a variance or a special exception. Mr. Shepard spoke and stated he is applying to the Selectmen for a garage permit. Julia Jing stated that at this point he would

have to file an application with the Selectmen and either have it granted or denied by them. He was informed that if he is applying for a special exception, he is allowed 20% deviation. Typically, someone in his situation would apply for both- the special exception is heard first then if that fails then they would be heard on the variance.

- **Jack Wyman- (Tax Map 1RT16A-195L02)-** address 15 Town Hall Road- has denial from Selectmen re adding a bowling alley and has questions prior to meeting in February. Mr. Wyman came forward to ask for assistance and an explanation of his denial letter. He was made aware that advice cannot be given by the board. The board read the denial letter and concluded he was denied because his use is not on the list of permissions- he wants to put in a 6-lane bowling alley in his facility. Mr. Wyman stated he looked at other uses in town that do not line up exactly with what is in the ordinance, for example an arcade at Attitash or the aquarium, or the outdoor water park. He wanted to know exactly how they went about going through the ZBA or was it accepted by the Selectmen. Board explained that a variance was given for the aquarium signage and the aquarium may fit in to what Storyland does as a business. Mr. Wyman stated he applied for an arcade last year and was denied- he sees other people in town doing what he wanted to do and he is confused as to how to proceed. He wants to keep his business going and he wants to know his best option is moving forward. Scott Grant clarified that there are zoning laws in place and if it is not mentioned it is not allowed because it is not a mentioned use. You can come before the Planning Board because the Planning Board makes zoning amendments every March. It would be a warrant article, and you need 25 signatures (and they need to be verified for legitimacy) to get on there. He notified Mr. Wyman that he is too late this year because you also need public hearings. Peter Gagne mentioned he could investigate a petitioned article as an option and let the voters decide. Scott Grant stated that even with a petitioned article there needs to be a public posting and public hearings. Board discussed the denial letter and it was decided he has to have two applications- one for a hearing on the administrative decision and then one on a variance. First is to ask for the hearing on the administrative decision and then if denied you ask for a variance. Both applications can be heard at the same meeting of the ZBA. Mr. Wyman asked who is responsible for the Master Plan? The Board answered the Planning Board. Steve Hempel asked Scott Grant if the permissive uses in the Master Plan - have they been changed in along time? Scott Grant stated we adapt as we go along and if Mr. Wyman had his petition in to the board in time, we could have added it to the warrant. The board strongly recommended that Mr. Wyman seek legal advice regarding his

rights. Possibly have the attorney write a letter to the Selectmen explaining that he is just doing a natural expansion of his business. Assuming he is using the existing building. Also suggested he also ask to be on the agenda for a Selectmen’s meeting to discuss if he can get a change in use for his business as an option. Mr. Wyman explained he read the Master Plan and it talks about keeping the town rural but also wanting to add recreational activities. That is where I see my fit in the plan. Scott Grant clarified that the Master Plan was enacted in 1984 and anything that was operating prior to 1984 was “grandfathered in” (like Storyland and Attitash) and Heritage New Hampshire was there prior to 1984 and it was a change in use to make it an aquarium. That is within the Selectmen purview not the Planning Board or the ZBA. Mr. Wyman thanked the board for their information.

8. **Adjournment-** Motion made by Scott Grant seconded by Peter Gagne vote unanimous meeting adjourned at 6:40 PM
9. **Next Meeting: February 10, 2025**



Board sign in
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Public Sign in
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Respectfully submitted

Louise B. Burns

Planning Board/ZBA Clerk