

**TOWN OF BARTLETT PLANNING BOARD
PUBLIC HEARING**

May 1, 2017

Members Present: Chairman Philip Franklin; David L. Patch; Scott Grant; David A. Patch; David Shedd; Kevin Bennett. **Members Absent:** Peter Gagne (with notice).

Also in attendance: Kevin Ashe of White Mountain Survey & Engineering Inc.; Peter Greene; William Honen; Eileen Honen; Norman Head.

The meeting was opened at 6:00 pm by Chairman Philip Franklin, who reviewed the agenda.

1. Public Hearing: The 2 North Ledge Road Realty Trust (Marcello Stisi, Trustee), North Ledge and Glen Ledge Roads. File 2017-1228. This is an application to subdivide a 3.44-acre parcel into two lots containing 2.154 and 1.282 acres respectively.

Kevin Ashe of White Mountain Survey presented and explained the intent of Mr. Stisi's two-lot subdivision on the corner of Glen Ledge and North Ledge Roads. Based on feedback he had received from the board at a preliminary review last work session, Mr. Ashe said the lots had been reconfigured to give Lot 1 road frontage onto Glen Ledge Road, since North Ledge was a private road which did not meet town road standards. He provided a revised plan showing that Lot 1 now had 50' frontage onto Glen Ledge Road. Mr. Ashe also provided a written request to waive the HISS requirements. Mr. Ashe said an application had been submitted to the state for subdivision approval, and there was a possibility the state may require another test pit on Lot 1, which contains Mr. Stisi's existing residence, and a 4k septic area may also need to be shown since the location of the existing septic was so tight. Mr. Ashe explained when Mr. Stisi built his home in 1986, its location had been heavily restricted by constraints imposed by the large well radius of a community well on an adjoining well-lot which belonged to the North Ledge Well Association. As explained at the preliminary review, the well was abandoned and disconnected and Mr. Stisi subsequently purchased the well-lot and merged it with his homestead parcel in 2001.

After the board reviewed the plan, the Chairman asked if there were any questions. Scott Grant asked whether all the boundary pins had been put in yet. Mr. Ashe said no, and pointed-out to him the location of other rebar and iron pipes along the boundary line found during the survey and others based on previous subdivision maps. David A. Patch checked the frontage dimensions shown along Glen Ledge Road to ensure that the fifty feet distance required by the subdivision regulations had been provided. David Shedd asked how many bedrooms were in the existing house. Mr. Ashe said Lot 1 was served by an existing state-approved 4-bedroom system and any residence on Lot 2 is proposed to be serviced by a 3-bedroom on-site system which is yet to be designed and approved. Kevin Bennett verified with Mr. Ashe that the former well was no longer in existence and that its well radius no longer reduced the area used for septic calculations. Mr. Ashe said the whole area of Lot 2 had been used to calculate septic density since the well was no longer a factor. David Shedd asked again about the four bedrooms in the existing home. He wondered how the reconfigured lot could still support that number since it was now smaller, and asked whether the state would still approve a 4-bedroom system for Lot 1. Mr. Ashe said the state had indicated they would approve the septic systems as shown on the plan on the condition that a 4k septic area was shown on Lot 1. He explained how the original septic had been designed with the 200-ft. well radius removed from the area used for the calculations. Now that the well was no longer a factor, the area gained by now being able to use the old community well radius compensated for the land taken from Lot 1 to create Lot 2. Additionally, water to Lot 2 was being provided by the Lower Bartlett Water Precinct.

The Chairman called for a motion to accept the application. Motion made by David L. Patch; seconded by David Shedd. Vote: All in favor. With the application accepted, the Chairman opened the public comment period for the hearing. Norman Head approached and asked to see the road frontages shown on the plan. He also asked how many bedrooms were being proposed for Lot 2 on the septic application being submitted to the state. He was told the design was for three bedrooms, which meant a two bedroom home would be allowed under

Bartlett's 75% rule. Mr. Head then asked what the waiver request had been for and was told it was for a high intensity soil survey. He looked at the plan and noted it would be tough to get a driveway to Lot 1 through the 50-ft. road frontage onto Glen Ledge Road. David Shedd explained to him that Lot 1 already had an existing driveway off North Ledge Road. The 50-ft. was not intended to be an access, but was only there to provide frontage onto a town road to satisfy our subdivision regulations. Abutter Peter Greene of 221 Glen Ledge Road spoke next and asked for verification of the acreage of each lot. He then questioned the legality of Mr. Stisi's purchase of the former well-lot from the North Ledge Well Association, and implied the person who sold it did not have the right to do so. This was discussed, and Mr. Ashe produced a chain of title which documented the ownership of the well-lot property as recorded in the Carroll County Registry of Deeds. Mr. Greene ended by saying he did not like to see lots in the area being "cut-up." He was assured that the planning board gave careful consideration to any proposed subdivisions and would always try to do the right thing by abutters. The Chairman thanked Mr. Greene for his input and asked if there were any further questions. With none, he closed the public hearing.

The HISS waiver request was discussed next. Scott Grant asked why the waiver was being requested and the Chairman read the entire request out loud. The reasoning given for the waiver was that since the validity of soil types on the site had been verified by test pits, and the wetland scientist had established there were no wetlands on site, the applicant felt the expense of performing HISS mapping was not justified and would not provide any more information than already provided by the county soil maps. David L. Patch said he agreed with the reasoning. Scott Grant asked whether they needed a HISS because the property was less than five acres. David L. Patch said that was not the reason, and explained that septic designers typically used the soil information provided by the county soils map, but sometimes a HISS survey was required to verify those soil if the calculations were "tight," if there were wetlands on the property, or if the soils were in an unknown or undeveloped area. This was done to ensure there was enough suitable soil available to support the septic system. In this case, the Glen Ledge area was already developed and the soils had been adequately identified and documented. The reason the waiver was being requested was because a HISS is required under our subdivision regulations, but a provision was made for the board to grant a waiver if it was not warranted. After further discussion, a motion was made by David L. Patch; seconded by Scott Grant to grant the waiver to not require a HISS study. Vote: All in favor.

Mr. Ashe asked whether the board would consider granting conditional approval to allow the applicant to move forward while he waited for approval from the state. This was discussed, with David Shedd expressing reluctance and noting there were several outstanding items. These included setting the corner pins and conducting another test pit on Lot 1, should the state require it. Since our subdivision regulations require a two-week waiting period after the public hearing to grant any type of approval, this was a moot point to discuss tonight and a motion was made by David L. Patch; seconded by David Shedd to continue the application to the May 16 work session. Vote: All in favor.

2. Public Hearing on Revisions to the Subdivision Regulations: The Chairman explained this public hearing was necessary to update the subdivision regulations to reflect the result of voting at the March 14 election which approved a zoning ordinance amendment to increase the number of dwelling units allowed on a single driveway from two to three. The Chairman said this was basically only changing one word and read the three subdivision sections which were affected. He asked if the board had any questions, then opened the public hearing to consider any comments from the public. With no comments forthcoming, the public hearing was closed and he called for a motion to approve changes to the subdivision regulations to increase the number of dwelling units allowed on a single driveway from two to three. Motion made by Scott Grant; seconded by David Shedd. Vote: All in favor.

3. Continuation/Final Approval: Attitash Mountain Service Co., (AMSCO), Block G, Stillings Grant: File: 2013-1187. This is an application to reconvene review of a continued application to subdivide Block G into 40 residential units. Tax Map 5STLNG, Lot G00.

This application has been continued indefinitely until a review by the town engineer review is completed. The board discussed the status of the application and a motion was made by David L. Patch; seconded by Scott Grant to authorize the secretary to send an email to the engineer to find out where review of the application stood. Vote: All in favor.

4. Review and Approve Minutes: The minutes of the April 18, 2017 meeting were reviewed. In Item 2, second-last paragraph, the Chairman requested that the subdivision section read to Kevin Ashe which stated a lot cannot be created which did not have frontage onto a town road or a private road built to town road standards be identified by article and section number. Motion to approve the minutes, as amended, was made by Scott Grant; seconded by David A. Patch. Vote: All in favor.

5. Mail and Other Business:

- The board reviewed mail listed on the agenda.

With no further business, a motion to adjourn was made by Scott Grant; seconded by David L. Patch. Vote: All in favor. The meeting adjourned at 7:00 p.m.

Respectfully submitted,
Barbara Bush
Recording Secretary