

**TOWN OF BARTLETT PLANNING BOARD
PUBLIC HEARING**

August 5, 2019

Members Present: Scott Grant; David L. Patch; David A. Patch; David Shedd; Kevin Bennett; Barry Trudeau; Kevin McEnaney. **Members Absent:** None.

Others in attendance: Richard Goff, Jr. of Glen Ellis Family Campground; Dan Flores of SFC Engineering.

Chairman Scott Grant called the meeting to order at 6:00 pm and reviewed the agenda.

1. Pledge of Allegiance. The Chairman invited Mr. Goff to lead the Pledge of Allegiance.

2. Discussion with Richard Goff, Jr. and Dan Flores re site plan review for Glen Ellis Family Campground:

Mr. Flores presented a preliminary plan showing the proposed expansion of the campground which had recently been approved by the ZBA. This expansion will result in approximately 40 new campsites and a splash pool. Mr. Flores said he was here tonight seeking comments from the board as to what he needed to provide as he proceeded with site plan review. Mr. Flores said another issue was a letter Mr. Goff had received from the selectmen regarding whether town subdivision was required, and he was also looking for a decision from the board on that. He said his firm would be submitting a state subdivision application, as required by the NHDES. Also being sought from the state was an updated driveway permit, septic approval, Alteration of Terrain permit, an updated water supply permit, and possibly a shoreland permit. Mr. Flores asked whether site plan review would be required before or after these state permits had been obtained.

The Chairman asked if the board had any questions. David Shedd said he was a little surprised that Mr. Flores mentioned town subdivision, and said he didn't understand what was being subdivided. Mr. Flores said he also did not understand why there was discussion about town subdivision. He said he did not see a need for it at the town level, either, since the expansion was not creating any new lots nor changing ownership amongst campsites, but he was responding to the selectmen's letter. Barry Trudeau asked whether it was a state requirement and Mr. Flores confirmed every campground required state subdivision approval. Richard Goff added that it was in the fine print, and was something surveyor David Douglass had shown him one night. He said it was a quirky law, but it was there. Kevin McEnaney said the only thing he could find in Bartlett's subdivision regulations regarding campgrounds was the reference to greenspace. He said he was sure the greenspace at the campground exceeded the subdivision requirements. Mr. Flores confirmed this was addressed during the special exception meeting with the ZBA where it was shown that the greenspace provided was 47% of the lot. He said this figure included the expansion.

David L. Patch said he did not feel that town subdivision was required, and the board was only required to make a yes/no decision regarding this. Selectmen's representative David A. Patch also said he did not feel that the planning board needed to deal with subdivision issues. Mr. Flores advised he deals with a lot of campgrounds, as that is his specialty, and said he had never known a town to do subdivision approval; it was all strictly at the state level. He said the state wasn't worried about typical subdivision items such as streets, etc.; their concern was that the lot had adequate soils to handle sewage loading and other environmental issues. He said these items are all being reviewed by the state as part of the campground's state subdivision application. When the Chairman asked whether the board was in agreement that town subdivision was not required, David L. Patch made a motion to that effect, which was seconded by Kevin McEnaney. Vote: All in favor.

The Chairman asked if there was any further discussion on the need for site plan review. David Shedd said his understanding was that one of the things which triggered site plan review was the size of the buildings. He asked Mr. Goff what the square footage of his buildings was. Mr. Goff said he wasn't sure, but it would come close to six thousand square feet, all-told. Mr. Flores said there would be about three-to-four-thousand square feet between the new bath house and mechanical buildings, but he wasn't sure what the current figure was for the existing buildings. Mr. Goff said the largest building he had at the campground was twenty-four-hundred square feet, with the rest all being approximately 20'x30'. The Chairman noted this was a grandfathered campground which was existing prior to zoning. Mr. Goff said he started his business in 1979. David L. Patch said as well as the size of the buildings, the

type of use also triggers site plan review. With no further discussion, the Chairman called for a motion that site plan review would not be required for the Glen Ellis Family Campground. Motion made by Kevin McEnaney; seconded by David L. Patch. Vote: All in favor.

3. Continuation/Final Approval: RSM Bartlett Properties, LLC, (Richard Girardin), 590 US Route 302.

File: 2018-1251. This is an application for a 14-unit subdivision (7 duplexes) on a 13-acre parcel identified as Tax Map 3RT302, Lot 53R00.

This application is still waiting for state subdivision and septic approvals. Additionally, the road design is being revised to relocate the catchbasins out of the road right-of-way. A letter was noted from the DES in which they requested additional information be provided before they made a final determination on their Alteration of Terrain application. A motion was made by David L. Patch; seconded by David A. Patch to continue the application to the September public hearing on a date to be determined, since the regularly-scheduled meeting fell on Labor Day. Vote: All in favor. (Later in the meeting, a vote was taken to hold the September public hearing on Tuesday, September 3rd.)

3. Continuation/Final Approval: River Run Co., Inc., Route 302/Haystack Loop. File: 2018-1252. This is an application for a 3-lot subdivision of a 10.29-acre parcel of land. Tax Map 3ATTDV, Lot UND-D00.

This application is also waiting for state subdivision approval. A motion was made by Barry Trudeau; seconded by Kevin McEnaney to continue the application to the September public hearing on a date to be determined, since the regularly-scheduled meeting fell on Labor Day. Vote: All in favor. (Later in the meeting, a vote was taken to hold the September public hearing on Tuesday, September 3rd.)

4. Review and Approve Minutes: The minutes of the July 1st meeting were reviewed. David Shedd said he had a number of grammatical corrections. On page 3, first line, add an "s" to "public comment." Same page, second paragraph, third line from bottom, change "fewer" to "fewest." Mr. Shedd said the minutes raised several questions. On page 3, last paragraph, the bottom two lines read, "The Chairman stated that the school had taken over the church property and merged it with itself by deed, since it was its own entity and could do whatever it wanted." Mr. Shedd said if that was the case, we created a new lot that night. The Chairman responded in his capacity as a member of the school board. Referring to the school board as "we," he said, "We had a discussion and I don't believe so because you have the existing lot which has got the boundary-line adjustment for the church itself. We merged the lots because we can, because we're our own entity. We didn't come to the planning board for a voluntary merger. We never came because we didn't have to do that." David Shedd asked why then would the planning board even take it up if the school could do whatever it wanted, and wondered whether we needed to correct anything. The Chairman said it was because the school wanted a boundary-line adjustment to keep the church as a non-profit entity. David Shedd said that wasn't his question; the question was whether two lots were combined into one, and whether a new lot was created. David L. Patch noted page 4 of the minutes said that no new lot was created. David Shedd said that raised another question, and asked who had said that. He stated that was someone's opinion, but he didn't know whose it was. The recording secretary said nobody actually said it, but that was what was shown on the plan. On page 4, third line down, David L. Patch suggested the second sentence be modified to read, "According to the plan, no new lot was created." The Chairman said he understood where David Shedd was coming from, and said he was probably correct in his thinking; however, based on past history of what went on and what the school tried to do, he said there was never a subdivision, just a boundary adjustment to actually take the church off the rest of the property. It was pointed-out to the Chairman that if the lots were merged, then that would mean the church and school were all one lot. The Chairman said that was correct, and repeated again that the school was its own entity and didn't have to come to the planning board for a voluntary lot merger. David Shedd said he did not disagree that may have happened, but if they had been merged then what the planning board did the other night was to create a lot. He said the question was how to deal with the minutes, saying he believed the comment about the lots being merged did take place at the meeting, but there was a question as to whether the comment was correct or not. The Chairman stated that he stood-by his comments about the lots being merged. The discussion continued on this subject with David A. Patch asking whether the Morrell property lots,

now owned by the town, had ever been merged. He did not think the town had taken the time to do that, prompting the Chairman to ask why would they. David L. Patch said if the church merger had never been recorded in the school board minutes, then perhaps the Chairman's reference to "merged" should be removed. David Shedd asked whether that was something the board should look into and find out for certain whether the lots were merged, saying you can't just make a lot disappear; there has to be a record at the registry. It was decided Mr. Shedd's suggestion to research the matter further should be done.

David Shedd continued his review of the minutes and noted on page 5, 5th line down, it said "Mr. Johnson apologized for his mistake, saying there was nothing collusional or deceptive about it, and said as soon as the mistake was brought to his attention he addressed it and got a building permit." Mr. Shedd asked what did Mr. Johnson address to get a building permit, and what was his mistake? David A. Patch said his mistake was not getting a building permit for the silo and he addressed it by getting one. It was suggested perhaps he was apologizing for the location of the silo, and if that was the case, then he was aware the silo was in the wrong location. David Shedd requested the whole sentence be deleted. On page 5, 3rd paragraph, 4th line, Mr. Shedd also asked where the zoning ordinance addressed an equitable waiver of distance, since Shawn Bergeron had indicated he may use that avenue to seek relief from the ZBA to resolve the issue of the silo. A motion to approve the July 1 minutes, as amended, was made by David Shedd; seconded by David L. Patch. Vote: All in favor. The July 16 minutes were reviewed. A motion was made by Barry Trudeau; seconded by David L. Patch to approve the minutes as written. Vote: 5-0-2, with David A. Patch and David Shedd abstaining since they had not attended the meeting.

5. Mail and Other Business:

- Since the September public hearing fell on Labor Day, the board discussed an alternate date, eventually deciding on Tuesday, September 3rd. A motion to hold the September public hearing on September 3rd was made by David Shedd; seconded by David L. Patch. Vote: All in favor. The Chairman said he may not be able to attend as he had a school board meeting on that date. Vice-Chairman David L. Patch agreed to chair the meeting if the Chairman was absent.
- Mail listed on the agenda was reviewed.

There being no other business, a motion to adjourn was made by Barry Trudeau; seconded by David L. Patch. Vote: All in favor. The meeting adjourned at 8:10 pm.

Respectfully submitted,
Barbara Bush
Recording Secretary