

**TOWN OF BARTLETT PLANNING BOARD
PUBLIC HEARING**

August 7, 2017

Members Present: Chairman Philip Franklin; David L. Patch; David A. Patch; David Shedd; Peter Gagne; Scott Grant; Kevin Bennett. **Members Absent:** None.

Also present: Teresa Stearns of Rare Bear LLC (White Mountain Cider Co.)

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

1. Site Plan Review Determination: Rare Bear LLC dba White Mountain Cider Co., 207 US Route 302.

File: 2017-1231. This is a request to determine whether site plan review will be required for the reconstruction of a barn on the White Mountain Cider Co. property which had been destroyed by fire last year. The barn had been used as a retail deli. The applicant's application for a building permit to reconstruct the barn had been denied by the selectmen's office until the site plan issue had been resolved, due to the total square footage of the buildings on the property exceeding 5,000 sf.

Teresa Stearns presented. She provided architectural plans of the new building, a survey sketch of the property prepared by Ammonoosuc Survey, and the selectmen's office had provided a copy of their denial letter as well as copies of tax cards which showed the square footage of the buildings. Ms. Stearns explained what she was proposing to do was to replace the burned barn but was intending to increase the area of its existing 1,540 sf footprint by 650 sf to provide space to enable the cider mill to be located under the same roof. She said she would like to retain the 1,250 sf outbuilding which had been used for the cider operations since the fire and use it for storage purposes. Based on information shown on the Ammonoosuc survey sketch, the total footprints of all the buildings on the property before the fire totaled 5,890 sf, and what was now being proposed totaled 6,540 sf. David L. Patch noted that while the building square footage was being increased, the operation was not going to change and that activity on the property was not going to be greater than what had been there previously. Ms. Stearns agreed and said what was being proposed would look lovely and would result in a much-better set-up.

The board reviewed the information provided by Ms. Stearns and discussed a multitude of issues with her to help with their determination. These included whether adequate parking was provided; how many seats were in the main restaurant; whether access off Rt. 302 was changing; whether fire sprinklers would be required in the barn; what the appearance of the new barn was going to look like and what the upper floor was going to be used for; whether upgrades to the electrical system had been required, etc. Ms. Stearns answered the questions to the board's satisfaction. The Chairman asked if the board had any further questions. During the course of the discussion, several members spoke of this property as being a non-conforming lot because the buildings exceeded 5,000 sf, but it was explained that our zoning allows any single commercial building to be up to 25,000 sf in size, and that the 5,000 figure only represents the size that triggers site plan review. The Cider Co. was not a non-conforming property as it complied with all the commercial requirements, including setbacks.

The Chairman said based on the information he had read and what had been presented, he did not feel as though site plan review was warranted. The board agreed with this assessment, and a motion was made by Scott Grant; seconded by David L. Patch that site plan review would not be required. Vote: All in favor. A notice will be sent to the selectmen advising of the board's decision so that a building permit can be issued. After the hearing, David L. Patch noted that the criteria for determining the square footage of buildings for site plan review was based on the actual footprint of the building and that the figures provided by the selectmen's office for this project were elevated because attics, basements, secondary floors, etc. had been included.

2. 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.

3. Review and Approve Minutes: The Chairman noted the June 20 work session minutes were not reviewed or approved at the July 5 meeting because a quorum of members was not present who had actually attended the meeting, and the July 5 public hearing minutes were also not reviewed and approved as the July work session was not held. Minutes for both these meeting were reviewed tonight. He asked if there were any questions regarding the June 20 minutes. With none, he called for a motion to approve. Motion made by Scott Grant; seconded by David L. Patch to approve the minutes, as written. Vote: 5-0-2, with David Shedd and Peter Gagne abstaining since they had not attended the meeting.

The Chairman then asked if there were any questions regarding the July 5 minutes. To clarify his remarks, David Shedd asked that his comment in Item 1, third paragraph, ninth line down, be revised to read, "Mr. Shedd said he would like to see language on the plan which made it clear that the gravel operation was not to extend onto the adjacent field lot." A motion to approve the July 5 minutes, as revised, was made by Scott Grant; seconded by David Shedd. Vote: 5-0-2, with David L. Patch and David A. Patch abstaining since they had not attended the meeting. David Shedd also explained his reasons for believing a HISS was not required during a discussion with Burke York on a proposed subdivision on Cobb Farm Road, but said it was not necessary to amend the minutes.

5. Mail and Other Business:

- The board reviewed any mail listed on the agenda.
- A motion to move the date of the September public hearing from September 4 to September 6, to avoid conflict with Labor Day, was made by Scott Grant; seconded by David A. Patch. Vote: All in favor.
- Peter Gagne asked what had taken place at the recent site visit to the Triple K gravel pit, which three board members had conducted. David L. Patch said he felt it was a good visit which enabled the board to do its job by ensuring the pit adhered to the requirements of RSA 155E, which was the limit of the board's authority. David Shedd advised the visit found that a pile of gravel/sand had been pushed approximately 30-ft. over the boundary line onto the abutting field lot. It was noted this was a very long boundary line which was not marked on the ground, and the pile has since been pushed back. David L. Patch said the visit put Triple K on notice that the gravel operations cannot spill over onto the abutting lot.
- Peter Gagne asked David A. Patch whether any complaints had been lodged regarding the Sports Thoma tent sale near Dunkin' Donuts. He said he was considering making a complaint himself, as he felt it was an eyesore.

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 6:47 pm.

Respectfully submitted,
Barbara Bush
Recording Secretary