

**TOWN OF BARTLETT PLANNING BOARD
WORK SESSION**

September 17, 2019

Members Present: Scott Grant; David L. Patch; David A. Patch; Kevin Bennett; Barry Trudeau; Kevin McEnaney.
Members Absent: David Shedd (with notice).

Also Present: Chris McAleer (who was not on the agenda).

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

1. Pledge of Allegiance. The Chairman led all present in the Pledge of Allegiance.

2. Informal Discussion with Chris McAleer: Realtor Mr. McAleer said he was before the board seeking the board's input on a property on Route 302 belonging to the Clara Hendrikson Trust and identified as Tax Map 2RT302, Lot 38R00. Mr. McAleer said he had been approached by Mrs. Hendrikson's son and trustee, Steven Nealley, who asked him to evaluate what development this 54-acre lot could support. He said the land was evaluated at \$3,300, so the town was not getting much tax benefit from it. Mr. McAleer provided a 1979 two-lot subdivision and boundary-line adjustment plan prepared for the Howard family by Thaddeus Thorne Survey which identified the lot Mr. McAleer was interested in as Parcel 2. Mr. McAleer said the property was located across the road from Patch's Market, abutted the Ellis River, and also abutted a lot formerly owned by George Howard which was identified on the plan as Parcel 1. He also provided a printout of a FEMA map which depicted the majority of the property as being in flood Zone B, although Mr. McAleer said that information had been obtained from FEMA's 2013 maps and he believed they may have been upgraded since then. He said the Parcel 2 property had 34.60-ft. of frontage on Route 302 and shared a right-of-way easement with Parcel 1, which had 34.57-ft. of frontage onto Route 302. Mr. McAleer drew the board's attention to a road that was shown as entering the property which he believed was being used by the town to access a stump dump area. The plan showed the first 1,250 ft. of this road as having a 66-ft. right-of-way and Mr. McAleer said the lot had frontage along this road of approximately 3,500 feet. When Mr. McAleer asked if this was considered a town road, David A. Patch said it was not, that it was private.

Mr. McAleer said he had reviewed our zoning ordinance and cited the frontage requirements as being 200-ft. for commercial properties along Routes 16, 302, and West Side Road and 50-ft. for any residential lots. McAleer noted that lots-of-record, or grandfathered lots, were exempt from these requirements and said his understanding was the Hendrikson parcel fell into that category since it was created prior to zoning. Mr. McAleer said the zoning ordinance also stated that lots-of-record which did not meet the minimum lot size or minimum frontage can be used for all conforming uses. He further quoted from the greenspace requirements of Article IX which said "Normal entrance and exit road or driveways are excluded from these (greenspace) requirements up to a total of 66 feet combined and will be located at least 100 feet apart." He said the combined frontage of Parcels 1 and 2 just exceeded this 66-ft. requirement.

Mr. McAleer said before the owner spent a lot of money on surveying and engineering he would like to know what possible development opportunities this lot could support, and what it could be used for. After looking at the plan, David L. Patch asked whether the lot had a shared driveway with a 66-ft. right-of-way. Mr. McAleer said it did. When Mr. Patch asked whether the ROW went all the way to Rt. 302, Mr. McAleer said it did not, as the lot only had 34-ft. of frontage right at the entrance, because there were a couple of granite pilings there which could perhaps be widened or which may be grandfathered. It appeared the ROW widened-out to 66-ft. along the Charles' boundary, once it entered the lot. David L. Patch advised Mr. McAleer that he would need at least 66-ft. of frontage to develop the property to any extent. He said this was a grandfathered non-conforming lot so at least one residence or one business would be allowed, but septic density would be a determining factor as to what else could be done. It was suggested that density calculations be done first, as that would determine how many dwellings the property could support and whether it would be worth the cost of building a town-spec road to access them. Mr. McAleer said he had heard that three houses could be built on a driveway in Bartlett. He was told that was correct. The question was asked if it was possible for the ROW to support two driveways, whether three houses could be built on each one. David L. Patch said this was a very interesting situation and he had never come across two lots sharing a 66-ft.-wide ROW before.

Mr. McAleer said the town of Jackson had once reclassified a driveway on Switchback Road as a private road after the fire chief had determined that emergency equipment could get up it and pass each other on it. This reclassification to a private road created frontage for lots and allowed for more development. He said he had heard that Bartlett does not have private roads, only town-spec roads or driveways. David L. Patch said we don't have private roads, only improved driveways which have pullouts every 500 feet for emergency vehicles and a cul-de-sac at the end. Kevin Bennett reminded Mr. McAleer that this property ran along the Ellis River and therefore shoreline protection setbacks would need to be considered when developing it. After discussing options with Mr. McAleer, it was agreed this situation was not going to be solved tonight. Mr. McAleer said he would do more deed research and return at a later date. David L. Patch said he would like to look into the 66-ft. shared ROW situation more and to see the deed where that was documented. Mr. McAleer thanked the board for their time. After Mr. McAleer left, the secretary advised that Parcel 1 no longer exists, according to the tax records. After further checking with the assessing office it was determined that Parcel 1 had been merged with the abutting Eastman gravel pit in 1998, and this information had been passed onto Mr. McAleer prior to him coming to the meeting tonight. David L. Patch said that would change things if he only had 34-ft. frontage on the one lot, as he was basing his opinion on the old map Mr. McAleer provided which showed two lots.

3. Pre-Application Review: Marie W. & Loel A. Raymond, Jr. and Amanda Clementson, Wild View Drive, Intervale. File: 2019-1257. This is an application for an equal-area boundary-line adjustment involving 0.25-acres to allow the well radius on the Raymond property to be contained entirely on the Raymond lot. Tax Map 1RT16A, Lot 101-H14A (Raymond) and Lot 101-H14B (Clementson).

The board reviewed the plan and identified no issues with what was being proposed. This was an equal-area adjustment so therefore the size and density of the lots would not change, and each lot would still contain over 23+- acres after adjustment. The application will be formally submitted at the October 7 public hearing.

4. 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 had been received from the DES which requested the applicant provide additional information before a final determination on their Alteration of Terrain application was made. A motion was made by David L. Patch; seconded by Barry Trudeau to continue the application to the October 7 public hearing. Vote: All in favor.

5. 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 to continue the application to the October 7 public hearing was made by David L. Patch; seconded by Barry Trudeau. Vote: All in favor.

6. Review and Approve Minutes: The minutes of the August 20th meeting were reviewed. Kevin McEnaney asked about a comment in Item 4, Review of Minutes, which talked about whether the merger of lots between the school and the church in 1990 had actually happened. The Chairman, who sits on the school board, had reported this lot merger as having happened, and the planning board had requested this fact be verified as it was important to ensure the plan recorded at the Registry was correct. The minutes indicated David Shedd had asked the Chairman to obtain documentation from the school verifying whether the merger occurred or not, and that he would also be interested to see a copy of the deed conveying the church lot to the school. The Chairman said he would have the deed for the October meeting, as the school board met after the planning board did. The Chairman said to the best of the school's knowledge right now, the lots were not merged. David L. Patch said if that was the case, recording a boundary-line adjustment was made easier. The secretary advised the plan had already been recorded. A motion to

approve the minutes, as written, was made by Kevin Bennett; seconded by Kevin McEnaney. Vote: 5-0-1, with David A. Patch abstaining since he had not attended the meeting.

7. Mail and Other Business:

- Mail listed on the agenda was reviewed, including a courtesy copy of a NHDES wetlands permit to repair storm damage on the Rocky River, as prepared by HEB Engineers. The Chairman took the plans provided with this application home with him to review further.

There being no other business, a motion to adjourn was made by Kevin McEnaney; seconded by Barry Trudeau. Vote: All in favor. The meeting adjourned at 7:00 pm.

Respectfully submitted,
Barbara Bush
Recording Secretary