

**TOWN OF BARTLETT PLANNING BOARD
PUBLIC HEARING**

December 5, 2016

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

Also in attendance: Burke York from York Land Services, LLC.

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

1. Public Hearing: John J. McInerney, Jr. Revocable Trust and Robert Ferguson, West Ledge Road. File: 2016-1222. This is an application to subdivide a 198±-acre parcel of land into two lots containing 158± and 40.01 acres respectively. Tax Map 2GLENL, Lot 69-B00.

Burke York presented and provided plans and a mylar. Scott Grant advised Mr. York that he was the owner of an abutting parcel, but that the plan showed it as still being under the previous owner's name. Mr. Grant noted he had seen some pink flagging on his property and asked how the direction of the boundaries had been established. Mr. York said he had not been involved in the field aspect of the surveying, so was unable to answer Mr. Grant's questions. David L. Patch asked whether a HISS study had been performed, or whether a waiver had been submitted. Mr. York answered no to both questions, and indicated he was not aware it was required as it was not listed on the subdivision checklist. He said to his knowledge, the 40-acre parcel was going to be used as a single homestead. Mr. Patch said a HISS probably wasn't required in this instance, but gave Mr. York a heads-up to submit a waiver request for any future subdivisions. David Shedd asked how much road frontage the new lot had on West Ledge Road. Mr. York said it was two-hundred feet. After the board reviewed the plan, the Chairman called for a motion to accept the application. Motion made by David L. Patch; seconded by David Shedd. Vote: 4-0-2, with David A. Patch and Scott Grant both recusing themselves from the vote since they were abutters.

The Chairman then opened the hearing for public comment. With nobody in the audience to speak to the application, the public comment period was closed. The Chairman explained to Mr. York that the board could not approve a subdivision application on the same night as the public hearing, and called for a motion to continue it to the December 20 work session. Motion made by David Shedd; seconded by Rich Stimpson. Vote: 4-0-2, with David A. Patch and Scott Grant abstaining.

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.

No action taken on this application since the plans are still in the process of being reviewed by the town engineer. The application has been continued indefinitely until the review had been completed.

3. Review and Approve Minutes: The board reviewed the minutes of the November 7, 2016 meeting. After a discussion about a vote to support the wording of the proposed zoning amendments, David Shedd requested the last two sentences in paragraph one, page 4, Zoning Ordinance amendments, be deleted. David L. Patch advised the correct name of the Fish and Game lawyer mentioned on page 2, paragraph two, was Paul Sanderson, not Paul Sampson. The Chairman asked if there were any other questions or comments on the minutes. Hearing none, he called for a motion to approve the minutes. Motion made by David Shedd; seconded by David A. Patch to approve the November 7 minutes, as revised. Vote: All in favor. There were no minutes for the November 15 work session as the meeting was not held.

4. Zoning Ordinance amendments: The board reviewed a draft concept of the amendments as they would appear on the ballot. The Chairman shared input he had received today during a conversation with the selectmen's chairman, whereby concern had been expressed regarding several items pertaining to Article No. 1, Accessory

Dwelling Units. He asked selectmen representative David A. Patch to jump-in and comment whenever he thought it appropriate. The items in question included whether detached ADUs should be allowed, and whether owner-occupancy would be required for either the ADU or the primary dwelling. The sentiment from the selectmen's office was that detached units should not be permitted, and owner-occupancy of one of the units should be required. Selectmen's representative David A. Patch stated he did not agree with the position that detached units should not be permitted and, when asked, said he did not believe Selectman Hebert had expressed a strong opinion either way. Both items had previously been discussed by the board whereby it was decided that detached ADUs were acceptable, and owner-occupancy of one of the units would not be required. The board discussed both items again. It was noted that detached ADUs were already allowed under the current zoning ordinance, having been approved by town vote in 2011. After a short discussion, David L. Patch expressed his opinion that if someone had a detached garage or barn on their property, then they should be able to have an ADU in it. After discussion, the board decided that the proposed amendment would stand as-is, and detached ADUs would continue to be allowed. The second issue of requiring owner-occupancy of one of the units was discussed. The board considered the selectmen's reasons why owner-occupancy should be required, namely that it would allow a homeowner to rent out both the primary dwelling unit as well as the ADU, which could have the potential of creating an Airbnb. After a long discussion, the board decided to reverse their previous decision and to now require that one of the units would need to be owner-occupied. This did not mean that the owner was required to reside in the unit on a full-time basis, which would affect second homeowners, but the intent was that only one of the units could be rented out. The zoning amendment wording will be revised, and Scott Grant made a suggestion that this requirement be moved to the top of the listed instead of being (5), since it was an important aspect.

The Chairman call for a vote to support the wording of Article No. 1. Motion was made by Scott Grant; seconded by Richard Stimpson. Vote: 5-1-0, with David A. Patch voting no. The Chairman then reviewed the remaining amendments, which had all been voted on last meeting, and no changes were made.

The board discussed when to hold the January 2017 public hearing since the regularly-scheduled meeting would fall on Monday, January 2, which was a public holiday to recognize New Year's Day. The following day, Tuesday, January 3 conflicted with a school board meeting, which school board member Scott Grant would need to attend. A decision was made to hold the public hearing on Wednesday, January 4. A motion to that effect was made by Scott Grant; seconded by David A. Patch. Vote: All in favor. The Chairman then called for a motion to hold the public hearing for the proposed zoning amendments on January 4, 2017. Motion made by Scott Grant; seconded by David A. Patch. Vote: All in favor.

5. Mail and Other Business:

- Items listed on the agenda were reviewed.
- An invitation to subscribe to membership in the Mt. Washington Valley Housing Coalition was discussed, resulting in a motion being made by Scott Grant; seconded by David L. Patch not to join. Vote: All in favor.
- The Chairman spoke about year-end items, including budget figures and the town report narrative.
- Scott Grant briefly shared feedback from his participation in Emergency Management meetings which discussed updates to the Bartlett Hazard Mitigation Plan.
- David A. Patch asked that the agenda be put on the website before every meeting.

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 7:05 p.m.

Respectfully submitted,
Barbara Bush
Recording Secretary