

**TOWN OF BARTLETT PLANNING BOARD
PUBLIC HEARING**

April 1, 2019

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

Vice-Chairman David L. Patch called the meeting to order at 6:00 pm. He reviewed the items on the agenda, after which Scott Grant led all present in the Pledge of Allegiance.

1. Election of Officers: Since this was the first meeting held after the March town meeting, it was necessary to elect a chairman and a vice-chairman. After the position of chairman was declined by David Shedd, David L. Patch, and Kevin McEnaney, Scott Grant agreed to serve. A motion was made by David Shedd; seconded by Kevin McEnaney to appoint Scott Grant as chairman of the planning board. Vote: 5-0-1, with Scott Grant abstaining. A motion was made by Kevin McEnaney; seconded by David Shedd to re-appoint David L. Patch as vice-chairman. Vote: 5-0-1 with David L. Patch abstaining.

2. 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 ongoing application had been continued to this meeting since the applicant was still awaiting state subdivision and septic approvals. Additionally, the road design was being revised to deal with the issue of catchbasins being in the road right-of-way. The board briefly discussed the issue of catchbasins and how they were not allowed in the right-of-way. During the discussion, David L. Patch explained the history of a former waiver which had enabled the rights-of-way to be reduced from 66-ft. to 50-ft. This waiver had been offered both as a way of providing a little extra density to allow more units, and also as a way of preventing a private road from ever becoming a town road since it would not meet road specs. However, the waiver has since been eliminated after being challenged in court whereby it was determined its intent was not binding since voters at town meeting could require the town to take-over a road regardless of whether it met road standards or not. David Shedd asked even if the voters voted for a road to become a town road, couldn't the selectmen refuse to accept it? David L. Patch explained that voters have the final say, though the selectmen could certainly encourage people to vote no. Mr. Shedd wondered whether the road radii had been changed by the engineers if they had changed the road width. The plans showed a 66-ft.- wide ROW and the board was not sure how to answer the question regarding the radii. A motion was made by David L. Patch; seconded by David Shedd to continue the application to the May 6, 2019 meeting.

3. Pre-application Review: 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.

The board had previously reviewed this application during an informal discussion, so were familiar with the proposal. At that time there had been a brief discussion as to whether the driveway serving these three lots was required to come off the same road which provided frontage. The majority of frontage for this property was along Route 302, but there was also a smaller portion along Haystack Loop. The Haystack Loop frontage was flatter and provided much better access than the steep terrain along Route 302. At the informal discussion, the board had discussed the opinion of one of the selectmen that the driveway was required to come off the same road which provided frontage. This discussion had been documented by the applicant's representative, who was in attendance which, in turn, had resulted in the applicant consulting with their legal counsel, Atty. Ken Cargill. Atty Cargill had subsequently written a letter to the board citing sections of the zoning ordinance which he believed allowed the driveway to come off Haystack Loop instead of Route 302. The board reviewed Atty. Cargill's letter. David L. Patch reiterated his opinion that the lot is served by a town road which had to go to, or pass by the lot, but the house is served by the driveway. He said the driveway had never had to come off the road providing frontage and, to his knowledge, that condition was had never previously been imposed by the board. Mr. Patch said he could recall many instances where the board had allowed a driveway to enter from the side of a lot and not from the side providing frontage. The application will be formally submitted for a May 6, 2019 public hearing.

4. Review and Approve Minutes: The minutes of the March 4, 2019 meeting were reviewed. There being no corrections or comments, a motion to approve was made by David Shedd; seconded by David L. Patch. Vote: 4-0-1, with Kevin McEnaney abstaining since he had not attended the meeting. Mr. Patch mentioned, for informational purposes, that during the discussion regarding expansion of the Glen Ellis Campground he had intended to add that campgrounds were only allowed by a special exception through the ZBA. There were no minutes for the March 19th, 2019 work session since the meeting was not held.

5. Mail and Other Business:

- Correspondence listed on the agenda was reviewed, including a letter from the Conservation Commission requesting the planning board provide a letter of support for the Bartlett Recreation's grant application to the Sterling Grumman Fund for their plans to develop the town-owned Morrell property. Since no information had been provided describing what these plans involved, the board did not feel comfortable supporting the efforts at this time. A motion was made by David Shedd; seconded by David L. Patch that the conservation commission be invited to the next meeting to provide more information. Vote: All in favor.
- Kevin Bennett shared information he had learned from a recent meeting he had attended where FEMA representatives had been in attendance. Mr. Bennett said one of the topics discussed involved ISO (Insurance Services Office) ratings, which is a rating which determines how well local fire departments can protect your home. Insurance companies then use that score to set home insurance rates for things such as flood insurance, etc. Mr. Bennett said insurance costs would rise if towns did not enforce building codes, which was something most people were not aware of. He said Jackson currently has a rating of five, while Bartlett is rated slightly higher at 6. A short board discussion ensued in which David L. Patch noted he had been required to get a Letter of Map Amendment (LOMA) which amended the flood zone category of some of his properties which FEMA had deemed to be in the flood zone, but which were actually located well above flood level. David A. Patch advised the selectmen require elevation certificates when issuing building permits for all structures located along rivers.
- The Chairman asked that an updated list of planning board members be distributed.

There being no other business, a motion to adjourn was made by Kevin McEnaney, seconded by David Shedd. Vote: All in favor. The meeting adjourned at 6:56 pm.

Respectfully submitted,
Barbara Bush
Recording Secretary