

**TOWN OF BARTLETT PLANNING BOARD  
WORK SESSION**

**February 21, 2023**

**Members Present:** Scott Grant; David L. Patch; David Shedd; Michael Galante; Joe Heuston; Gus Vincent; Kevin Bennett. **Members Absent:** None.

**Others Present:** Jessica Spaulding; Mark Spaulding.

**1. Pledge of Allegiance:** Chairman Scott Grant opened the meeting at 6:00 pm, led all present in the Pledge of Allegiance, and reviewed items on the agenda.

**2. Continuation/Final Approval: Two-lot subdivision and 2-unit PUD, Mead Mudgett Trust (Mark E. Mudgett, Trustee), River Street, Bartlett.** File: 2023-1289. This is an application to subdivide a 17.78-acre parcel into two lots containing 5.88 and 11.90 acres respectively. After subdivision, the 11.90 acre lot will become a 2-unit PUD. Tax Map 5VILLG, Lot RIV-40B.

This application had been continued from the February 6 public hearing to satisfy the two-week wait period required by the subdivision regulations before being approved. The Chairman asked whether the board had any questions or comments. Kevin Bennett raised questions relative to this property being located in the Special Flood Hazard Area (SFHA), which the plan indicated it was. He said the subdivision regulations required any parcel greater than 5-acres and located in this area be required to show base flood elevation data. The plan presented did not show that information. Mr. Bennett said that his online research of the federal flood maps indicated that 90% of the Mead/Mudgett property was in the floodplain. He recalled that during his presentation at the public hearing, Andy Fisher of Ammonoosuc Surveys had advised that a lot of land was in the floodplain, but there were sufficient areas which were not and which would support the dwellings being proposed.

Mr. Bennett said he was aware of problems with flooding in this area. He acknowledged the flood maps were based on a 100-year flood event, an event defined as having a 1% chance of happening every year. He indicated he would not be willing to vote for approval at this time, since he felt important flood elevation data information was missing and Mr. Fisher needed to present a more-detailed plan. Mr. Bennett went on to cite other parts of the subdivision regulations which required safety issues such as gas, sewer, electrical, water systems, and drainage devices to reduce exposure to flood hazards, etc. be addressed before a subdivision was approved.

Joe Heuston said his understanding was all the applicant was intending to do at this point was to subdivide his land in half. He agreed they would need to do their homework before any future development or building took place. Mike Galante agreed with the points Mr. Bennett raised, but did not feel they were part of what we needed to address right now. David Patch also agreed, saying our job is to simply subdivide the land into two lots. He noted the lots were both over 5-acres, so did not even need septic approval from the state. He further agreed the applicants will eventually have to deal with the selectmen as part of the building permit process, but did not feel the board had the right to deny the application because of that. David Shedd said people are allowed to build in the floodplain under certain conditions, such as raising the house above a certain flood level. Mr. Bennett felt strongly that more information was needed, especially since the larger lot was intended to be a PUD. He said the fact they were not proposing to build anything just yet did not matter, the subdivision regulations pertaining to the Special Flood Hazard Area needed to be met.

When David Shedd asked what specifically Mr. Bennett would like to see added to the plan, he said the base flood elevation data or a flood elevation certificate from the surveyor. When the Chairman noted that wetlands had been delineated by Greg Howard, whose work the board had confidence in, Mr. Bennett said wetlands and the floodplain were two different things. The Chairman read a floodplain note shown on the plan, which stated the extent of the SFHA extended towards River Street but there were numerous locations within the area which were outside the flood zone and were suitable for building. Mr. Bennett said it was obvious the survey company had the elevation data to be able to make that statement, so it should not be hard to add it to the plan.

David Shedd agreed perhaps the board should be taking a closer look at situations such as this, but also felt had there been any objections it would have been better to have addressed them during the application process, rather than now. He asked Mr. Bennett if he took exception to the fact that we were being asked to approve this tonight. Mr. Bennett reiterated that he wanted the flood elevation data added. Mike Galante said he understood what Mr. Bennett was saying, but did not think it fell into what we were being asked to do tonight, noting they were not asking for a building permit. Mr. Bennett said it had nothing to do with a building permit; it was a subdivision and certain items had to be met. After some further discussion, including how inaccurate the state's flood maps were, Mr. Bennett made a motion to require the surveyor to add base flood elevation data to the subdivision plan, according to Section IX-B, Special Flood Hazard Areas of the subdivision regulations. Once that information is added, the application will be approved. Seconded by David Shedd. Vote: All in favor.

**3. Review and Approve Minutes:** The board reviewed the minutes of the January 17, 2023 meeting. Motion to approve the January 17, 2023 minutes, as written, made by Mike Galante; seconded by Joe Heuston. Vote: 5-0-2, with Gus Vincent and Kevin Bennett abstaining as they had not attended the meeting. The minutes of the February 6, 2023 meeting were reviewed. Motion to approve the February 6 minutes, as written, made by Michael Galante; seconded by David Shedd. Vote: 6-0-1, with David Patch abstaining since he had not attended the meeting.

**4. Mail and Other Business:**

- Kevin Bennett brought-up the proposed development off Route 302 which Mr. Fisher had spoken to last meeting. The conceptual sketch he presented at that time showed a circular drive with multiple driveways coming off it. Mr. Bennett asked whether his understanding that driveways had to be 100-ft. apart was correct. He read a portion of the road regulations. David Shedd said he was not sure that a distance was specified, but said the 100-ft. distance was required from a driveway to the intersection of two connecting roads. He said it did not mean a driveway had to be 100-ft. from another driveway. Mr. Bennett rechecked the road regulations and acknowledged Mr. Shedd was correct.

There being no other business, the Chairman called for a motion to adjourn. Motion made by David Shedd; seconded by Mike Galante. Vote: All in favor. The meeting adjourned at 6:41 pm.

Respectfully submitted,  
Barbara Bush  
Recording Secretary