

**TOWN OF BARTLETT PLANNING BOARD
WORK SESSION**

April 15, 2014

Members Present: Chairman David Publicover; David Patch; Julia King; Margaret Lavender.

Members Absent: Doug Garland; David Shedd; Rich Stimpson (with notice).

Also present were David Douglass and Diane Smith of Thorne Surveys; Ginny Clifford St. Martin; Tom St. Martin; James Gale; Charles Swett.

Chairman David Publicover opened the meeting at 7:05 pm.

1. Continuation/Final Approval: Beverly Swett and Tom & Virginia St. Martin, Jericho Road. File: 2014-1193. Boundary-line adjustment to confirm the boundary status of lands previously conveyed by John Parker, Sr. without planning board approval to Clifford, Carney, Parker. Tax Map 2JENKS, Parcels 105-L02, 105-L03 and XXX-2.

The Chairman said this was an application seeking to confirm transactions and boundary-line adjustments which had occurred over twenty-five years ago without planning board approval. At the last meeting, it was agreed to seek advice from the NH Municipal Association lawyers. The Chairman said he had spoken to them today, and the consensus was that approving this plan, as presented, would be problematic. A PDF file of the plan had been emailed to them to help them understand the situation. Since these old transactions should have come before the planning board, it is unlikely they would have been approved because the configuration of the lots resulted in a small piece being left over, which created a new, non-conforming lot. If not for the small residual lot, the Chairman felt it may have been possible to grant after-the-fact approval.

The Chairman said the recommendation of the Municipal Association was to not approve the application as presented. They did, however, offer two suggestions as to how to resolve the issue. One was to merge the left-over lot into the abutting lots so that it no longer existed, and the other was to have the lot deemed unbuildable and a note to that fact added to the plan. The owner of the lot would need to be part of that process and agree in writing that the lot would remain unbuildable, and the title block would need to be changed to reflect the added applicant. Charlie Swett, uncle of Corinna Parker who is the trustee for the Shyann Parker Realty Trust, the owner of the lot, expressed concern that his right-of-way access over the left-over piece would be compromised if it was merged with the abutting lots. The Chairman reassured him that the right-of-way would always remain, regardless of who owned the land. Mr. Swett said Corinna Parker had not been aware that the small lot existed, as the area had always been considered as simply a way to get to the Towle/Parker land, which is how Ms. Parker intends for it to stay. Mr. Swett said he didn't think she would have any interest in selling or merging it, as her daughter, Shyann Parker, had indicated she wants to keep all the land she owns up here. Mr. Swett agreed to make contact with Corinna Parker and ask her to call Thorne Surveys. David Patch indicated that he knew Ms. Parker on a personal level, and offered to call her to try to work out a solution. Mr. Swett provided Mr. Patch with Parker's phone number.

The Chairman called for a motion to continue the application until such time as we heard back from the applicant. Motion was made by Julia King; seconded by Margaret Lavender. Vote: All in favor.

2. Continuation/Final Approval: Attitash Mountain Service Company (AMSCO), Blocks F & G, off Parker Ridge Road, Stillings Grant. File: 2013-1187. Application for subdivision of Stillings Grant Block G into 40 residential units. Tax Map 5STLNG, Lots G00-0.

No new information had been provided regarding this application and it had previously been continued to the May 5 public hearing.

3. Continuation/Final Approval: Red River Properties Development Corp., Highland Road. File: 2013-1184. Application for amendment to subdivision plan to reduce a previously-approved 8-unit subdivision to 4 units. Tax Map 6SACOR, Lot 037HRO.

No new information had been provided regarding this application and the decision deadline had been previously extended to the public hearing on May 5.

5. Preliminary Review: Peter and Adina Gagne, Thorn Hill Road: File: 2014-1194. Application for a two-lot subdivision of a 12.16-acre parcel of land on Thorn Hill Road. One lot will be 2.01 acres, leaving 10.15-acres in the other parcel. Tax Map 1THORN, Lot 054R00.

The board reviewed the plan and had no concerns about what was being proposed. The application will be formally presented for a public hearing at the May 5, 2014 meeting.

6. Review and Approve Minutes: The minutes of the April 7, 2014 meeting were reviewed. Margaret Lavender noted that she had voted to not require Story Land to undergo site plan review, and that the vote should read 6-1-0, with only David Shedd voting no. Motion made by Julia King; seconded by Margaret Lavender to accept the minutes as amended. Vote: All in favor.

7. Mail and Other Business:

- Items listed on the agenda were reviewed.
 - The Chairman advised that he had also asked the Municipal Association about whether the board had the authority to impose a public hearing on an applicant if it was not required by the RSA. He said he was advised that, basically, the board could hold a public hearing any time it wanted to, but indicated he would wait until a full board was present to discuss it in detail. The board discussed it briefly. David Patch felt the planning board members had been elected to their positions by voters who trusted their judgment to make decisions on their behalf. If something warranted site plan review, as a board member, he would certainly vote for it. The Chairman said he would also vote to impose site plan review if he felt it was a significant-enough project to require it.

With no further business, a motion to adjourn was made by David Patch seconded by Margaret Lavender. Vote: All in favor. The meeting adjourned at 7:50 p.m.

Respectfully submitted,
Barbara Bush
Recording Secretary