

**TOWN OF BARTLETT PLANNING BOARD
PUBLIC HEARING**

May 2, 2016

Members Present: David L. Patch; David Shedd; David A. Patch; Richard Stimpson; Scott Grant; Peter Gagne.

Members Absent: Philip Franklin (with notice).

Also present: Wes Smith of Thorne Surveys and applicant Roger Lemay.

The meeting was opened at 7:00 pm by Vice Chairman David L. Patch.

1. Public Hearing: Range View Cabins LLC (Roger and Maureen Lemay), 1069 US Route 302, Bartlett. File: 2016-1214. Application to voluntary merge two lots into a 2.07-acre parcel, then create a 3-unit subdivision from the merged property. Tax Map 3RT302, Lots 285L00 and L01.

The Vice Chairman noted the board had reviewed this application at the prior work session where it was determined the property had adequate road frontage and septic density for the proposed three 3-bedroom units. Wes Smith then presented and further explained the purpose of the application. He advised the two lots being merged each had a 3-bedroom unit on them, and the applicant was now seeking to add a third 3-bedroom unit on the merged property. Mr. Smith said most of the state requirements were in-hand, but they were waiting for a new test pit to be dug for the septic system serving unit 1. This was because the existing test pit was dug over twenty years ago and the state was requiring updated information. Mr. Smith said a copy of the condominium documents would be provided when finalized and that they had driveway permits for the driveways that exist. He provided a copy of NHDOT driveway permit 01-029-5327, dated 11/16/15, which gave authorization for a gravel access to be used as a common drive. An added condition on the permit stated, *"This permit is for access to Parcel's 285L01 and the land currently of Gene and Nancy Chandler as shown on the plan entitled 'Property of Gene & Nancy Chandler Boundary Line Adjustment, Bartlett, NH', prepared by Thaddeus Thorne-Surveys, Inc., dated June 21, 1993 and revised on July 13, 1993. This drive, the existing drive located 100 feet east of this drive, and the existing drive located 165 feet west of this drive are the only points of access granted to the original lot of record and to the westerly abutting parcel. All other access is to be prevented."* Mr. Smith said this condition recognizes that the state will allow both driveways to remain on the property and one will not be removed after the lots are merged. The Vice Chairman noted that had been concern of the board's, that once the lots were merged the DOT may require that one of the driveways be removed. Mr. Smith said it had been confirmed today by the DOT that would not happen. The Vice Chairman asked why the state had allowed three driveways in the first place. Mr. Smith explained that prior to 1967, any parcel of land abutting a state right-of way was allowed to have a maximum of three driveways. In this case, after the land was subdivided one of those three driveways served the abutting Gene Chandler property and two served the two parcels now owned by Mr. Lemay. Mr. Smith was asked whether the applicant would prefer if the merge lot was served by two separate driveways or whether he would rather the three houses were all on one driveway, if that was possible through either a waiver or applying to the ZBA. He said Mr. Lemay would prefer to keep both driveways.

David Shedd cited a passage from the Office of Energy and Planning (OEP) planning board handbook under the heading Driveways, which stated no parcel of land shall have more than one driveway connection unless that parcel's highway frontage exceeds 500-ft. There was also a sight distance requirement. Mr. Shedd wondered if, in some way, that affects how we proceed with the merger and then the subdivision approval. The Vice Chairman said he had given that some thought as well, but said what we have to consider is what is in-place now, which is a state-approved driveway to each parcel. Mr. Shedd then noted that this property was located in the commercial district and that Units 2 and 3 did not meet commercial setback requirements. He asked if the applicant would be willing to add a note to the plan acknowledging this fact in the event that these units ever tried to become a commercial use in the future. Mr. Lemay had no objections to that being done. After a short discussion on the wording, it was agreed to add a note saying, "Any unit that does not meet commercial setbacks shall remain residential use only." Mr. Shedd also noted that a number of rebar monuments were yet to be set. Mr. Smith said he had planned to set them today, but the bad weather had prevented him doing so. They will be set before the plan is approved. The board reviewed the subdivision checklist, as well as a copy of an easement release recorded at the Carroll County Registry of Deeds on March 17, 2016, between Gene Chandler and Range View Cabins. The copy was provided by Mr. Chandler, who had initiated the release. Mr. Chandler had also queried whether this was a commercial project as the houses were being rented, and whether it met the town's minimum land area requirements.

The Vice Chairman called for a motion to accept the application. Motion made by David Shedd; seconded by David A. Patch. Vote: All in favor. The hearing was then opened for public comment. With nobody present to comment, the public hearing was closed. With no further questions, the Vice Chairman called for a motion to continue the application to the May 17 work session. Motion made by Scott Grant; seconded by Rich Stimpson. Vote: All in favor. Wes Smith said the state subdivision number was still pending. He said he was hopeful he would have that information to add to the plan by the work session, but asked if it wasn't available by then whether the application could be granted conditional approval at that time. The Vice Chairman said that could be discussed at the work session, but he didn't see any issues with it.

2. Minutes: The minutes of the April 19, 2016 meeting were reviewed. On page 3, Item 3, third line, David Shedd noted that a comment attributed to him should include the word "hearing" and should read, "... the minutes indicated that a public hearing to approve the master plan" David L. Patch also noted a typo on page 2, second paragraph, 5th line, whereby the word "any" should read "and". Motion to approve the April 19 minutes, as corrected, made by Scott Grant; seconded by David Shedd. Vote: 4-0-2, with David A. Patch and Richard Stimpson abstaining since they were not present at the meeting.

3. Mail and Other Business:

- Mail item listed on the agenda was reviewed. This mail included copies of three Intent to Excavate permits submitted by Glen Sand and Gravel and Triple K Properties. These items were provided by the selectmen with the request that the planning board give careful review of these particular properties since they had some concern that the applicants may be expanding into unapproved areas and may need to file the appropriate paperwork with the planning board. The board reviewed the permits, but found the information and sketches provided with them which indicated the extent and limit of the excavation to be a little confusing. After consideration, it was decided to ask each gravel pit owner to come to a planning board meeting to better explain what they were proposing to do. To that end, Bob Holmes of Glen Sand and Gravel will be asked to attend the May 17 work session.
- During deliberation of the Range View Cabin application when the application was continued to the next work session, it was asked whether future work sessions could begin at 6:00 pm instead of 7:00 pm. The board discussed, and had no concerns with this request. A motion was made by Scott Grant; seconded by Rich Stimpson to hold future work sessions at 6:00 pm. Vote: All in favor. The starting time for the Monday public hearing meeting will remain at 7:00 pm.
- David Shedd brought up the subject of the restriction of allowing only two dwelling units on a driveway, saying the issue was going to come-up more and more in the future. It was acknowledged this situation should be addressed and the board discussed ways of dealing with it. This included amending the ordinances to increase the number of dwelling units allowed, or developing specifications for an enhanced gravel driveway that was not as burdensome as a town road, but was of a higher quality than a regular dirt driveway. Peter Gagne felt that formal specifications should be developed by someone like town engineer Burr Phillips, but other members felt it was unnecessary to burden the town with that expense. David A. Patch noted the current road specs could be adapted to meet the criteria by perhaps halving the width of the road and omitting the paved surface. It was also felt it depended on where the driveway was located. Both David L. Patch and Scott Grant shared how gravel driveways they had installed a few years ago were still in excellent condition due to the well-draining material they were built on.

With no further business, a motion to adjourn was made by Scott Grant; seconded by Rich Stimpson. Vote: All in favor. The meeting adjourned at 8:09 p.m.

Respectfully submitted,
Barbara Bush
Recording Secretary