

**TOWN OF BARTLETT PLANNING BOARD  
PUBLIC HEARING**

**May 2, 2022**

**Members Present:** Scott Grant; David L. Patch; Kevin Bennett; David Shedd; Michael Galante; Joe Heuston. **Members Absent:** Gus Vincent.

**Also Present:** Mark Lucy from WMS/Horizons Engineering, Inc.; Burr Phillips of Civil Solutions; Joe Berry, Alec Tarberry and Sheila Duane of AMSCO; Jim Wilson; Paul Doucette; Joel Bourassa; Kelly Tonkery and several people who did not sign the attendance sheet.

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

**2. Continuation/Final Approval: Attitash Mountain Service, LLC, Block F, Stillings Grant.** File: 2022-1279. This is an application to subdivide Stillings Grant Block F into 12 residential units, and the extension of Cave Mountain Road right-of-way. Tax Map 5STLNG, Parcel F00-0.

Mark Lucy presented and gave an overview of the project. The board had been provided a copy of a letter from Civil Solutions dated April 20, 2022 which reviewed the layout of Cave Mountain Road for compliance with town road standards. Mr. Lucy said nothing in Civil Solutions' review was fatal to the project, an opinion shared by Mr. Phillips. David Patch asked Mr. Lucy whether there was anything in the review he disagreed with, based on fact or theory. Mr. Lucy said no. He noted a good portion of the points raised by Burr were plan notes which he thought were missing, but Mr. Lucy said most of the notes were already in the plan set, but perhaps not as obvious as they could have been.

Burr Phillips joined Mr. Lucy and both engineers spent an hour going over each and every point raised in the review. Many were resolved once the intent and reasoning behind the design was explained; some were irrelevant, such as asking to show the water shut-off locations to Lots 54 and 56 when these lots had onsite septic and wells; some were repetitive; some were unnecessary; some Mr. Lucy agreed to amend; and some may require a waiver. Mr. Lucy noted a request to show road specifications on each sheet where the specification was relevant. He said he was old-school and was taught to show something one-time only within a plan set, and the rest of the plans referred back to that single reference. He acknowledged it did require some flipping back and forth, but said if something changed during review or construction, then the change only needed to be made in one place. If they were called-out on every relevant sheet, it could be easy to miss changing one. Mr. Lucy expressed that the Bartlett road specs resulted in a road more like an interstate than a country road, and said he did not agree with a lot of the requirements. However, he said he wanted this road to get built, so agreed to do what was necessary to have that happen. David Patch explained the reasoning behind our strict road standards. He said in the past, some very substandard roads had been built by developers which voters subsequently voted to become town roads. He noted it was the voters who had the final say as to what became a town road, not the selectmen who could recommend the voters not approve it but could not force that to happen. Mr. Patch said faced with the expensive prospect of having to rebuild and maintain very poorly constructed roads, the town had developed strict road standards which were designed to create a high-quality road in order to protect the town in the future. Joe Berry agreed they created a very good road and said Parker Ridge Road was the first road built under the stricter standards. He said the under-road drainage had withstood hurricanes and floods and the road had emerged undamaged. He said all future roads in Stillings Grant would be built the same way.

The review had raised questions about the two cul-de-sacs; one at the end of Stanton Farm Road and the other at the end of Cave Mountain Road. Mr. Lucy explained these were temporary cul-de-sacs and said when Block H was developed, the road leading into it would come off the Stanton Farm Road cul-de-sac. When Mr. Phillips said he had not realized that, Mr. Lucy acknowledged he should have probably accepted Mr. Phillips' offer to sit down with his design staff and himself and go over the design and subsequent review items. He said the intersection of Stanton Farm Road and Cave Mountain Road was originally approved as a T-junction and that is what it will become once Stanton Farm Road is extended into Block H. However, at the moment the temporary cul-de-sacs were required for emergency vehicle turnaround and he was not prepared to eliminate them at this point. Additionally, Stanton Farm Road was a town road and the cul-de-sac provided a snow storage area. Another cul-de-sac discussed was the temporary one proposed at the end of Cave Mountain Road. This cul-de-sac was located in a very deep cut, and a board member had expressed concern that there was not an adequate snow storage area and would like to see the area widened. Road agent Travis Chick was subsequently involved and said he would like to see the area widened. Mr. Lucy said it would be irresponsible to excavate into the mountain to that extent, simply in order to increase the cul-de-sac area when it was only a temporary one and would be eliminated probably within the next twelve to twenty-four months when Block G was developed. Mr. Lucy said there was another option and that was for that portion of Cave Mountain Road to remain a private road. He said that was what he was going to recommend to his client. Mr. Phillips said if the town was not required to maintain it, then he accepted that strategy.

Mr. Lucy commented on the many times he had said, "we can do that," or "we can add that." He said that kind of review remark did not need to come back to the board because Burr would see those changes had been made or that missing information had been provided and they could be conditions of approval. One review note had asked Mr. Lucy to provide a copy of the amendment to the Alteration of Terrain permit. Mr. Phillips said he assumed the permit was required to be updated, but Mr. Lucy said no. This permit was issued for the roadwork so long as the roadwork stayed within the rights-of-way that were reviewed in 1989. Mr. Lucy said they had kept the 1989 AoT permit in-place over the years, conditional on showing good faith to DES that they had done whatever they could to meet present-day regulations. He said this AoT permit was the last one issued in the state of New Hampshire which did not have an expiration date. He said one thing which may trigger DES to take a look at the permit to see if it required an amendment was if there were impacts to the wetlands. Mr. Lucy said wetlands were going to be crossed in the area of Lots F4, 5, and 6, but there will be no impact to the wetlands as they were going to be spanned, thus they were not anticipating any Wetlands Bureau review for Block F. Mr. Lucy noted they had received DES subdivision approval for Block F after DES reviewer Eric Thomas had conducted a site walk. Mr. Lucy said one new item required by DES was a Stormwater Pollution Prevention Plan, which was something they could prepare and monitor.

Mr. Lucy addressed the remaining review items listed under Other Engineering Related Issues per Subdivision Regulations, Section VII which asked the applicant to demonstrate that the existing water system has sufficient capacity to supply the additional units and fire protection requirements, and to provide a copy of the DES water supply approval. Mr. Lucy recalled he had mentioned on several occasions that water supply engineering was now a specialized science which his company did not provide. However, they had since merged with Horizons Engineering who did have such a specialist

on staff and who would be working on this project. Mr. Lucy said he would defer to Joe Berry to address the water issues as he had been following-up on them. Mr. Berry confirmed he would be working with White Mountain Survey/Horizons Engineering to facilitate the engineering necessary to construct the 8" water pipes leading up to the 120,000 gallon reservoir on Block G. Mr. Berry said the location of the reservoir had now been determined and they were ready to place an order with Water Industries to procure the components and materials necessary to do this work.

The Chairman thanked Mr. Lucy and Mr. Phillips for their participation and asked if the board had any questions. David Shedd asked Mr. Berry whether he had approval for the water supply. Mr. Berry asked whether he meant DES approval. Mr. Shedd said yes. Mr. Berry said Block F had been submitted to the state for approval, and Block G was still being finalized. David Shedd referenced RSA-485 by saying the board would need to see the approval for Block F before it could be approved. He noted the threshold under the RSA was 500-ft. of water pipe and Mr. Berry was installing 1,000 ft. of piping. Kevin Bennett questioned a comment made by Mark Lucy whereby Mr. Lucy said the contractors laid out the road. Mr. Bennett said he believed there was an RSA which required the surveyors to layout the centerline of the road. Mr. Bennett said he realized the contractors now had GPS equipment, etc., but he felt his understanding that it was the task of a licensed surveyor to do that work was correct. He cited instances in Jackson where the road was built in the wrong place. Mr. Lucy said if that was the case, then his company would do the work. Mr. Shedd and Mr. Bennett both asked about whose responsibility it would be to plow Cave Mt. Road if it was not to become a town road. Mr. Berry said there were several houses on the first section of the road already and the homeowners took care of the plowing and the same would apply to the twelve new lots. Mr. Shedd said he had a question on the maintenance of the first section of the road saying he wasn't sure it was up to the developer or even the town to say the road can't become a town road. He said if the homeowners decide they wanted that road maintained, they could say, "you approved this subdivision and now you're saying you're not willing to maintain the road." Mr. Patch reminded Mr. Shedd that only the voters at town meeting could decide what became a town road.

Kevin Bennett asked whether the town required performance bonds and if any other projects had been required to provide them. Mark Lucy and Burr Phillips both said yes, and gave Parker Ridge Road as an example of a road which was bonded. Mr. Phillips explained the importance of requiring a bond and how it protected the town in the event the developer abandoned the project half-finished. David Shedd said he had been reviewing the subdivision regulations and brought-up several sections which he had questions about. He cited Section V.B which had to do with the water supply approval; Section VI.C.2 which stated the board had to act within 65 days to either approve or deny the application unless both parties mutually-agreed to an extension; Section VII.C.4 which asked for a map showing all areas to be excavated if excavation exceeds 1,000 cubic yards; Section VII.C.5 which asks for a general description of planned future subdivision of additional lots on the same property that are not part of the current application (Mr. Shedd said this did not need to include Block H, but it would be good to know about Block G); Section VII.B.7 which asked for the location and holders of existing and proposed easements, including utility and drainage easements. Mr. Shedd said it appeared as though the booster pump and utility vault were outside the ROW. Additionally, Mr. Shedd said there were no hydrants or stubs on the first section of road (Cave Mountain Road?). Mr. Berry said there were two, and pointed them out on the plan. Kevin Bennett also had questions about the hydrants and stubs and asked

whether they were stubbed out or not stubbed out. Mr. Berry and Mr. Lucy both said it was their understanding they were stubbed out.

Jim Wilson spoke at length about the expansion of the Stillings Grant water system and described how he had done a lot of searching online and made a lot of phone calls. Mr. Wilson addressed issues such as the number of wells and the number of service connections they served, the gpd water capacity and water quality including maintaining the water chemistry for pH, copper, lead, etc., certifying the wellfield, and having the water system approved by DES.

The Chairman asked if there were any further comments. Joe Berry said he was agreeable to a further 90-day extension to either approve or deny the project. A motion to extend the approval period by 90 days was made by David Patch; seconded by David Shedd. Vote: All in favor. A motion was then made by David Patch; seconded by Michael Galante to continue the application to the May 17, 2022 meeting. Vote: All in favor.

**3. Continuation/Final Approval: Ledge View Lodges, LLC (Scott Cameron), Route 16/302, Intervale.** File: 2021-1278. This is an application for a 19-unit planned unit development (PUD) on a 19.30-acre parcel identified as Tax Map 1RT16-2, Lot 145L00.

The only condition still outstanding before granting this project final approval was for the applicant to provide a construction bond. This had now been received. A motion to grant final approval was made by Joe Heuston; seconded by Michael Galante. Vote: All in favor. The mylar will be signed after the meeting.

**4. Review and Approve Minutes:** The minutes of the April 19, 2022 meeting were reviewed. A motion to approve, as written, was made by Joe Heuston; seconded by Michael Galante. Vote: All in favor.

**5. Mail and Other Business:**

- David Patch advised that the minutes of February 7, 2022 regarding the sprinkler system at West Side Woods condominiums did not document the final 6-0-0 vote of the board. The homeowner's association needed this information to revise their legal documents. A motion was made by David Patch; seconded by David Shedd to revise the February 7, 2022 minutes to add that information. Vote: All in favor.

There being no other business, the Chairman called for a motion to adjourn. Motion was made by David Patch; seconded by Joe Heuston. Vote: All in favor. The meeting adjourned at 7:48 pm.

Respectfully submitted,  
Barbara Bush  
Recording Secretary