

**TOWN OF BARTLETT  
PLANNING BOARD  
56 TOWN HALL ROAD  
INTERVALE, NH 03845  
603-356-2226**

---

**MINUTES-DRAFT  
WORKING SESSION  
MAY 21, 2024**

Attendance: Scott Grant (Chair), David L. Patch (Vice Chair), Kevin Bennett, Michael Galante, Vicki Garland (Selectmen) Joe Heuston, Davis Shedd

Absent: Phil Franklin (Alternate)

Meeting called to order by the chair at 6:00 PM

**1. Pledge of Allegiance**

**2. Discussion:**

- Master Plan- Chair opened discussion on the master plan.
- David Shedd was recognized by the chair- he commented he would like to look at the issue of septic and see if we could include language in the Master Plan to address the subject especially for those residents who live outside the Lower Bartlett Water Precinct (LBWP). He reported he would try and go to some of the meetings of the LBWP and ask questions to try and ascertain how things work.
- Kevin Bennett reported he went to a budget meeting of the LBWP and it was reported there was a timeline of how things were to progress. Phase one may already have federal money allotted for it. Bids were to go out late spring and it was anticipated that digging would start late Fall 2025.
- David Patch indicated the Master Plan should talk in generalities. For example, we can say something like septic in the future could very well become a concern

and we are in favor of protecting the groundwater and that Bartlett needs and wants to remain rural in character. If a new septic system overrides zoning ordinance we may lose that. Master Plan drives zoning ordinances. Question was raised as to what was the LBWP zoning ordinance. Clerk agreed to find the ordinance and include in the minutes.



zoning-ordinance-t  
im0001.pdf

- Joe Heuston raised the point that Mr. Patel bought property on Rte. 16 (the flower shop) and what would that mean for the sewer.
- Scott Grant (Chair) mentioned that the Selectmen were abreast of any new potential building permits and that the back half of the wetlands were sold to North Conway Water Precinct (NCWP). If a hotel goes in there it would be unfortunate because the septic would go right by there and that would be an issue in that area depending on the density.
- Scott Grant (Chair) posed a question regarding could NCWP building a hotel district even though it is in Bartlett?
- David Patch answered that the building would have to go by Bartlett regulations except if it was in the LBWP area then it would have to follow LBWP ordinances. He reported that LBWP ordinances are generally stricter than Bartlett's.
- Joe Heuston asked if Bartlett could tell a builder what to place on the outside of a building instead of vinyl siding. David Patch answered that it would require a site plan review. There are certain things you can do but it is commercial. However, there is a height requirement you cannot exceed and LBWP is 35 feet.
- Michael Galante asked Vicki Garland the response the Selectmen had to a mailing because he has had a lot of inquires at his business regarding the possibility of sewers. They expressed that they do not want Bartlett to look like North Conway. Vicki Garland stated she had a call from a resident about what to do and Vicki encouraged the resident to attend the meetings of the LBWP. Michael Galante mentioned that information should go to all residents of the town not just the people within the LBWP district.

- David Shedd expressed uncertainty regarding the economics of paying for sewer. If you live in the precinct you have a meter but if you don't have a meter how would it be paid for? David Patch stated they would take your tax assessment and multiply it by how many dollars per thousand.
- Scott Grant stated that the Planning Board should draft a warrant article for the next March meeting for zoning because we all know that the state will potentially say if sewer is running by you need to hook up to it and that would be an issue as it takes away local control. He stated that maybe a zoning amendment could be that public sewer is not allowed outside the precinct. That could be a question we ask the attorneys. David Patch agreed we should ask the attorney if LBWP wants to have sewers outside the precinct can we stop it with a pre-emptive ordinance? Scott Grant stated that we need to ask the attorney the legal ramifications of a zoning amendment to not allow any public sewer outside the LBWP.
- Discussion around several state bills that are trying to allow the state to override local zoning. It has been manifested in different arenas like density or parking. The votes are getting closer to passing the bills. Michael Galante brought up that if you don't allow the basis of the bills you may have to opt out of state and federal money. Scott Grant mentioned that in the southern part of the state it would be about workforce housing or STR's. because of limited land available. He stated that money id not "free money" it is our taxpayer money and there are a lot of strings attached to accepting the money including wages and documentation of how money is spent.
- Vicki Garland discussed the Master Plan and stated there were outdated things in the plan- i.e. that the schools own the church. Need to update the demographic data. She encouraged folks to review the plan and bring their comments. Scott Grant (chair) replied that the board can change the language in the Master Plan easily with a public hearing but more importantly the board wants to limit sewer outside the precinct. David Patch stated the Master Plan is a guideline to override potential problems down the road. Scott Grant (chair) asked if the ordinance can override a state mandate. David Patch answered that if we want to stop the sewer outside the precinct, we have to amend the zoning codes which is driven by the Master Plan.

- Discussion regarding sewer and Scott Grant (Chair) stated that it makes sense for the Planning Board to draw something up for a zoning amendment about the sewer separate from or Master Plan updates Questioned if it could be presented prior to voting and it was answered it needed to be a good reason to call a special town meeting to which the chair replied that would not be necessary. Vicki Garland stated that whatever zoning amendment made is legal before we present to the town for a vote. David Patch stated that we should wait till the attorney comes and ask him/her about this.
- David Patch reminded the board that the stricter shall apply in zoning – if you want to know what’s allowed and what isn’t the stricter shall apply re: zoning regulations. Need to wait for the attorney to decide what Planning Board can and cannot do
- Discussion on how representatives voted in state bills. Anita Burroughs voted for local control Chris McAleer did not vote for local control. Vicki Garland mentioned that she read how the folks in Congress discuss towns like Bartlett as elitist who are saying not in my backyard without recognizing that a solution may be good for Conway but is not the solution for Bartlett

**5. Review and approve minutes of May 6, 2024 Public Session-** motion made by Vicki Garland Seconded by Joe Heuston to approve the May 6, 2024 minutes as written. Vote Unanimous to approve

#### **6. Mail and other business**

- **Legal training with Town Attorneys-** Confirm date of June 18, 2024 at 6 PM asked members of board who will be attending and list updated. David Patch with two questions to ask the attorney: Can we write an ordinance to prevent a municipal septic system going outside their precinct? The second question is can we prevent the state from taking over local control with a state law?
- **Verizon Wireless Tower – (Map/Parcel 2LNDRH-UND3CT)-** Modify ground base and tower mounted equipment- Motion made by Michael Galante seconded by Joe Heuston to accept the Verizon Wireless Tower upgrades as long as there is no increase in size of the tower vote unanimous to approve
- **T-Mobil LLC – (Map/Parcel) 3RT302-153 RCT)-** remove existing antennas, TMA’s and unused cable and replace with new antennas - Motion made by Kevin Bennett seconded by Michael Galante to accept the T- Mobil upgrades as long as there is no increase in size of the tower vote unanimous

#### **7. Informal Discussions:**

- **Website:** Board made aware that data is needed to present in a letter to the Selectmen regarding the website. Stating that the site is not user friendly is not enough- specific information to define not user friendly is needed. Board is aware that other town sites have fillable PDF forms that may benefit Bartlett so handwriting would not be an issue when trying to determine locations or intent. Vicki Garland- Mentioned she brought up at the last selectmen meeting that she has been told that the website was not user friendly. When asked what she meant she stated that there is no search function when using a mobile phone. Selectmen were not aware of that issue but stated search is available on your laptop. Vicki mentioned what everyone uses is their phone these days. She also stated that when she uses her phone and goes to the Bartlett home page, she gets a list of items. The home page should be the menu of the site. She believed she has to scroll down to the bottom in order to get to the menus. Clerk mentioned that in order to open a document you have to first download the document and that people are afraid to download even though we are aware that the Town of Bartlett is a safe site. Scott Grant stated that the Planning Board's request is to update the website so that you click on a board or office and the current information is clickable and available. The Board would like to acknowledge Lynn Jones for her years of dedication in getting the current website up and running and in keeping it current- (also Mary Miller).
- **Gravel Pits:** Scott Grant mentioned to the board he saw Shawn Shannon re his gravel pits stating the need to show the top and bottom pins made him aware there is a phone application available that will show the Planning Board members the actual area to be excavated or he can have the area surveyed. Either way the dimensions must be marked off. Discussed with the board the need to evaluate LA Drew and the application by Diana H. Allen.

**8. Next meeting: Public Session June 3, 2024 at 6 PM, Work session if needed June 18, 2024 at 6PM**

Motion made by Vicki Garland seconded by David Shedd to adjourn. Vote: passed  
meeting adjourned at 7:17 PM

Respectfully Submitted  
Louise B. Burns  
Planning/Zoning Clerk  
603-356-2226



Approved