

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

MINUTES-DRAFT

PUBLIC MEETING

MAY 6, 2024

6:00 p.m.

In Attendance: Scott Grant (Chair) David Patch (Vice-chair) Kevin Bennett, Joe Heuston, David Shedd, Vicki Garland (Selectmen)

Absent with notice: Michael Galante

Absent: Phil Franklin (Alternate)

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

1. Pledge of Allegiance- led by chair

2. Discussion of application:

- **One Hutchinson Dr. LLC (Map 4MTSUR/Lot 30R00)**– Project proposes a two-unit PUD subdivision. The existing Buttonwood Inn would become one Unit and a new residential 3 Bedroom home would be the second unit. Andy Fisher (from Ammonoosuc Survey) presented- At the Buttonwood Inn in the northwest corner is a proposed home to go there. Change in the original plans- the well was to be discontinued and both units would connect to North Conway water Precinct. Now however the Inn owners would like to keep the well for the Inn use so the plan now has the well radius in place and the land area was re-calculated into the density calculations. The majority of the property would be split into two exclusive use areas- The inn will have its area and the new home will have its own driveway. When the decision to keep the well was made, we had to move the proposed septic location and designate a 4K area and this is on the new

plans. When septic is designed it will probably be closer to the home than the plans indicate but will not know for certain until designed. Board comments- David Shedd made the observation that the plans have test pit 1 on both areas tested. Andy Fisher commented that the new test pit has not been done yet and plans will have to be revised. Andy Fisher let the board know that state subdivision approval is pending and will have to be added to the plans when it is obtained. Kevin Bennett asked if the Inn served meals outside of boarders and was told no- only the guests are allowed to eat there. The current septic system in place has a combined flow rate of 945 and 450 gallons- (two septic systems) and the newer system was installed in 2021. David Shedd asked about the water and was informed it is North Conway Water Precinct but not on the sewer. Motion made to accept the application made by David Patch, seconded by Joe Heuston. Vote: passed unanimously to accept the application. Chair opened the discussion to the public- Robert White (Abutter to the Inn) said he approved of the plan- Buttonwood Inn is a great place in the neighborhood. There were no other public comments. Chair opened to the board re: Motion to continue to June 3, 2024 meeting. Motion made by David Patch seconded by Vicki Garland. Board voted unanimously to continue. Andy Fisher will bring mylar plans for approval to that meeting and will have state approval on those plans.

- **Brink/Robles- Map/Parcel Lots 2RT302 155 L00 and 2RT302 158 L00)** -voluntary lot merger. Lots are by the Jason Brown proposed development. Motion requested to merge lots. Motion made by David Shedd, seconded by Vicki Garland to approve the voluntary merger. Vote: Passed unanimously. David Patch posed the question- are the lots to be merged in the same name? Yes- deed is in the same name. David Shedd made the owner aware that once the lots are merged you cannot subdivide them again. Owner expressed understanding. David Patch let the owner know that he could subdivide as long as the lots meet the current regulations at the time of the subdivision regarding frontage it is possible. Owner expressed understanding.
- **Kyler Drew- Drew Estates LLC (Map Tax Lot 3RT302/290R00)**- 5 lot subdivision. Kyler Drew and Davis Bartlett (HEB Engineers) presented. Revised plans provided. Changes are due to NH DES needing information regarding drainage, revise soil borings on lots 2 and 3, large community systems installed by Sky Valley will not be used and are to be disconnected. Questions from the board: Vicki Garland- How will lots be accessed? Answered- Lot 1 has a curb cut, Lots 2 and 3 propose a shared driveway- application into NH DOT, Lot 4 use existing road network. David Shedd made a point of information letting HEB know that NH DOT would not give another development a driveway permit for each lot, he

had to combine them. HEB stated there is a plan if the state refused but this is the ideal method of access. As per Kyler Drew there is more than enough frontage and the state has made exceptions if you have this much frontage. Buildings on the site will eventually come down- first will be the one on the far left. Joe Heuston asked about water capacity- as per Kyler Drew each lot will have to draw their own well. HEB Engineers stated they have applied for subdivision approval and the well issue did not come up but he appreciated any insight the board could provide. Joe Heuston asked about the rest of the property- as per Kyler Drew the rest will stay residential – history is previous owner had town subdivision approval in the 1980's for like 50 units but Kyler Drew has no interest in that. David Shedd asked about the lots being commercial- as per HEB they did not want to limit the lots- plan has the lots sized for commercial but the intent is strictly residential. HEB recognized that he needs to label the rest of the property as residential before state submission so that will be a change to the plans. Joe Heuston made the motion to accept the application seconded by Vicki Garland. Vote: Passed unanimously. Chair opened the discussion to the public. Steve Ham (abutter) wanted to know what will happen behind the lots- made aware the property will stay the same even across the Saco River. Area was all purchased. Asked about future use possibility of condos. As per Scott Grant current regulations allow one driveway for 3 houses – if there is a lot of frontage could more than one driveway come in as per Scott Grant that is possible but stated the state will probably not allow it- one option would be to place a town spec road around the development. HEB answered that plainly speaking there could be development of the lot in the future but that is not the current plan. If there were plans to develop in the future it would require another meeting with the planning board. David Shedd clarified that all commercial activity has to be up front. Public comment- Anthony Orlofsky- wanted to know how many units were going in? Answer 4 new lots being created. Question is this the old service dog training center? Answer yes Question wanted to know the timeline for the building to come down. As per chair not a question for the planning board- HEB- answer would come from Kyler Drew. Board- David Shedd asked about well and septic. HEB answered the areas are marked on the plan. Motion made by David Patch seconded by Joe Heuston to accept the application. Vote: passed unanimously to accept the application. This will be put on the June 3, 2024 agenda. Chair reminded HEB they needed state approval- HEB acknowledged that he made 1-2 revisions for them and wanted to make sure he did not need to do any more for Bartlett before he sends it back.

- **Attitash Mountain Service Co. LLC (Map/Parcel 5STLNG F00 Parcel 7,8,9,11,12)**
Boundary line adjustments of previously approved units F7, F8, F9, F11, F12 located within Block F at Stillings Grant, reducing the total number of lots from 5 to 3. Sheila Duane presented from Attitash Mountain Services. Plan was originally submitted a month ago. Basically, taking F12 and marrying it with F11, F10 and F9 will remain as is, F8 will take in a portion of F7. The remainder of F7 will become part of the G block. Plan is to bring G block in front of the board in the next few months. Questions from the board- David Patch asked how big the lot will be from F7 to block G. Answer by Sheila Duane- not sure but once the plans are ready will be happy to bring them to the office. They have finished the G block configuration. Comments from the public: Jim Wilson who is an abutter and President of the HOA- voiced he was in favor of the plan. Noted the G lots were to be bigger and there is more separation of the houses. Voiced concern regarding the culvert under the road. He stated that he hoped the culvert would remain the same as the residents do not want the road dug up anymore. Sheila Duane will go back to White Mountain Survey and ask them about the culvert. Scott Grant stated that Burr Phillips (Civil Solutions) as the town's engineer is involved from the town doing the roads and engineering and he would have to double check that, he is on top of this. Lot F12 has been merged already as per the plan. David Shedd mentioned the newspaper article Pinkham Real Estate selling these lots. Sheila Duane- Has nothing to do with the plan. Pinkham Real Estate along with Attitash Real Estate will be selling for Stillings Grant. David Shedd asked about ownership questioning if it went to Tarberry Corp. As per Sheila Duane this property is owned by Attitash Mountain Service Company- there has been no change in ownership. Tarberry only owns the commercial building in North Conway Village. Motion to accept the voluntary lot merger as shown made by David Shedd, seconded by Joe Heuston. Vote: passed unanimously to approve. Sheila Duane will bring a mylar for Scott Grant (chair) to sign out of session

5. Review and approve minutes of 4/16/2024 meeting- David Shedd brought up page 2 second paragraph is confusing. He stated there was a house that wanted to add a garage about 300 feet away and add a bedroom above with no kitchen. He spoke to Lynn Jones who felt this was not an issue. Planning Board does not necessarily deal with this. Vicki Garland added "David Shedd stated the home with five bedrooms was slated for a septic system of 6 and therefore there was one more." Vicki Garland clarified that we recognize there will be a microwave and a refrigerator but that does not make it a kitchen as you need 3 elements. However, there will be a sink in the bathroom. Kevin Bennett- the state looks at a bedroom with a bathroom there is waste water of 150 gallons per day. If

you add a kitchen it is 225 gallons/day. Vicki Garland asked what constitutes a kitchen? Kevin Bennett- does not matter the answer the calculations remain the same. Motion by Vicki Garland seconded by Kevin Bennett to approve the minutes as amended for the April 16, 2024 meeting. Vote: Passed unanimously. Scott Grant abstained

6.Mail and other business

- **Intervale Crossing Building Map/Parcel IRTIGA-255R00 522NHRt16A-** Discussion by Kate Richardson or MaryEllen Szetela regarding a site plan review- change in use. Kate Richardson (Bergeron Technical Services LLC) and MaryEllen Szetela (Owner) presented. Kate Richardson stated there were three changes in use applications for the property and building before the Selectmen. There is presently one tenant (tattoo parlor) and there will be a second (counseling therapy office). The third tenant is tentative – cigar lounge and retail shop. This tenant will take over a majority of the space- 1/3 of the area on the first floor and the entire second floor. Under Bartlett Zoning Ordinance buildings that are 5000 sq feet or more may or may not be subject to site plan (Art IV-Q) review. Kate Richardson presented what has been done- Footprint remains the same, façade has changed, parking lot has been paved- under the total allowed by Bartlett Zoning, Septic – Leach field remained the same did re-do the system with a new pump station under the septic capacity for all of the proposed existing and future use of the building, Lighting plan conforms to Bartlett Zoning Ordinance plan. Questions from the board. Joe Heuston asked what was the change in use? As per Kate Richardson use went from retail offices to a lounge essentially which is still a business. David Patch- as far as he is concerned he looks at the plan and takes into account the septic system and he looks at the building itself- building has had some exterior changes but is still in keeping to the architecture that was there and is improved – he does not see enough changes to warrant a site plan review. If you changed the building there will have to be one in the future. Vicki Garland – Complimented on the major improvement of the building. Question is that the three businesses would take over the entire space with no room for other tenants. Kate Richardson- correct. Vicki Garland- can the tenant elect to rent space upstairs to other tenants? Answer- No. Kate Richardson explained that the cigar lounge cannot sell food as per their license they can only sell liquor and cigars. David Shedd asked if someone in the future wanted to sell food (not the cigar lounge) could that be possible? Kate Richardson- there is no grease trap on the septic and that would have to be added. The cigar lounge is 20 gallons per day per seat which is the same as a paper service or restaurant. The septic on the lot is not maxed out for its density capacity but the system itself is smaller than what the density allows. The plan was not to replace or expand the system. Stan

Szetela spoke about the sprinkler system that was installed and a fire alarm system. David Patch made a motion, Seconded by Kevin Bennett that this plan does not meet the level for site plan review from the Planning Board Vote: unanimously in favor. Opened to public discussion- Laura Villaume in favor of use- Mentioned that by state law the owner needs at least 60% retail to operate the cigar lounge. Kate Richardson stated she was not aware of this but had full confidence the owner of the cigar lounge was aware as the owner has previously owned lounges before. Kate Richardson will now submit the change in use application to the Selectmen

- **Website**- Chair spoke to Jackson (Julie Hoyt) regarding website- cost approx. \$4800 dollars to set up site and approx. \$1500/year to maintain. Discussion with the board- decision was to continue to encourage the Selectmen to look into upgrading the website to be more user friendly. Vicki Garland discussed that all documents should not have to be a download. David Patch is in favor of improving or completely making a new website. Kevin Bennett asked about funding- is there money in the town budget- Answer No. Vicki Garland will go back to the Selectmen to get them to gather information on updating or starting over with a new website.
- **Selectmen letter** -regarding legal primer – Clerk read letter to board See attached. Vicki Garland will go back to the Selectmen regarding the letter to see if this would be a duplicate to the upcoming seminar offered by NH Office of Planning and Development Spring 2024 Conference. She will report back to the board. Mentioned it might be easier to send a representative to the meeting with the legal team than trying to get all members of the board to get a date/time they can agree on.



Selectman Legal
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- **Notice of Intent to excavate** (Kyler H. Drew- Triple K Properties, Ltd)- David Patch and Scott Grant volunteered to go to the excavation sites to inspect
- **NHDES Wetlands Permit Amendment Request** (FYI) for Christmas Loft Warehouse – replacing the culvert

7.Next meeting: Work Session May 21, 2024 at 6 PM if needed and next Public session will be June 3, 2024

- **Unofficial Discussion:**

- Planning and Zoning Action Alert from NH Municipal – Information sent to Planning Zoning Board Members.
- Telephone of the Wind – Clerk brought up the possibility of installing this in Bartlett and asked the board members for suggestions. Vicki Garland suggested that the clerk contact Annette at the Rec Department. Clerk appreciated the input and will contact Annette and let the board know of the information

Motion made by David Shedd Seconded by Joe Heuston to Vote: passed meeting adjourned at 7:20 PM

Work Session will be May 21, 2024 to review the Master Plan

Respectfully Submitted

Louise B. Burns

Planning/Zoning Clerk



Planning Board
sign in 05-06-2024.d



Planning Board
Public Sign in sheet