

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

DRAFT MINUTES

Work Session

April 15, 2025

6:00 p.m.

Present: Scott Grant (Chair), David Patch (Vice Chair), Joe Heuston, Kevin Bennett, David Shedd, Vicki Garland (Selectmen Representative), Michael Galante, Pat Roberts (1st Alternate), Heather Forbes (2nd Alternate)

Also Present: Burr Philips Civil Solutions Town Engineer

Called to order by Scott Grant at 6PM

1.Pledge of Allegiance- Led by Scott Grant

2.Discussion of application:

- **AMSCO (Tax Map 5STLNG Parcel 000G00)-** subdivision of Block G (Phase 1) in Stillings Grant- extension of Cave Mountain Rd and 1 lot for system pump storage tank. Continued discussion regarding water system and road. David Shedd asked Burr Phillips to review his list of comments regarding Stillings Grant and Cave Mountain Road.



Stillings Grant
Block G Subdivision

Dan Lucchetti from Rotten Rock also discussed the water line plan and the road. He presented a more recent paper plan to the board. Alec Tarberry reported the most recent plans sent by Horizon for the water are approximately 90% done. The subdivision application has been filed with the state. The road plan was

reviewed by Burr Phillips and Brian Walsh at Horizon and the deficiency list is being worked on. Burr reported one big thing to try and get all aspects of the development on one plan so that when they go to construction everyone is on the same page. You would not have to look for a water system plan to figure out where the water lines are or utility plan for the utilities. It would be contained in one plan. Key point is the connection between Block F and Block G and that is to be handled. Somehow or another the Block F plan has to get amended to reflect what's going on with Block G. Alec Tarberry interjected that the plans for Block F that was approved had notes and information on it that the last 300 feet would change with Block G. He felt the new Block G plans which start 300 feet inside do not contradict the approved because that was always the plan. Dan Lucchetti stated the plan date was January 3, 2022 and has a note at station 7+25 (this is where the last meeting we were talking about going back to) which is the beginning of the temporary cul-de-sac. The note reads "7+25 is actually the start of the temporary portion of the road and cul-de-sac and Cave Mountain Road is extended into Block G. This pavement will be removed and all the road center line grade and certain Block F driveways will be adjusted as needed to accommodate the proposed center line grade." There is no pavement but at the last meeting it was discussed that we mesh all of the roadway up and then pave it. Burr Phillips agreed stating that when Block F is completed it will not look like the profile that is on the plan. Block F when it is built will only go to station 7+25. David Shedd brought up on the plan there was a booster pump building by lot F6. His understanding is there will be individual booster pumps for each house that took the place of this booster house building which makes sense because if the road goes through with Block G there is no reason for the building. My concern is how would the Planning Board know that it has changed? - no one told us that the booster pump house is gone and there are individual booster pumps for each house. Do we know if DES approved these small booster pumps? Alec Tarberry answered affirmatively and DES gave us 5 years. Basically, they said you have 5 years to either finish Block F per the plan and put in the pumphouse or you do the water tank in Block G which makes the pump house go away. He continued to say it was his fault for not supplying the information to the board. His father created the plan but due to medical issues he was unable to continue and I stepped in last winter and realized the pump house did not make sense if we were going right into Block G. Vicki Garland asked to the length of time available on the waiver? Alec Tarberry replied the waiver was granted last spring so it has not been long. Clerk asked Alec Tarberry to send the waiver to her for the file. Rotten Rock stated they are trying to catch up on the plans and noted some

issues also. They have been keeping Burr Phillips in their discussions. Burr Phillips stated he was with Brian Walsh at Horizons who was unaware that Block F plans were in the office. There is another level of confusion and disconnect there between Mark Lucy who was involved forever in the project and Horizons. He wanted to know if there was a way if Block G plans go all the way back to 725 to where the transition is shown on the plans and all the information is there, could a memo be added to the plan see Block G plan and then there is some connect to the Planning Board. David Shedd voiced concerns that the plans from Horizons do not contain a signature so he is requesting one be on the plans so we know what is happening. Scott Grant commented that Block F was approved to station X and town road built to specs and then about a year ago it was voiced that the developer did not want to go into Block G. Now you come here stating you want to develop Block G and you need to have a water system. He commented that - redoing the design for Block F and G to make it more cohesive was a good idea. However, you have to understand the selectmen have to sign off on the road indicating it is up to the town specifications to a certain station. David Shedd interjected it is important that Rotten Rock go before the Selectmen and provide them the plans for the road as they are the ones to approve it. Scott Grant reviewed that the Planning Board's overall concern is that lots cannot be sold in Block G until tasks X-Y-Z are completed. If Rotten Rock wants to spend the money on infrastructure to get things done, Burr Phillips will be overseeing the road issues but the Planning Board needs to see the final breakdown of what the lots are and the water system. He thinks that it is within the board purview to ask for a bond for the water system. David Shedd spoke about the fire chief's letter and he re-read the letter. The chief wrote that construction could not happen until the water line was tested. He believed there is something that can be worked out regarding selling some lots but no construction till the water line is tested and approved. Dan Lucchetti spoke stating he could see David Shedd's point but if they could sell lots and have it noted that they are unable to build the houses. The main goal of getting to the top of G is to put the water tanks in and the fire suppression- the 10-inch main to feed all of those fire hydrants that are in for Block G. We are willing to put the whole water system in. David Patch mentioned on a development this size the board would like to have the road all done and the water system in. However, the town is also protected by the building permit system. My opinion is you can start building your road and I don't have any issue with you selling lots. However, when the cement truck comes you need the building permit and the Selectmen won't give you one if the infrastructure is not complete. There is a lot of stuff to get done- earth work and things moved- to get

the road going. He did not think there was anything in the town regulations that would prevent the Planning board from allowing them to sell lots. Burr Philips explained that lots cannot be sold until the state approves the subdivision plan. In order to get final approval, the company needs to either build the road or post a bond for probably the total cost of the job. If they go under then the town has an approved set of water plans and we could build a road along with the water plans because we have the money in the bond to pay for it. He felt that everyone is pretty well protected in that case. His feeling is that they post a bond for the full value of the water system and road work and if they have approval for everything then they could start selling lots. At that point you may want to add a condition there that says they can't build on those lots until the water system is hooked up or something like that. Maybe that's a compromise. David Patch stated that in the past they have allowed developers to sell lots to a certain distance because bonds are not foolproof. He explained there was a development that posted a bond but during a financial crisis the bank failed that issued the bond and as a result, members of the board wanted to pull the approvals because you are no longer qualified because you did not have a bond. Vicki Garland expressed that the Selectmen's office is feeling hesitant because of today's financial climate that we do not feel secure that the bond will mean anything. David Patch suggested that a bond be secured as it will add an extra protection to let you go a certain distance and the bond will allow you to sell lots. He did not know how many lots that would be nor the distance allowed. Burr Philips interjected something that would allow them to sell lots and protect the town. He suggested there is a condition to the approval that was put on the subdivision plan so it is recorded on every deed on every property that says that you cannot build on any lot until the water system is done and approved and operable. Would that cover everyone's concerns? David Shedd replied that he is concerned that all of the lots in Block F have been sold with a house built on one lot and the road is not completed. He feels the issue is more complicated than that. Vicki Garland strongly encouraged Rotten Rock to come to the next Selectmen's meeting giving them the date and time of the meeting along with directions to contact the office to be placed on the agenda. Burr Philips explained he had 2 projects where the contractors went south and the bond was there to cover the cost of completion. He has also threatened contractors to pull the bonds if work was not up to specifications and that worked to get it right. Joe Heuston asked the bond that is posted are the tanks included in that bond? Answer was the water system is the water system. Whatever works- to have a bond just for the water system and one for the road- that is the plan. Scott Grant

explained that Burr Phillips and the Selectmen are in charge of the road bond to make sure the road is built to town specifications. Conversation with the Planning Board is it possible that we make sure they get a bond to do the water system? The Selectmen replied that the board can get a bond- it could be two separate bonds or a combined bond. The Selectmen's office is in charge of acquiring the bond. Todd Crane clarified he does all the bonding for Rotten Rock and he explained some alternatives that have been done in climates like today (economic turbulence)- letters of credit, posting a cash bond which can be drawn off as work is accomplished. Their partnership with Alec Tarberry is they are fronting the time, labor and equipment out of their own pocket and cost. Progress will be apparent as they work up the mountain and to the town's benefit as it will eventually be a town road. He is willing to work with the town regarding the possibility of a cash reserve they both are comfortable with after looking at the valuation of the road. Basically, this is an escrow account as an option because everyone is concerned- mostly everyone feels that everything will work out fine but there will be a period of time when bonding is not as easy as people think. They are looking at different approaches to get this project completed successfully and help satisfy the requirements of the board and town. It is in the best interest of the company to complete the project because they cannot get their money back until it is completed. Dan Lucchetti stated that if they went to the top of the loop in Block G (called the hammerhead) as it cuts Block G basically in half, we would want to do the whole water system because we can't sell lots till the system is in, we would need an agreement stating we could go beyond this and into phase 2 of Block G to make sure we get the water tanks in for the fire suppression and the eight fire hydrants. Alec Tarberry reminded the board of the conditional approval- it stated that the water system would be approved by DES and any town concerns would be addressed. The other condition regarded bonding. It says that a performance bond estimate and language shall be approved by the town. He thought that maybe something similar could be approved for Block G. Scott Grant stated the takeaway from 1989 is that once this was developed and you moved into Block G you had to have the water. Alec Tarberry stated the language did not quite make sense- you can't do construction until the water but you can't put in the water system without doing construction. David Patch replied you can rough out the road because you don't know where the water system is -it could be at the bottom of a ditch. Dan Lucchetti stated that the point made sense- they may allow us to build the road to a certain point have the completed water system put in and then it would be a Block G1-Block G2 type of situation. We could sell those lots and make sure the

rest gets done and then sell the rest. David Shedd queried that the application was accepted but it really is not complete. We are talking about details in Block G2 that were not included in the application. The application went to the beginning of the loop. Alec Tarberry clarified the plans showed the full loop. He further stated they are not looking for approval to build the road in the second phase. David Shedd asked how can you put in the water line unless you build the road? Burr Phillips stated the road plans show everything so he is reviewing the whole plans regardless if it is Block G1 or Block G 2- the whole road. That is one of my comments is you need to specify the phasing to figure out what section do you need to get approval first? Then if you have the surety bond or cash to satisfy the Selectmen you could sell lots to the end of Block G1 and then build in Block G1 if the whole road design is finished. I think for a little extra bond you could go ahead and build the rest of the road- you won't get approval for it but you could go ahead and build the road. Alec Tarberry clarified that they did not have to construct the road but it is more efficient because to get the water line in they will be all over the community. Burr Phillips stated that the plans have to show enough of the water line to show it will be built in the right location at the right depth otherwise you would have to go back and tear up the line. It has been done before, the water line was placed on existing ground and you come back later and find 10 feet of fill. Now the water line is 70-feet down and no one is happy. Alec Tarberry asked the board if they have to apply to the Planning Board to do water work in Block G2? Burr Phillips interjected that if the water line work is integral to Block G the you will need to submit that design to the Planning Board because the water design is the whole design here. David Patch summarized that there were quite a few different solutions discussed that may make the Selectmen happy. I agree with Vicki that you need to meet with the Selectmen and see what makes them happy in regards to the road design then come back to the Planning Board and see what combination of solutions we use. David Shedd reminded everyone that the waivers that were issued when the Planning Board had control of the road regulations in 2014. The Selectmen now have control of the road approval. I believe you have an issue with the road over what I call the gully. The road goes over at a grade of 12% and there is no waiver for that. The plan has 100 feet greater than 6% then 200 feet greater than 12% and another 100 feet greater than 6 %, you come right into the intersection and you are 10 feet down into the ground at that point. If you lose the grade it would be a problem. If you need a waiver you need to get it from the Selectmen. Burr Phillips answered he has looked at the waivers and the notes on the design plans match the waivers that were given. David Shedd reviewed the plans and reported

there are 2 proposed grades- a proposed grade greater than 10% from station 3 to station 13 and then not to exceed 500 feet. I do not see where you have a waiver for the 12% over the gully. Burr Phillips reported that the gully is in the section where the waiver says proposed grade greater than 10%. The code says you can only go 500 feet at greater than 10% so instead they are going 930 feet. That was the waiver. David Shedd pointed out on the water design plans that came out there is a note that stated based on approved subdivision plan. He asked what approved subdivision plan is being talked about? He asked Rotten Rock and Alec Tarberry to look into this and he wanted to take care of it before it becomes a bigger issue. Rotten Rock replied they heard his concerns and stated the plan sets have been scattered- the Planning Board received the subdivision plan and the partial water design and Burr is getting the road design. They would like to combine all the sheets into one set so everything is tied together and therefore references made to an approved plan would all be clipped together. Burr Philips educated everyone that the water system plans are very different than what was shown on the road plans. That is one of the items that Horizon's is taking care of. I said to them everything has to match. You have to have the same water system or locations as per the DES plans. Scott Grant cautioned Rotten Rock and Alec Tarberry that the town has gotten extremely strict on the driveway and/or road grades so they rely on Burr's opinion. David Patch reminded them that the Planning Board is looking for trouble spots for them and if we run across an issue it is something for them to really pay attention to. We do not make the final decision but it will make it easier when they address the Selectmen and more likely have a successful outcome. David Shedd asked Rotten Rock if they would like a copy of the minutes- they agreed. Vicki Garland asked Burr Philips if he knew of any concerns DES had about wetlands there as Alec Tarberry wanted to trade land to Bartlett Conservation Commission to avoid paying any fines. Burr did not acknowledge any

3. Review and approve minutes: April 7, 2025. Motion made by Joe Heuston seconded by David Shedd to accept the April 7, 2025 minutes as written. Vote unanimous to accept.

4. Administrative

- **Master Plan-** Discuss when is next and review plan. Discussion postponed to the next work session.
- **Representative invite-** Draft too be composed by clerk and send to the board for approval. Board requests an update on legislative activity, how they feel about the legislation, what they are predicting and what can we do as a town

- **Updated Handbook-** Board decided which members wanted a PDF or paper copy of handbook. All members received a PDF and paper copies will be available too those that wish one.



2024-PB-Handbook 2024-PB-Handbook
-Final.pdf -summary-of-change



5. Next meeting: Public meeting May 5, 2025 Work session May 20, 2025 if needed

Motion made by Pat Roberts and seconded by David Patch to adjourn the meeting. Vote unanimous to adjourn at 7:13 PM



Board Sign in
04-15-2025.docx



Public Sign in
04-15-2025.docx

Respectfully submitted

Louise B. Burns

Planning Board/ZBA Clerk