

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

**APPROVED MINUTES
PUBLIC SESSION**

July 6, 2026

6:00 p.m.

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

Meeting called to order by the chair at 5:56 PM

1. Pledge of Allegiance- led by Scott Grant

2. Discussion of application/new business:

- **Lucas Limmer (Tax Map 2Jenks-1 Lot 546 R00 lot 4 and 2JENKS-2 lot 56R00 lot 5)-** Voluntary lot merger. Lucas Limmer presented. Scott Grant explained he sold the two 5 acre lots to Luke Limmer and he wants to do a voluntary lot merger to get rid of the line, so he now has 10 plus acres instead and he wants to place a house right in the middle of the lots. David Shedd added that if Mr. Limmer ever wanted to divide the lots, he would have to do it under the regulations that are in effect at the time you want to divide them. You have 10 acres so it will probably be no problem, but it wouldn't be the same lot because your house is going exactly in the middle. Mr. Limmer replied he had no plans on dividing, but it is always good to know what the rules are if it would

come up. He asked if it would be another Planning Board meeting for approval if the setbacks are met and it is a buildable lot? David Shedd answered yes. Motion made by David Patch seconded by Michael Galante vote unanimously to accept the voluntary lot merger.

- **Cedarcroft Farm LLC (Map 1THORN/Lots 54L00 and 42L00)-** Continuation of project: Cedarcroft Farms LLC subdivision of the property owned by Cedarcroft Farms Tax map 1THORN lot 54L00 into the 33-unit PUD. Andy Fisher (Ammonoosuc Survey) requested the following to be read into the minutes “Our Engineer is working on completing everything per Burr Philips review. We are awaiting DOT approval for the Turn-Lane Design. Nothing yet but the DOT is reviewing it.” Motion made by David Patch seconded by Vicki Garland vote unanimously to continue the application to August 3, 2026 meeting.
- **Jason Brown (Map 2RT302 Parcel 161L00, 165L00 and 170L00)-** Continuation of project: update regarding application. Andy Fisher (Ammonoosuc Survey) requested the following to be read into the minutes “Jason has begun work again on the road. It is proceeding steadily. Nothing new to add or for the Board to review. “ Motion made by Joe Heuston seconded by Vicki Garland vote unanimously to continue the application to the August 3, 2026, meeting.
- **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 (for now). Continuation of project and update on application. Alec Tarberry (AMSCO) asked for the following to be read into the minutes “Unfortunately I don't have anything new to report, other than we receive the waiver denials from the Selectmen, which we needed (and wanted) in order to get NHDES on board with allowing us to design the road in accordance with town road standards. We are hoping to have the stream crossing sorted out by the next meeting so that we can proceed with requesting final approval.” Motion made by Joe Heuston seconded by Michael Galante vote unanimously to continue the application to the August 3, 2026 meeting.

- **Marc Pottey (Tax Map 2LNDR-106; Location 47 Wilhelm Place) –** Garage encroachment with easement in place. Questions regarding a BLA, setbacks, non-conforming lot because of a BLA



Potty Easement and
map.pdf

Documents submitted as a reference : Marc Pottey presented and asked the board what are his options? He asked if the board had seen the map? Basically, he bought the house 15 years ago with the garage existing. To the best of his knowledge the garage was built in 2002 by a previous owner. The woman next door has passed away, and the property is in a trust now with her family. I rarely see anybody at the house, and I don't know what their plans are but before I approach them, I want to know what the board's thoughts are regarding a boundary line adjustment. If I adjust the boundary line and the building is existing, do I need to meet the setbacks? A boundary line adjustment will make her lot non-conforming. They are all half acres in Linderhof so will I have to slice off a parcel from the back of my land to make them both half an acre? Joe Heuston asked what the issue was. Marc Pottey answered that the garage is completely built on the neighbor's land and the corner of the house is as well and not just a little bit. Supposedly there was a building permit for it, and I asked at the town office- they are looking into it, but I have not heard anything back. David Shedd asked who is paying the taxes on the garage. Marc Pottey answered that is a good question- he believed it is part of his assessment of his building because it is an attached garage and it shows as being my property. I have a temporary easement until the time of sale of the neighboring property. Joe Heuston asked who gave him the easement to which Mr. Pottey replied that the owner next door did who has passed but it is still in the same trust that it was in when she was alive, so now it is her kids. The Board asked Mr. Pottey to explain about the easement. Mr. Pottey explained that the easement states that they knew the

garage was encroaching and it was found after the fact (after it was put up). The septic was on the neighbor's land. It has since been relocated to my land, and they wrote an easement saying that the garage can stay until the time of their property sale and I have the right to use and maintain the garage unless it is destroyed more than 50 % knowing it is on their land. The temporary easement was done in 2007 I think or 2008 when Mrs. Duffy died and her ex-husband inherited the property and tried to sell it. To the best of my knowledge that was when they figured out there was an issue. Vicki Garland asked if the property was up for sale now? Mr. Pottey replied they are not attempting to sell but I was just wondering what to do and I have plenty of time. I am at a point in my life where maybe I want to sell it. I bought another place on Thorn Hill Road, and I have just moved in with my fiancée, and I am renting out Wilhelm Place. The property sales on Wilhelm are intriguing and maybe I don't want to rent a property, and I would like to cash out. I am looking into my options. Joe Heuston asked if the front of the other house faces Mr. Pottey's property. Mr. Pottey responded no that both houses face the street. His house has the deck and there is a porch that faces his house. Joe Heuston asked if that was 30 or 40 feet from the garage. Mr. Pottey responded yes about 40 feet and it looks down on the roof of the garage due to the step in the land. Joe Heston added that in order to meet the setback Mr. Pottey has to be 15 feet from the boundary line, which will be 15 feet more from the porch. Pat Roberts asked if the measurement from the centerline of Wilhelm Place also apply because we are creating a new lot and if it is less than 60 feet ? Joe Heuston added that there are places in Linderhof that are less than the 60 feet more like 40 feet but there was common land and it is no longer available but the rules still applied to them for forty feet. The garage he thought was close to the road within the forty-foot setback. Mr. Pottey

explained the garage is right on the edge of the 60-foot centerline setback according to the plan. So, it meets that requirement. The question remains do I have to meet the 15-foot setback if I do a boundary line adjustment? David Shedd explained that both lots are non-conforming so whatever Mr. Pottey does he cannot make either lot more non-conforming. One possibility is to draw a line 15 feet around the garage and then bring the boundary line as close as you can then trade land from the back of the property. Mr. Pottey expressed understanding. Joe Heuston reminded Mr. Pottey that 15 feet is beyond the overhang and asked how he would approach this with the neighbors. Mr. Pottey responded he must approach the neighbors and see- to the best of his understanding he will have to slice the back of his property and include it to make the land swap equal and then meet the 15 feet around the garage. David Shedd asked if all the lots are the same size? The plan presented showed three lots but only one house. Mr. Pottey responded he believed so. Pat Roberts asked if he approached the neighbors yet? Mr. Pottey responded he has not- he approached the original owner when he first bought his home and she really did not want to discuss anything and she was in her 80's at that time (15 years ago) and I thought we would see what happens. At the time I was not worried because I thought this was my forever home but times have changed and I wanted a little bigger house. My fiancée works from home, and I am in the merchant marine, so I am at sea 3 months at a time. When I am at home, I'm not working so 2 of us in a chalet is a little cramped. David Shedd asked if the property behind the house up to the boundary line was steep. Mr. Pottey answered it was pretty flat. David Shedd explained that maybe he could pay them something along with trading the land. Mr. Pottey acknowledged he thought that was what would happen. Joe Heuston asked if he would be dealing with the children as the spouse is dead, correct? Mr.

Pottery replied he would be dealing with the heirs. Pat Roberts added that he felt Mr. Pottery should approach the neighbors before any further action is to be taken on this. Mr. Pottery responded that was his question- what can I approach the neighbors with before I approach them? David Patch added the easiest way for him to handle this is you have that small sliver of your house on the neighbor's land so come down 15 feet of that and then 15 feet around the garage and you can trade them up back. Vicki Garland added that he wanted to make sure that because the driveway that he is using to access his garage remains on his new property. David Shedd added that he will require a surveyor. Mr. Pottery replied that he has all the paperwork on the surveyor that did the survey for the easement. He also has friends at HGB. Before I spend any money, I have to make sure they are not going to tell me that they will not deal with me. Joe Heuston asked looking at this down the road if the neighbors say they don't want to deal with him- now what? Scott Grant answered that you have a "temporary easement" could it be made permanent? Mr. Pottery responded that was his -other question- if they could make it permanent if I pay them money. The corner of the house is a permanent easement because it was more than 7 years of continuous open use by the time it was discovered. It had been like 25 years I think when it was found. The garage had only been on the property at that time maybe 6 years. Scott Grant explained that would be the cheaper alternative. He explained that if the Planning Board or any other board denied him and he had to go to the ZBA you are allowed 20% and this is more than that. Mr. Pottery added the hardest part will be finding the heirs. I know every year the tax bills go out and they end up not paying until it goes to collections. I think I have their address and where the tax bill goes but I don't know if it is a current address. The town records indicate the tax bill goes to the administrator, the son

Richard. Vicki Garland reminded him that the file is open to the public and he is welcome to see everything that is in that file.

Scott Grant mentioned a certified letter is the way to go. Heather Forbes asked what the garage was sitting on. Is it on a concrete slab or a foundation? Is there any sense as a last-ditch effort to move the garage? Mr. Pottey responded the garage could be moved but it is just T-111 siding and 2 by 4's. All the money is concrete. It is a 24 by 24 stick-built garage with a small loft over-great for storage. I mean the easiest thing is to run an excavator through it and knock it down, put a door back where the breezeway is and sell the home without a garage. That is a last-ditch effort. Mr. Pottey thanked the board for their time and said he had a lot to think about.

- **Donald Bouchard (Verdantas Senior Project Manager) St Pete LLC (Tax map 2RT16-1 lot 057L01 and 2RT302-1R Lot 017R00)** – creation of a new gravel pit. Donald Bouchard presented representing St. Pete's. Scott Grant wanted to have a discussion with the board regarding the rules of gravel pits prior to the presentation by Mr. Bouchard adding it is the sole responsibility of the Planning Board regarding gravel pits under RSA 155-E. David Patch gave the history of gravel pits- the Planning Board is in charge and ever since zoning we were told that gravel pits are not allowed in Bartlett. I never agreed to that because Bartlett will basically run out of gravel. That is always how it was handled but now there seems to be a difference of opinion between the Selectmen and the Planning Board regarding the way it has always been handled. We have told some gravel pits that you cannot expand because you can't expand a non-conforming use and up until now, they have been grandfathered non-conforming. I wanted to explain up front how we have always handled it. However, I am willing to listen to what you have to present and see where it goes. Pat Roberts added that was his understanding- at the time of zoning whatever gravel pits we had were grandfathered in and that was all the gravel pits that we would have in the Town of Bartlett. Vicki Garland added that in her opinion if this is a 100% Planning Board decision then it does not matter what the Selectmen have to

say. David Patch added it is the only RSA the state gave the Planning Board to administrate. Vicki Garland added that we need to approach this from what is in zoning and this board's opinion and leave the Selectmen opinion out of the decision. David Patch clarified he said the Selectmen's opinion because you can have two kinds of zoning ordinances- permitted or not permitted. When you write the zoning ordinance you either list the things you do want or the things that you don't want- we did the permitted. I received additional information today and have not had a chance to say that it is not permitted use and I need to look that up and this requires careful consideration. Mr. Bouchard responded they looked at the zoning, and we understood the zoning as permitted or not permitted use and we brought that up at the Select Board meeting – our number one issue was what is the procedure and process to move forward with this project. We were directed to I believe page 4 letter N and I was specifically told that because it is listed under letter N as a general condition of zoning and the rules in that paragraph pointed us to the Bartlett excavation regulations, which in essence is RSA 155E. We were told it was a permitted use by the general provisions we were told to come see the Planning Board. I can tell you that under RSA 155E at the worst case scenario that gravel pits are allowed in communities by special exception. What I am trying to say it is not a variance. We are here to try and work with you to try and get the process figured out, the next steps. I am happy to go through what our plans are, how we want to do it and how to proceed till the next meeting- but I need to know from the town do I need a special exception or not? I am under the understanding that based on the meeting and the minutes that were done from the town we do not need a special exception. If you look at some of the rules we had to go through to get here it was to take the special exception to the Select Board, the Select Board would review it and then pass the application to the Zoning Board. Scott Grant added that they have to be denied first before they go to the ZBA. Mr. Bouchard responded he did not understand that but was how we read the process if it wasn't specifically listed permitted use that was the process. And that was what we took as our first steps. We were told that because it is under the general provision that we do not need the special exception. It is

permitted use and that was specific. Before I left the meeting, I specifically said “So you are telling me under this letter N on page 4 as it was referenced to me, that this is a permitted use?” The response was yes. Scott Grant asked if that was from the Selectmen to which Mr. Bouchard responded affirmatively. He added he was told he was at the wrong place and to come see the Planning Board. Vicki Garland stated her recollection of the meeting was mostly a conversation about Mr. Bouchard was insisting that his interpretation of zoning was more correct than that of the Select Board. Mr. Bouchard agreed that there was a discussion, but it was clear to him at that meeting that a special exception was not needed and that they were to come and see the Planning Board to get a site review. David Patch added that from what Mr. Bouchard stated if the Selectmen agreed that it is a permitted use then that makes things a little easier because up till this point it was always considered not a permitted use. That is interesting and may make things easier. David Shedd asked Vicki Garland if a vote was taken at the Select Board meeting relative to this. Vicki Garland responded she was looking it up but added that the secretary did present to the board the minutes from the Select Board meeting in a previous email. (Information added for context: Don Bouchard attended the meeting to discuss proposed excavation sites for lots 2RT016-57-L01 and 2RT302-17-R00, owned by St. Pete, LLC. Bouchard stated that his interpretation of the zoning ordinance is that the first step was to receive a denial from the Board of Selectmen to be able to seek a special exception from the Zoning Board. TA Jones stated that it would be the Planning Board who would be the one to review an application for an excavation site. Mr. Bouchard argued that the zoning ordinance does not list excavation sites as a permitted use and TA Jones stated that under RSA 155-E, excavation sites fall under the Planning Board. Mr. Bouchard again brought up the zoning ordinance and that excavation sites are not listed as a permitted use. TA Jones again stated that excavation sites are under the purview of the Planning Board and referred him to Art. IV-F of the Zoning Ordinance. After more back and forth, Mr. Bouchard decided that he will take his excavation site plans to the Planning Board for their review.) Mr. Bouchard added that key to that decision was that it was listed under general provisions and

that is why it was considered a permitted use in the zone. Kevin Bennett asked about shoreline protection- were the plans to take gravel from there also because it is regulated. Mr. Bouchard conceded that they would need to submit a shoreline permit as well- we marked the buffers on the plan and how much remaining land there is as a buffer. We would also need an alteration of terrain permit as well and a DOT driveway permit also. He believed the three key points after site review would be a driveway permit from DOT; an alteration of terrain permits from DES and the third would be the shoreline protection from DES. We do not have any wetlands impacts. David Shedd asked how much gravel they estimated is in there. Mr. Bouchard replied on page C 3.3 about 600,000 cubic yards. We are looking at about 60,000 cubic yards every year for a 10-year period. It could stretch to 20 years, but we are estimating that over a 10-year period. That is an estimate based on sales and RSA 155E. David Patch asked what the total acreage was. Mr. Bouchard replied he believed it was around 20 or 21 acres on the 2 lots that are there. David Shedd asked if they anticipated crushing gravel there too? Mr. Bouchard replied that the lot, according to the test pits has very good granular gravels so there is not a lot of crushing that would have to be done other than the boulders. The crushing operations would most likely not be daily it could maybe happen quarterly. Curt Burke added probably once a year for crushing. At the end of the day the plan is to end up with roughly plus or minus a 9-acre lot. At the present time you can't do much with the lot as it is. We would like to build a road in there and maybe sub-divide it into small commercial lots that would fit the village of Glen. The easiest way for us to get there and with the laws is this gravel pit or we could go through a commercial development and still end up with a nine acre flat lot but we think the gravel pit is better because of the state laws and it gives you more control. The town will get a gravel tax out of it too and hopefully we get this done and everybody is happy. Joe Heuston asked where this was located and the board stated right across from the Red Parka Pub. Scott Grant asked if their intention was not to access this off rte. 16. Applicant replied yes. Scott Grant explained that the Planning Board is in charge of inspection of the gravel pits (Example LA Drew, Shannon etc.). We just had a situation at the

Shannon Pit where we had to make him move stumps for a fire hazard. However, if you look at the permissive use- back in 1984 we did zoning- everything at that point was grandfathered so I would take some exception to the fact you can create this. I am not against gravel pits but on the flip side Sean Shannon would come to the board regarding his 13 acres and how could we stop him from expanding? In my humble opinion that the easiest and quickest way to do this is to wait till March. You get 25 registered voters in the Town of Bartlett (I would get 30 or 40 to be safe). Do a warrant article on the vote for next March and say if we can have this gravel pit, you then come to the Planning Board, and we have a public hearing about it and then it goes to vote. This way you have just changed the zoning from non-permissive to permissive because I don't know how you can go to the zoning board with this. In my opinion there is permissive use and then there is no use. How can you be denied if something doesn't exist and potentially go for a special exception to the zoning board? Mr. Bouchard replied he would ask the board to really review RSA 155 E because it explains that they are permissive use by special exception and there is no need to go the town warrant article. Scott Grant asked what if the zoning board denies you? Mr. Bouchard responded that it is a possibility, but it would be a battle then because it is a permissive use. Most towns are accepting them because it is a benefit to the town for the gravels- the use and the taxation. I do not know of one that has been denied but I don't say it could be a possibility. Special exceptions tend to have a lesser of a hill to climb then doing variances versus special exceptions. Pat Roberts added he thought it was important that the way the zoning was enacted and it was not specifically on the list in the heading of our zoning that it can be done. I don't necessarily agree with that, and I am not against gravel pits- my family has worked in the gravel industry for many years. My concern is that I do not want to put a crack in our zoning ordinance by allowing something that is not on that list. It may be a gravel pit today and then tomorrow it could be something else that is not on the list. They will say you have set a precedent by allowing a gravel pit which was not on the list in 2026 so why are you denying me? Mr. Bouchard stated that as an applicant they need clarification because the Select Board is saying under the

general provisions this is a permitted use. We need clarification on this. Scott Grant replied that it does not matter what the Select Board says right now because the decision is in our (Planning Board's) hands. Vicki Garland voiced agreement. David Patch added the information that he received about the general provisions he received that afternoon and at first glance it appears legal but I think the board needs to discuss this and at the very least agree to get ironclad proof that is how it is and we are in the driver's seat and we have to do whatever is correct. Mr. Bouchard answered he guessed that is the next step and he asked the board if they needed any explanation about the plan so everyone would be on the same page. Scott Grant asked if the applicant had talked to NH DOT yet about the driveway plan. Mr. Bouchard answered they had not approached DOT yet until they are over this hump. The plan is to use the existing driveway and turn it into a 300-foot access driveway and then put a side driveway off that. We will have the standard Bartlett hammerhead at the end and there will be a gate at the end of that for people to go into the gravel pit. Pat Roberts called attention to the plans stating that the bigger garage may be moved and possibly be relocated. The smaller one on the right of that is going to be demolished. Scott Grant said he understood the plan but cautioned the applicant to contact the state before they put too much time and effort into the plan. He voiced he is not too sure the state will appreciate the trucks coming out of that driveway to make a hard left into the intersection when there is traffic there, to go up the hill. Mr. Bouchard answered that it is designed as a commercial driveway with two lanes exiting and one lane in so traffic on this side would not be backing up and you can make the left hand turn without being involved in the traffic going towards the light. Basically, it is a three-lane driveway right there. Vicki Garland asked if it needs to be approved by DOT? Mr. Bouchard replied that is correct. What I am getting at is this is a standard design layout for the DOT and that this is their requirement for this type of commercial operation. - it is a maximum of 36 or 42 feet. Vicki Garland added that Cedarcroft has been waiting on the DOT and it does not happen quickly- it has been a while. So just because this is the way that they always do it, the process does not happen overnight. Mr. Bouchard voiced agreement to the statement and added they are aligning the

driveway with the street across, so it is still in alignment making a clean intersection there. The DOT would like all four-way intersections to line up as much as possible and we have done that. Scott Grant asked if they were 15 feet off the property up the street as he was unable to read the scale on the plans. Mr. Bouchard answered he was not sure if the abutter was 15 feet off his line, but he had no control of that. Curt Burke added they want to try and save the house because it is a pretty good house and fits the feel of the village. The house will be rented- we are in the process of doing that now. He added the pool is filled in. David Shedd asked the applicant to explain a little bit more about what they say the state sees this as a permitted use. Do they see it as permitted use even over the objection of the Planning Board if the Planning Board did object. Mr. Bouchard replied that he understood that through RSA 155E said if it is not listed as permissible use it is always allowed by special exception at a minimum. Scott Grant asked the board if they should contact the Municipal Association. David Patch voiced concurrence adding he did not think getting an answer to our question with letter N of the general provisions required a call to the municipal association. I don't think it will hold up your process because you have other stuff to apply for anyway. Vicki Garland added that the Municipal Association would provide us with their legal interpretation. Mr. Bouchard said that the Planning Board will contact the Municipal Association. Scott Grant stated he had a last question- on C-2 I see you have the contours there and I see they are set back quite far from 16, will all the stuff that is there be pushed back some more. Curt Burke answered it will be all gone. Scott Grant added that at the guardrail it will be sloped and put the stumps there. Curt Burke stated he wanted to clarify they do not put stumps in the back. I have a quarry and we run 100% green – we crush our concrete and take the steel out. We crush stumps and we grind them and sell that for erosion control. So, we are 100% green. I am more than happy to give you a tour at any time. We will be doing the same thing here and we will not be bringing anything in here, just exporting out of the place. The quarry is where we import stuff and the only thing we do here is grind all the stumps here and use them for erosion control on all the slopes. Mr. Bouchard asked the board about their process with other

pits and if it is an actual annual visit check? He was informed it was annual and he asked if the board would call the pit to come and see. Scott Grant informed him the members of the board would show up after making an appointment. Vicki Garland added the visits can be more often if needed. David Shedd added that the Planning Board is concerned about opening a gravel pit anywhere in town but if it did proceed to a warrant article at town meeting asking for relief that way, one thing the Planning Board does do is voice their opinion whether they approve or not. It could be if we had to go in that direction and we saw how careful you are about what you want to do we could maybe advocate for that because it makes a big difference when it is brought to the town's people. Curt Burke added that they fully intend to the very best that they can do. We are fairly local and most of the people in the cemetery I am related to. David Patch stated that after looking the information over I think the only question to answer is whether to proceed- is section N in the general provisions legal period. If it is then under RSA 155A we need to proceed. Mr. Bouchard stated they agreed with that and they are looking for directions. They would like to return on August 3rd with the start of the public hearing. Scott Grant asked if there were any other questions from the board- being there were none he summed up that the Planning Board's direction right now is to get the Municipal Association information before August 3rd he hoped. Mr. Bouchard asked the board to put a rush on it because they must submit their application by July 13th to be on the August agenda and I would like the answer prior to the submission of the application. Vicki Garland replied the secretary is very efficient, however the board has no control over the Municipal Association response. Joe Heuston asked if the Municipal Association wanted any part of home rule. Vicki Garland replied they are in favor of local control. They support local boards over state control. Scott Grant replied that if the board gets the answer and it is yes, you can do this from general provisions letter N we will continue forward, He urged the applicant to contact DOT right away and get that process started. He added that this was an informational hearing so a motion to continue is not warranted. However, they are to return August 3rd if the question is answered

from a legal standpoint. Mr. Bouchard expressed his thanks to the board for their time and listening to the project plans.

- **Master Plan-** Continued discussion by board regarding changes and modifications. Board expressed they do not have any additional changes to make.
- **AI and data centers-** Board to discuss if this needs to be added to the Master Plan regarding allowing of these entities and possible requirements. Secretary informed the board she found a website that supposedly had the data centers in NH listed. Manchester supposedly has 4 but there were no replies from Manchester in response to her inquiry. Littleton answered and said they no longer have their data Center and Keene told her that they never had one and was not sure where the information came from. Pat Roberts stated that he is not sure if we need an ordinance for this but the data centers come with small nuclear reactors that are supposed to help supply power to these centers. I can tell you as a former fire chief I would be very scared to pull into that driveway and find a nuclear reactor on fire. Michael Galante corrected him adding it is a small module reactor. Pat Roberts countered with the word nuclear and added the bigger the center the bigger the mini nuclear reactor. Michael Galante added that there are several factors to consider- water is a factor but not a major factor because they are smaller units and other things are used to cool the reactor like hydrogen. It is desirable to have these used in a colder climate because in a colder climate they can use the outside air for the cooling tower. As far as the additional water usage, when you split the atoms to make the steam most of the steam that generates the power gets evaporated, re-condensed and goes back into the system again. There are seven companies in the US and Canada that are developing these units. The biggest one I think is New Shell- one was just delivered to Utah, and they are designed to be grouped in a building like this one. There are all types of safety features built in, and this is going to be the future. If

you go through Europe there are all these mini reactors. That is how they run the energy there. Vicki Garland asked if Michael Galante would support all of Europe's regulatory shipping these here with their technology. Michael Galante responded no as our technology is far superior. Vicki Garland queried him if we don't need regulatory oversight. Michael Galante answered he did not say that that we needed quite a bit of regulator oversight. But to jump on the issue and say you don't want it, that is what everyone is doing. We don't want it but we don't want to burn coal, we don't want to burn this, we don't want. But we need energy in the cleanest form and right now nuclear is the cleanest form, cleaner than natural gas. Vicki Garland added that you are ignoring all of the renewables which are not currently being supported and we are shutting them down - wind, solar. Pat Roberts added they are not capable of sustainability though. He added he is not opposed to data centers, but he needed proof that they are safe. He added that a 10,000-pound propane container is safe and has all kinds of safety features put into it but if you add the human factor- kaboom. Vicki Garland stated that the board really does not have enough information to decide on data centers. Scott Grant stated to the board that he brought this up at the last meeting but wanted to poll the board tonight regarding asking the town to vote on banning data centers. Board replied it would be too soon to take this to town vote. Board agreed to keep discussing this topic.

- **Notice of Decision-** should a notice of decision be added to all applications? Samples provided (RSA 676:3- copy of RSA provided) Secretary explained in reading the RSA on another inquiry she discovered the RSA stated a final written decision (either support or denied) any application should be available. Examples provided to the board. Scott Grant stated he felt the minutes were sufficient. He added that the minutes are the written record of the meeting so read the minutes Vicki Garland asked what the advantage is of adding this step. Secretary replied that in reading the RSA she did not want the board to be deficient

and somebody could say they are supposed to get written notice of decision and if it goes to court, we could have a problem. She added that in older files she did find a notice of decision in some. Pat Roberts asked if the board sends a letter to an applicant who comes in and is looking for something saying they were denied? Scott Grant added that the applicant already knows because they come before the board and hear the vote. Pat Roberts asked if the Select Board provided a written notice of decision- Vicki Garland responded yes. Also, it was discussed that the ZBA also has a written notice of decision. Board asked the Secretary if she recommended a decision. Secretary responded with she did not want an applicant to come back to the Planning Board later and said the RSA says you are supposed to have one. There have been none and even though the minutes are very clear, and the vote is there again I do not want the Planning Board to be deficient. Heather Forbes asked if we could only do denial letters. Secretary responded that the RSA is specific as it says either approves or disapproves. The language is clear. Scott Grant added he thought that we needed to keep it simple and clear. If it gets more complicated, then there is room for error. Someone could say I got approved from the board but all of a sudden, this letter might check the wrong box or something and we have a problem. Secretary added that the RSA stated that failure of the board to make specific written findings of facts supporting a disapproval shall be grounds for automatic reversal. However, the board has had mostly approvals since she has been in this position. Heather Forbes added that the secretary and the board are so careful with the meeting minutes, that they read more like a transcript than general minutes and you are as clear as you can be it also insulates you from someone coming back and pursuing you legally. Why don't you use the same logic to protect the town, protect the board and protect the community members who come in by giving them the letter. Would it be that much more administrative work to ensure that we are following the letter of the law in which we are so careful to do so. Secretary stated it is a form letter and she provided examples from other towns and from the Planning Board Handbook. I can certainly use the example

from the Planning Board handbook and create a blank form to use. David Patch added that as long as it is a blank form that needs to be filled out he was not opposed to it. I agree it is in the minutes and all that but if there is some obscure RSA that says we ought to do it then it is up to us to do so. David Shedd pointed out that the board is lucky the present secretary is here, but she may not always be here with them and we won't get the minutes that we have now. Motion made by David Shedd seconded by David Patch that now that it has come to the attention of the Planning Board, the Planning Board will proceed from this day forward to add a notice of decision process. The board will not address any application in the past. Vote unanimously to accept the motion

3.Review and approve minutes: June 1,2026. Motion made by David Shedd seconded by Vicki Garland vote unanimously to accept the minutes of June 1, 2026, as written.

4.Administrative Report

- **Glen Aggregates** – Update from chair Scott Grant. Scott Grant sent pictures of the remedy to the board, and several members have seen the pit. This issue is closed. David Shedd asked the chair to remind Sean Shannon to stay off the lot in the back.

Picture added as reference



Sean Shannon
Gravel Pit.jpg

- **Review of Senate and House Bills-** Information provided via email
- **Application spreadsheet-** ongoing project
- **September 7, 2026 meeting-** Secretary mentioned to the board that this meeting is on Labor Day which is a holiday. Board agreed to discuss this next meeting. Vicki Garland mentioned that September 8, 2026 is New Hampshire primary day and nothing cannot happen that day in the building besides the primary. Board may meet on 9/7/2026.

5.Next meeting: Working Session July 21, 2026 if needed next public session August 3, 2026

Board agreed to cancel the meeting for July 21, 2026

Motion made by Michael Galante seconded by Joe Heuston vote unanimously to adjourn the meeting at 7:12 PM.



Board sign in
07-06-2026.pdf



Public Sign in
07-06-2026.pdf

Respectfully submitted

Louise B. Burns

Secretary

Planning Board/ZBA