

Town of Bartlett Office of Selectmen

Meeting Minutes: February 20, 2009

Attendance: Chairman Gene Chandler, Douglas Garland, Jon Tanguay

Reporters: None

Meeting opened at 08:30 AM.

Chairman Chandler made a motion at 09:10 AM to enter nonpublic session for a request for aid according to RSA 91-A: 3 (c). Selectman Tanguay seconded the motion. Motion carried unanimously. Chairman Chandler made a motion at 09:30 AM to end the nonpublic session and to seal the minutes. Selectman Garland seconded the motion. Motion carried unanimously.

Selectman Tanguay made a motion at 09:35 AM to enter nonpublic session for a request for aid according to RSA 91-A: 3 (c). Selectman Garland seconded the motion. Motion carried unanimously. Chairman Chandler made a motion at 09:45 AM to end the nonpublic session and to seal the minutes. Selectman Tanguay seconded the motion. Motion carried unanimously.

Christopher Dimarzio (5VILLG-MAI-250) had written a letter to the Selectmen about the possibility of a restaurant opening back up on his property (former Moose Tracks restaurant) and wanted to do a follow up by meeting with the Selectmen. Chairman Chandler explained that the green area is the issue. If Dimarzio just uses the property for a residence then there is no issue. If he is opening up a restaurant, the green area is an issue since he had gone in and cut the considerable buffer that was between his property line on the West side of the building. Dimarzio stated that it was mostly brush. Chairman Chandler stated that he is not allowed to clear within 25 feet of the property lines. Dimarzio stated that the last time he had met with the Selectmen he felt the true issue seemed to be the trees he cut in the front that were growing into his house foundation and septic where the property had not been well maintained. Chairman Chandler explained that he will have to replace the trees he had removed. Dimarzio stated that if it was a new building he could understand this but if the property line is 10' from the side that would mean he would have to let it grow fallow. Chairman Chandler stated that he can't remove brush as whatever is there has to remain and if he wants a restaurant he needs green area and if he doesn't want to rebuild the

green area that would be an issue. Selectmen Garland stated that he was not opposed if he wanted to plant some type of lilac or similar plants as a buffer and not necessarily just let go fallow as Dimarzio had stated. Selectman Tanguay explained and showed Dimarzio an example of the type of map that they needed to see of the property that shows the green area and what he would like to do in these areas. Dimarzio stated that the area being mowed used to have a vegetable garden on it. Selectman Tanguay requested that he go back to his property and measure in the 25' and do up the map. Dimarzio stated that he didn't think he was doing anything wrong and thought he was grandfathered. Selectman Garland stated that when the zoning ordinance was enacted that he would be grandfathered for the shrubs that were on the property at that time and wouldn't be allowed to cut anymore. Selectman Garland also stated that to move ahead Dimarzio would need to give a layout of what he wants to do. Dimarzio stated that he has someone actively looking at the building now. Selectman Garland recommended that he start by doing the change of use form. Chairman Chandler stated that if he got to a point to go ahead, he could give the town a bond so that we would be assured that he does replant the green area and he could proceed to get his business ready to be able to open. Chairman Chandler also stated that Dimarzio doesn't have to do anything but he may want to get it done so it will be ready. Selectman Tanguay stated that if he will bring in a drawing that it would be a big help as that way we could all be on the same page as we discuss these issues.

Chairman Chandler inquired about the other apartment that is in the house. Dimarzio stated that he has a room boarder in the house. Chairman Chandler inquired if the kitchen was still there. Dimarzio stated yes, and he doesn't want to spend a lot of money to remove the kitchen. Chairman Chandler explained that the other kitchen can't be there and he doesn't have to spend a lot of money he just needs to either take out the stove or the refrigerator.

The Selectmen addressed a legal issue with the town attorney, Douglas Mansfield.

Page 3- Selectmen's Meeting Minutes 02-20-09

The Selectmen reviewed correspondence, building permits, signed letters and checks prior to and throughout the meeting.

Meeting adjourned at 10:35 AM.

Respectfully submitted,

Brenda Medeiros, Sec.