

Town of Bartlett Office of Selectmen

Meeting Minutes: June 20, 2008

Attendance: Chairman Gene Chandler, Doug Garland and Jon Tanguay

Reporters: None

Meeting opened at 08:30 AM.

Mark Linehan (2RT302-196-L00) as a follow up of his meeting with the Selectmen on June 6, 2008 inquired if there was any way of getting around putting in a hammerhead (cul-de-sac) as for him to do this he will have to remove some trees that are probably 150 years old as well as one of the cabins that are on the lot. Selectman Garland explained that the reason they had requested this is because according to the town road specs any dead end road has to have a hammerhead and we are stuck as we have to go by the rules. We don't make the rules only abide by them. Linehan provided a map as well as pictures which they all reviewed. Linehan inquired why none of this was brought up when the Planning Board approved his subdivision plans. Linehan stated that he would be willing to widen the existing driveway and turn around. Chairman Chandler inquired if Linehan has two houses now and is planning on building two more. Linehan stated that he has taken non compliant property and turned it to four houses. Selectman Garland stated that they would grandfather what he had on the property. Chairman Chandler inquired why the hammerhead was drawn on the plans. Linehan replied that some think that if it is a road that will increase traffic. Linehan also stated that he has done a lot to improve the looks of the property. Selectman Garland replied that he is sympathetic but he has to enforce the rules and they have to be prepared for emergency situations. Linehan questioned if he would be allowed put a 65' x 65' hammerhead and curve it to fit on the property. Selectman Garland (Planning Board Ex-officio) would like to check the planning board minutes and discuss this further with the other Selectmen. Chairman Chandler stated that after this is done that we will be in touch with Linehan.

David Bernier, Superintendent of the North Conway Water Precinct, met with the Selectmen in reference to a permit he had submitted to dig up Pierce road. Bernier explained that what they currently have up there is a mish mash of galvanized pipe and we are proposing to directional drill under Route 16A on the easterly side and go up the gravel drive and keep everything within the layout of the road. Chairman Chandler inquired if the pipe would be in the middle of the roadway. Bernier replied yes. Chairman

Chandler stated that wherein lies the problem as we don’t allow water or sewer lines to be put under the actual road. We allow them in the right of way but not the road. Bernier stated that he didn’t understand as there are water lines that go up Skyline Drive, Pendexter Woods, Washington Avenue. Chairman Chandler replied that it isn’t allowed any more and it is in our road specs. Chairman Chandler inquired as to where the water lines are now on Pierce Road. Bernier replied that they are on private property and partially in the road. Selectman Tanguay inquired if they would be tied in to the sewer line as well. Bernier stated that there are no plans currently for Pierce Road and because of the expense he would doubt they would do Washington Avenue as only three houses would apply and since the North Conway Water Precinct just paved the road last year it would be very costly. Selectman Garland inquired if that happened when they put in the water line. Bernier stated yes that they replaced the galvanized pipe. Lower Bartlett ran a pipe side by side with North Conway Water Precinct and provided a hydraulic loop and an interconnect between North Conway Water Precinct and Lower Bartlett Water Precinct. Chairman Chandler inquired if they could stay 10’ from the center of the road and that way it would give them 20’. Bernier replied yes they can put the water line going up 10’ off the center line of the road and it would be easy to do by using a 2” poly plastic pipe as there is no need to put a large diameter pipe in for four homes. Chairman Chandler had done up an agreement between the Town of Bartlett and the North Conway Water Precinct but needed to change some things now. Chairman Chandler inquired if they were starting the job on June 25th. Bernier replied yes as he has a \$6 million contract starting July 7th on Intervale Cross Road, Dinsmore Road, Kearsarge Road, Mechanic Street in North Conway for new water and sewer and I wanted to get my water foreman involved and get the crew started prior to that starting up. A copy of the basic agreement was given to Bernier as some of the requirements like the water line backfilled and the drainage ditches still apply. Bernier inquired if we request the same requirements of Lower Bartlett Water Precinct. Chairman Chandler replied yes. Bernier replied then I am not being singled out and made to do more. Selectman Tanguay stated that they may make you think so but that isn’t the case. Bernier stated that he would be more than happy to do whatever we require. Chairman Chandler did explain that part of the time that they are doing the project the road agent is on vacation and we may have to have Engineer Burr

Phillips fill in for the road agent and if that happens the North Conway Water Precinct will need to pay Phillips, but he doesn’t believe that will happen. Chairman Chandler will get a revised agreement written up, but in the meantime you are ok to start. Chairman Chandler stated that the bigger problem is boring. Selectman Tanguay inquired if they were under contract and had used that company before. Bernier replied no, we are under contract for CDM to get the whole job designed, boring companies are hired by the consultants and they are required to obtain their own permits, which they apparently did not do. Chairman Chandler stated that is correct and we wouldn’t have given them a permit for that or for what is left. He also stated that on Skyline Drive we are going to ask for an inch of hot top of the whole road. Bernier stated that that can’t be done as the road is pretty beat up and there are thousands of pot holes. They drilled many 2” diameter holes and patched the holes. Selectman Garland stated that the application said 6” hole. Bernier replied that they used a 2’ auger, but the disturbance on top of the ground is probably a 6” hole every couple hundred of feet and that it is totally absurd to require us to put the inch of hot top on the road. Chairman Chandler stated that cold patching those holes just isn’t going to work as every hundred feet where a hole was drilled the water will build up. Bernier stated that the road is a mess and if they get sewer up there you will have a brand new road from curb to curb at the precincts expense. Chairman Chandler stated that we don’t know that as we have seen no plans. Bernier stated that the sewer line would go down the middle of the road. Chairman Chandler replied not in Bartlett. Bernier stated that there are people who live within the precinct and that the precinct charter allows them to dig repair and install sewer lines in any public way. Chairman Chandler replied that I guess we would have to have that battle as well. Bernier stated that he doesn’t believe we need to have a battle as these borings for the next couple of years will be fine as this road is beat up. The water line is old cast iron which they are planning on replacing with a new water line and are planning on putting sewer lines in. Rather than ditch paving the shore line the precinct will repave the street from curb to curb. Chairman Chandler stated again how would we know that as we have people roll into town digging holes in the roads without a permit and we didn’t even know what was going on. Selectman Garland mentioned that we have had problems in the past with Lower Bartlett Water Precinct as what they expect and we expect hasn’t always been the same. Selectman Garland also inquired about man hole covers. Bernier stated that they would be set to grade and ¼ inch low from

the wear course. Selectman Tanguay inquired about the time frame for this project since this was all new to us. Bernier stated probably four years out. Selectman Tanguay stated that this boring was just an expedition to see what's there. Bernier replied yes to see about ledge, etc. as this is preliminary engineering. Selectman Tanguay inquired if they had received a grant for this yet. Bernier stated that they have received bond authorization and the voters have authorized them to do the project. Bernier stated again that the sewer has to go down the middle of the road. Selectman Tanguay inquired why that is. Bernier stated that you can shift it somewhat and can keep it in under one of the lane paths but you can't have it completely off the road as it is too difficult to do anything else as you have to maintain a 10' separation from the water line and you have to maintain enough sewer lateral to get the sewer line under the water main. Selectman Tanguay inquired if they would be putting in catch basins. Bernier replied no that if you have current cross trench culverts that they will have the contractor replace all the culverts that the Town donates. Bernier stated that he can understand why we wouldn't want Washington Avenue disturbed since that road was just done but we need to do Pendexter Woods and Skyline Drive. Chairman Chandler stated that we would need to figure out about Pendexter Woods, but that they had already done Skyline Drive so now we just need to figure out the penalty. Chairman Chandler inquired if we got back to Bernier on Pendexter Woods by Wednesday if that would hold anything up. Bernier stated no. Chairman Chandler stated that they could go ahead with Pierce Road and just use the letter he was given as a guide line. Bernier stated that they will stay on the easterly side of the road. The Selectmen will get back to Bernier after they discuss the projects with the road agent, Travis Chick.

Chairman Chandler made a motion at 10:15 AM to enter nonpublic session to discuss 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 10:25 AM to end the nonpublic session. Selectman Tanguay seconded the motion. Motion carried unanimously.

Atty. Chris Meier of Cooper Cargill Chant met with the Selectmen to find out if the Selectmen had everything they need now in reference to the building permit request for unit 21 at Beachwood's at Intervale (1RT16A-218-H21). Chairman Chandler stated we do now. Lynn Jones, AA, explained that the State of NH Department of Environmental Services has

changed the rules and it used to issue an ok backfill, but now they don’t. You either build the system as installed and if a system field is served by more than one home the tank and field have to be built at the same time or obtain separate State approvals for each unit plus the approval for the field. That combination wasn’t there as they originally got approval under the old system. Bob Tafuto from Ammonoosuc Survey has since brought in the tank number and field information and so we are all set now. Chairman Chandler stated the Selectmen are concerned that they built the house without a building permit. Meier stated the house boxes were delivered in November and they put it up to make it water tight. Selectman Garland remarked that they put the house on the foundation and they could have unpacked the boxes in the parking lot after all we are not very far away for them to come for the permit and he takes this as a lack of respect and doesn’t believe it was a mistake. Chairman Chandler stated the permit would be issued with a stipulation about the road as this approval is for a house on a driveway. Selectman Garland mentioned that the Phase I road is ok, but from there on out Phase II is considered a driveway. Chairman Chandler reminded Meier that means they can only have one more house on this driveway. Lynn Jones, AA, reminded him that that is as long as they get a building permit.

Selectman Tanguay made a motion at 10:30 AM to enter nonpublic session to discuss 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 10:45 AM to end the nonpublic session. Selectman Tanguay seconded the motion. Motion carried unanimously.

Chairman Chandler made a motion at 11:00 AM to enter nonpublic session to discuss a request for aid according to RSA 91-A: 3 (c). Selectman Garland seconded the motion. Motion carried unanimously. Selectman Garland made a motion at 11:15 AM to end the nonpublic session. Selectman Tanguay seconded the motion. Motion carried unanimously.

Selectman Garland made a motion at 11:20 AM to enter nonpublic session to discuss a request for aid according to RSA 91-A: 3 (c). Chairman Chandler seconded the motion. Motion carried unanimously. Chairman Chandler made a motion at 11:40 AM to end the nonpublic session. Selectman Tanguay seconded the motion. Motion carried unanimously.

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Selectman Tanguay made a motion at 12:00 PM to enter nonpublic session to discuss 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 12:20 PM to end the nonpublic session. Selectman Garland seconded the motion. Motion carried unanimously.

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

Meeting adjourned at 1:10 PM.

Respectfully submitted,

Brenda Medeiros, Sec.