

Town of Bartlett Office of Selectmen
Meeting Minutes: August 15, 2008
Attendance: Douglas Garland and Jon Tanguay
Absent: Chairman Gene Chandler
Reporters: None

Meeting opened at 08:30 AM.

Brenda Hunsicker (Trails End Ice Cream Shoppe-3RT302-281-L01) and the Selectmen went over pictures provided by Hunsicker of what trees she has replanted to bring her lot back into compliance for the required green space at her business. Hunsicker explained that the stone was originally put in for additional parking to keep people from parking on Route 302 as parking on Route 302 is very dangerous. Selectman Garland explained that the Selectmen had stopped by her property and the fence property boundary line needs to have 25' of green area and that vehicles can't park in the green area. Hunsicker inquired if she planted three or four more trees would she be ok as she would like to have it look nice and be aesthetically pleasing. Selectman Garland read and went over the portion of the Bartlett zoning ordinance that deals with the green area. Hunsicker explained that she has already paid thousands of dollars to have the paving removed from the green area. Selectman Garland explained that her options would be that she could block off or leave natural or plant something that is 25' off the property boundary line. Selectman Garland stated that she can get more parking if she uses space in the back of the building and puts up a sign that states additional parking in the rear. The Selectmen agreed that the front of the business on Route 302 is fine, but she does need to plant a few more trees to meet the 25' green area on the side property line. Selectman Tanguay suggested that she draw up a plan and bring it in for review to make sure everything is ok.

David Shedd updated the Selectmen on the progress on the gazebo at the Bartlett Park. He and Curtis Milton of Monolithic Building Services have put the copper sheet, louvers, the Simpson post bases, etc. on the gazebo. Milton would like to discuss the money contributions with the Selectmen. He will make an appointment to come in to see them. Shedd also inquired about the building permit that he has obtained for the addition on his house (1TOWNH-144-R00). He hasn't finished building it yet and he is wondering where he stands with the new shore line protection act enacted for the Saco River and its tributaries that require a 50' set back. Selectman Garland

replied that the building permit should be grandfathered. Selectman Garland went on to state that he attended a conference on the shore line protection act and something that already exists they don't make you take away, they just don't let you build any closer. Shedd requested that the Selectmen take a look at his existing foundation to see if he needs to do a revised building permit. Selectman Tanguay agreed to do an inspection of Shedd's property.

Selectman Garland met with Dennis Hurd of Glen Builders, Inc. on Wednesday at noon time to discuss the roof specs they had submitted. Glen Builders had originally included ice and water seal, but it was determined it was not needed and Hurd lowered the bid from \$12,462.00 to \$12,000.00. Selectman Garland made a motion to accept the bid of \$12,000.00. Selectman Tanguay seconded the motion. Chairman Chandler was spoken to by telephone and he also accepted the bid. Selectman Garland also mentioned if we have any other bids that need to be prepared that Mr. Hurd offered to help with the specs for free.

Selectman Tanguay made a motion at 10:00 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. Selectman Garland made a motion at 10:45 AM to end the nonpublic session and to seal the minutes. Selectman Tanguay seconded the motion. Motion carried unanimously.

Richard Timmerman came in to discuss a sign permit and a change of use permit for the property owned by Chris DiMarzio (Moose Tracks Restaurant-5VILLG-MAI-250). Timmerman is looking at leasing the property and the property will stay the same as a restaurant. He is planning on naming the restaurant Big Bears and he would like to open by mid September. Selectman Garland stated there is an ongoing issue with trees being removed from the green area. The owner had cut trees in the 25' buffer area and has never replaced them so the violation still exists. Selectman Tanguay inquired if he is planning on using the existing sign posts. Timmerman stated that it would be the exact same sign that he is just planning on refinishing. Timmerman also mentioned that he is planning on having entertainment. Selectman Garland stated we would need a request for the entertainment as there would be some restrictions as he abuts a residential area and he wouldn't be allowed to disturb the neighbors. Timmerman also needed some papers from the Selectmen concerning his

Page 3- Selectmen's Meeting Minutes 08-15-08

obtaining a state liquor license. Lynn Jones, AA, requested that he put something specific in writing so she could have a guideline as to what the State is looking for. Selectman Garland stated that the owner needs to come in to see the Selectmen as he needs to bring his property back into compliance. Selectman Garland also mentioned that the owner needs to get this straightened out or it may slow down the opening date of the restaurant.

A short time later the Selectmen received a telephone call from Chris DiMarzio (Moose Tracks Restaurant–5VILLG-MAI-250) as Timmerman had reported back to him that the Selectmen had refused his building permit application because of a tree issue. Selectman Garland corrected him that Timmerman was not refused but that the tree issue had come up and is still an outstanding issue. Selectman Tanguay reminded him that the issue was with cutting the tree in the green space. DiMarzio replied that he thought the Selectmen were going to take a look at his property and get back to him and he never heard anything back about those trees or the tree he requested them to look at that is on his septic system. Selectman Garland read the green space requirements from the Bartlett Zoning Ordinance to DiMarzio. DiMarzio stated that he had read the ordinance and felt that he had left enough area for green space. Selectman Garland stated that they had not received any other letters, or site review plans from DiMarzio and they would work with him to solve the problem. Selectman Garland also reminded DiMarzio that there was also an issue with the illegal apartment in the main house and was wondering if the kitchen had been removed. DiMarzio stated that he doesn't have to remove the kitchen if he doesn't rent the house as a duplex. Selectman Tanguay inquired as to how many trees had been removed. DiMarzio stated that two front ones had been removed as they were growing into his house and they couldn't paint with the trees there. DiMarzio also stated that he has actually increased the green area when he had the lot paved. Selectman Garland stated that we will have to go back to the minutes but that still doesn't change the fact that it is an unresolved issue. DiMarzio said that he had tried to work and comply and since he hadn't heard anything he had just been letting sleeping dogs lie. DiMarzio now wants to get someone into the building and if he needs to make plans to come see the Selectmen he will. Selectman Garland stated that at the very worst he may have to place a bond until the work is done as one route to go or maybe they can find another route. DiMarzio inquired as to where the Selectmen are with Timmerman. Selectman Garland stated that

Page 4- Selectmen's Meeting Minutes 08-15-08

the permits will be reviewed and that Timmerman was a little shy with information. Selectman Garland remarked that after everything is reviewed that the Selectmen will get back in touch with DiMarzio. DiMarzio remarked that he would rather not put something back that will grow into the house again and he would like the Selectmen to keep in mind that he increased the green space. DiMarzio also requested that the Selectmen look at the tree that is the closest to the back deck.

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

The meeting ended at 12:30 PM.

Respectfully submitted,

Brenda Medeiros, Sec.