

Town of Bartlett Board of Selectmen

Meeting Minutes: October 5, 2007

Attendance: Chairman Gene Chandler, Douglas Garland, Jon Tanguay

Reporters: None

Meeting opened at 08:30 AM.

Chairman Chandler made a motion at 09:05 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 Tanguay made a motion at 09:35 AM to end the nonpublic session. Selectman Garland seconded the motion. Motion carried unanimously.

Dennis Egan (1ALPEN-154-0) met with the Selectmen to discuss the letter he had received from the Selectmen about the dwelling unit above his existing garage, which no permit was ever applied for, and that it appears that Egan is conducting his concrete business from this property which would be a commercial use of a residential property which is not permitted. Egan stated that he only has three employees and he stores pine bark and stone for his personal driveway. Egan also stated that at the present time he has pipe there but that is for redoing his culvert for his personal driveway. Selectman Garland questioned if he understood that the items stored are not for your business. Egan replied that they are not for his business but for his own personal use as he has an 800' driveway and needs the stone and bark for it as he has done a lot to help with the water run off problems on the road. Chairman Chandler inquired if he was storing forms on the property. Egan replied that they are only for a job of a garage he is building next door. Egan also stated that it costs money every time something is moved and that he has applied for another garage building permit as he likes to have his equipment in the garage. Selectman Garland inquired if Egan was moving more stuff in for his business and Garland explained to Egan what the definition of a home industry was. Egan assured the Selectmen that his business wouldn't get any bigger than this as he will retire first. Egan went on to explain that he had an office in his garage which had a bathroom and a septic that he had installed himself. Selectman Garland inquired if he had a stand alone apartment with a kitchen. Egan stated yes and that it has a stand alone septic. Chairman Chandler stated that there are two main issues: 1.) The septic is an issue as there has to be a state approved system 2.) There is a minimum land area requirement that has to be met, therefore, a land survey needs to be done. Selectman Tanguay mentioned that wetlands may be a

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problem. Selectman Garland explained that the minimum land area is 30,000 square feet with perfect soil per dwelling unit and if not perfect soil the square footage goes up from there, but when the surveyor comes in they will be able to run the numbers for Egan to determine if he meets the minimum land area requirements. Selectman Tanguay reminded Egan not to forget that he is also in the Lower Bartlett Water Precinct and they have their own set of regulations. Egan stated that he was all set with the water precinct. Egan inquired about the building permit he had submitted for a second garage. Chairman Chandler stated that Lynn Jones, AA, wasn't in today, but when she returned they would have her take a look at the permit. Egan inquired if he was all set with running his business out of the garage. Chairman Chandler replied that the Selectmen will answer that in a letter to Egan.

Bob Stone of the Conservation Commission has a couple of issues. Stone's main concern is the O'Neil property (1INTPK-WAS-XX1) as he has walked the property and the septic is very unusual and he feels that due to the wetland issues that the most houses that this lot could hold is two. Stone is also concerned about the leach field being under the class VI road. Selectman Garland stated that first of all it is not a class VI road, and he wonders how they were able to put the septic line under the brook. Chairman Chandler inquired why Garland says it is not a class VI road. Selectman Garland stated that there is no proof that it is a class VI road. Chairman Chandler asked if anyone from the wetlands bureau had inspected the lot. Stone replied that Bob Tafuto from Ammonoosuc Survey and Kirsten Pulkkinen, Wetlands Specialist, had looked at the lot earlier. Selectman Tanguay stated that he believed that that was when it was to be two lots not five. Stone replied that that was correct. Selectman Garland stated that when O'Neil went back to the drawing board they plotted for four lots with a potential of a fifth one in the future with zero lot line subdivision. Selectman Garland also stated that he isn't sure if the leach field is under the road and not knowing the class of the road makes it more difficult, but the leach field shouldn't be under the road. Chairman Chandler inquired if the wetlands representative had come back since the five houses were proposed and if not he would suggest that the Conservation Commission request another site visit. Selectman Garland stated that he hopes that the Conservation Commission sticks with this issue as the neighbors are upset. Stone replied that one of them is very concerned and has already spoken to him. Selectman Garland suggested that in addition to requesting a site visit from

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the DES Wetlands Bureau that the Conservation Commission also sends a letter to the planning board letting them know of their concerns. Stone stated that he will bring up these suggestions to the Board at the next Conservation Commission meeting on October 10, 2007. Chairman Chandler also suggested to Stone that when the Conservation Commission sends out letters that to make them look more official that at least one member should sign the letter. Stone also inquired if there was a trash ordinance. Chairman Chandler explained no, but if it is a health issue that the Selectmen are the Town Health Officers.

Selectman Garland retrieved the latest development plans for the O'Neil property and these were reviewed. The Selectmen recommend that an attorney do a research on the property to determine the class of road issue as if the road is a class VI road that the septic line can't be run under it.

Chairman Chandler acting in his capacity as a justice of the peace swore in the new full time police officer, Suzanne Scott.

The Selectmen discussed a letter received from the town's attorney in reference to Christmas Mountain Amenities building and the Pear Mountain Road. Chairman Chandler made a telephone call to Atty. Tuckers office to discuss the issues, but Atty. Tucker was unavailable, therefore, a message was left.

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

Meeting adjourned at 11:45 AM.

Respectfully submitted,

Brenda Medeiros, Sec.