

Town of Bartlett Board of Selectmen

Meeting Minutes: October 26, 2007

Attendance: Chairman Gene Chandler, Douglas Garland, Jon Tanguay

Reporters: None

Meeting opened at 08:45 AM.

Selectman Garland made a motion at 08:45 AM to enter non-public session under NH RSA 91-A: 3, II-1 for a personnel matter. Selectman Tanguay seconded the motion. Motion carried unanimously. Chairman Chandler made a motion at 09:10 AM to end the nonpublic session. Selectman Garland seconded the motion. Motion carried unanimously.

Chris Dimarzio (5VILLG-MAI-250) had received a letter from the Selectmen about cutting the trees in the green space at the former Moosetracks restaurant. Dimarzio stated that when he was trying to paint the house that the following recommendation were made to him; that he have the trees cut as they were growing into the house and the wires and that the tree that is growing on top of the septic tank be removed. Chairman Chandler replied that this is an issue as you can't cut anything within 25 feet of the side setbacks and 10 feet of the rear setbacks as it has to stay in its natural growth per the Bartlett Zoning Ordinance. Dimarzio inquired if he could just plant grass there. Chairman Chandler explained that you can't clear and plant something else that he was going to have to replace the trees with the same size trees that were cut down. Selectman Garland mentioned that if there is a dead tree that is life threatening that you can come see the Selectmen about removing it.

Chairman Chandler inquired about the application submitted for paving the parking lot and as to when Dimarzio was planning on doing the paving. Dimarzio replied that the paving company was talking about doing it the third week of November. Chairman Chandler reminded Dimarzio again about the green area requirements and that he should only pave what is existing and that he can't pave any closer than what they are now. The Selectmen discussed and agreed that a site visit should be made to help clarify the green area issues and so that Dimarzio would have a better understanding of what could be done at the property. Dimarzio is considering paving the gravel area and maybe putting in another row of parking but isn't sure if that will work out or not. Selectmen Garland stated that that would be great for that but the green space perimeter is what the Selectmen are concerned with and not what is done in the middle area.

Dimarzio stated that the septic system is massive and he doesn't know why the house and restaurant wasn't tied into the same system. Chairman Chandler doesn't think that the lot is technically big enough for the restaurant. Lynn Jones, AA, recalled that it was the best that could be done with the land area requirement that was needed for the restaurant and house. Selectman Garland also wanted to make Dimarzio aware that in the past there has been an issue with the house having a second kitchen unit in it. Selectman Garland explained that it is not ok to have two dwelling units as you would have to have at least 60,000 square feet of minimum land area for the two units and that isn't counting the land area required for the restaurant. Selectman Garland informed Dimarzio that the second kitchen unit in the house needs to be removed and that he can't rent the unit out with kitchen facilities. Dimarzio stated that when he purchased the property it was advertised that it has a studio and the kitchen unit is still there but that is something he will speak to the real estate agent about.

Dimarzio inquired if he needed a permit to remove a wooden deck and to repair the roof and do painting. Lynn Jones, AA, provided a demolition form for the deck and a minor modification form for the roof.

Peter Lawson (2COVBR-14-0) discussed the letter he had received from the Selectmen about the placement of the fence he had built. Phil Lawson, father and former ZBA member also attended. Chairman Chandler explained that the setbacks were not the issue, that the issue was that the fence is within the road right of way. Selectman Garland stated that it is not a matter of whether you can have the fence but an issue as to whether it is on your property as it appears Lawson has not built within the property but on the property line. Lawson showed and discussed a map of the property with the Selectmen. Lawson stated that the fence is four feet from the pavement. Chairman Chandler inquired if the fence could be taken down for the winter. Lawson replied no. It was determined that Lawson needed to get back to the Selectmen with more accurate measurements.

Ken Lydecker (1RT16A-182-R00) requested permission to live on location while he is doing the renovations for the Bed and Breakfast. Chairman Chandler stated that he doesn't have a problem with this as long as he is the only one living there and not renting rooms. Chairman Chandler also

clarified that since this is a commercial building that Shawn Bergeron, Engineer, is the contact person for the State fire safety code inspection of the building, not the fire Chief. Chairman Chandler requested that as soon as Lydecker receives his approval for operation from the State for his septic system that he obtain the permit to occupy and that when he is ready to rent rooms that he needs to come back to get a permit to occupy for the rooms.

Selectman Garland made a motion at 10:10 AM 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 10:30AM to end the nonpublic session Selectman Garland seconded the motion. Motion carried unanimously.

Police Chief Timothy Connifey met with the Selectmen to give them some samples of ordinances that other towns had adopted in reference to sexual offenders. Connifey also informed the Selectmen that with Halloween coming right up that he would be speaking to students of the Josiah Bartlett School about stranger danger.

Lynn Jones, AA, discussed the following with the Selectmen:

- 1.) P. Ellsworth (5VILLG-PIN-90) who has a failed septic system has received his State septic approval and A. Eastman is to install the septic.
- 2.) Mary Pinkham-Langer, NH Dept. of Revenue, has just six more properties to calculate the current use land for and she is planning on doing that on Tuesday. After this is done Jones will enter the data into the computer in hopes to get the figures for the MS1 so that the tax rate can be set.

Selectman Garland made a motion to continue to work with June McLeavey of the Bartlett Park committee on the park entrance design. Selectman Tanguay seconded the motion. Discussion ensued and Chairman Chandler stated that he would take a look at something brought forward but probably nothing would be acceptable by him.

Selectman Garland had received from Northern Building Supply a price of \$784.00 to replace two steel doors at the Glen Fire Station. The Selectmen all agreed for Garland to order the doors.

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

Meeting adjourned at 12:00 PM.

Respectfully submitted,

Brenda Medeiros, Sec.