

Town of Bartlett Board of Selectmen
Meeting Minutes: December 21, 2007
Attendance: Chairman Gene Chandler, Douglas Garland, Jon Tanguay
Reporters: None

Meeting opened at 08:30 AM.

George Sanborn and Robert Sanborn of Crossroads Intervale Realty Trust were seeking help to obtain a building permit for Lot 21 in the Beechwoods Development. R. Sanborn stated that all changes that were asked to be made have been done which relieves the Town of ever having to take over the road. They would like to get the model home put up over the winter. Chairman Chandler replied that the bottom line is that the last discussion that was held with the Town's engineer he had informed the Selectmen that the road is not done and that he hasn't done any further inspections as he hasn't been asked to. R. Sanborn stated that there are two hammerheads; everything is surrounded by houses as there are five on one and eight on the other. Selectman Garland replied that it may be as simple as asking the engineer to come back to do another inspection. Selectman Tanguay stated that the original argument was the capability of equipment such as fire trucks, to be able to turn around. G. Sanborn replied that they did as was requested and all technical issues were addressed. Selectman Tanguay inquired about the issue concerning guardrails. R. Sanborn replied that they were not needed and the houses are around the hammerhead. Selectman Garland reviewed the last letter received from engineer Burr Phillips and it appears that the Sanborn's never received a copy of this letter so a copy was given to them. G. Sanborn stated that technically that the guardrails are not needed because they would be on the slope side going up the hill and since they didn't need to cut into the hill that the guardrails aren't needed. Chairman Chandler stated that he feels we need to review everything and to speak to Engineer Phillips. Selectman Garland suggested that perhaps Phillips should make one more site visit. G. Sanborn stated that they broke up the upper section to end Phase I and they continued up to the other hammerhead at lot #21 which is on a flat spot and it is kitty cornered with lot #15. Selectman Garland inquired as to where the house would front on lot #21. G. Sanborn stated to the hammerhead. R. Sanborn stated that the hammerhead is just an extension of Phase I. R. Sanborn stated that they would like to obtain the building permit for Lot #21 and he has no problem if we want to withhold the permit to occupy if there is a problem. G. Sanborn stated that they still have the upper portion to discuss, but they

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would like to separate that one house. The Selectmen reviewed the plot plans and it was agreed that they will have Engineer Phillips review the plans and road and if he says it is built OK that they will approve the building permit. Sanborn left a telephone number of 617-818-3433.

Selectman Garland had a prior commitment and had to leave the meeting at 10:00 AM.

Rick Wilczek (5VILLG-MAI-150) had received a letter from the Selectmen in reference to the snowmobile business he is conducting from his property and he wanted to resolve the issues. Wilczek said that he had submitted a building permit which was returned to him requesting more information. Chairman Chandler replied that Wilczek had submitted a minor modification form and what he was doing was not minor modification and that he needed to get a building permit for change of use and explain what the use would be. Chairman Chandler also explained that when Wilczek had gone to the Board of Adjustment that the approval he received was for the existing office building not this other building. Chairman Chandler also explained that if he has two retail businesses on one lot that he needs to go back to the Zoning Board of Adjustment. Wilczek stated I need to apply to the Zoning Board of Adjustment. Chairman Chandler replied yes that he would need to apply for a special exception to have two retail businesses on the lot and that he would need to submit a building permit to the Selectmen. Wilczek replied that we assumed that he had done something that wasn't minor. Wilczek stated that the building was being used for storage and as a workshop. Lynn Jones, AA, explained that that was a change of use. Wilczek didn't say he changed the use as he is using it for storage and just put up new sheetrock and insulation. Chairman Chandler inquired if items stored were associated with the snowmobile rental business. Wilczek stated he is just storing helmets, etc. in the building and doing minor repairs to the machines like fixing a light. Selectman Tanguay inquired more about the minor modification form and the installation of sheetrock. Selectman Tanguay inquired if it was a continued use or if the intended use was it to add a snowmobile rental office as we need to follow the right trail. Wilczek stated it is an existing building. Chairman Chandler explained that if they are warming up the machines, doing repairs, etc. that they need to know that. Wilczek stated that Chairman Chandler had gone to NH DOT and given them misinformation and had told them that he had a seasonal operation.

Chairman Chandler stated that he hadn't talked to NH DOT about cabins and if Wilczek has questions that involve something he has said he needs to come directly to him and ask the question. Chairman Chandler stated that according to the ruling from the Zoning Board of Adjustment that the snow machines can't be driven off the site. Wilczek stated that the cabins have always operated in the winter. Selectman Tanguay stated that the point is that he is changing from summer storage to day to day operation which is a different issue. Wilczek replied that it has always been used as commercial. Chairman Chandler stated that at the time of enactment of the Bartlett Zoning Ordinance that the building in question was vacant. Wilczek inquired how Bear Notch Ski Touring could rent skis and have a warming hut and where was Selectman Garland. Chairman Chandler explained that Selectman Garland had a prior commitment and had to leave the meeting early. Chairman Chandler also stated that he hadn't said he couldn't have it but that he needed a permit to have it. Selectman Tanguay replied that if the building is going to be used as a winter office that they need to go to the Zoning Board of Adjustment. Wilczek stated it is a storage building. Chairman Chandler stated that you can't store helmets, etc. that are associated with the second business. Selectman Tanguay replied that he just needs to go to the Zoning Board of Adjustment. Wilczek stated that people are watching him daily and he is using one building for the rentals where the paper work is completed and the other building is for storage and to do minor repairs as fixing tail lights, etc. on the snow machines and in his opinion he is not breaking any laws as the Selectmen are defining what he can put in a building and they can't do that and he guesses he will have to take this to court.

Fire Chief L. Pat Roberts inquired about the decision the Selectmen had made on the letter he had received in reference to the Blueberry Village/Attitash Mountain Village inspections of the buildings. Chairman Chandler replied that nothing had been done yet. Lynn Jones, AA, stated that Shawn Bergeron is doing inspections of the dormers at Attitash Mountain Village now. Roberts inquired as to what his reply should be in reference to the letter he had received about their phase in plans. It was agreed that Roberts would instruct them to move forward with the phase in plans. Roberts gave the Selectmen a report from Lakes Region Fire Apparatus on the ladder truck inspection on the hydraulic leak as well as other problems

that they had noticed when the truck was on the lift. The Selectmen reviewed the problems such as delamination corrosion/cab body work/exhaust system/air brake canister on rear axles. Chairman Chandler stated that he really can't see spending money on this or for the Town to purchase a new ladder truck. Roberts stated that they don't need a new truck that they could get a used truck. Chairman Chandler stated that he will never buy used again. Selectman Tanguay inquired if the truck was operable. Roberts replied that if they fixed the brakes it would be. Selectman Tanguay inquired if the ladder truck was at a fire scene would it be a danger. Roberts stated no but the water line could leak. Selectman Tanguay stated that he has no problems in getting the brakes fixed and he would like at least a ball park figure on the costs for the repairs. Roberts stated that if the brakes were fixed the truck should be OK until the March state inspection. Chairman Chandler replied that all these repairs look expensive if it is only going to be for a very short period of time. Selectman Tanguay inquired if there was no further problems how long Roberts felt the truck could last and what the cost would be to get repairs on the truck to extend its life for five years. Roberts stated that he doesn't know and would have to do more expensive work as the corrosion is the biggest problem. Selectman Tanguay inquired if after March would it be possible to ask North Conway Fire Department to respond if we needed a ladder truck. Roberts stated it wasn't a problem, but the problem is that we are starting to lose apparatus. Chairman Chandler requested that Roberts obtain some estimates for the needed repairs. Selectman Tanguay asked if Roberts would obtain a list of the items, cost to repair, and how many years could we expect to get out of the repairs. Roberts also informed the Selectmen that he had responded to an alarm call and had been exposed to toxins and had to go to the hospital. Chairman Chandler requested that Roberts obtain a bid spec sheet for the emergency generator to be placed at the Josiah Bartlett School.

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

Meeting adjourned at 11:05 AM.

Respectfully submitted,

Brenda Medeiros, Sec.