

Town of Bartlett Office of Selectmen

Meeting Minutes: July 15, 2019

Attendance: Chairman Gene Chandler, Selectman David Patch, Selectman Vicki Garland

Visitors: Kevin McEnaney, Barry Trudeau, John Smallcomb, Angela Huertas, Chet Hooper, Douglas Lamb, Kathleen Head

Reporters: None

Meeting opened at 03:45 PM.

Fire Chief L. Pat Roberts and Commercial Building Inspector Shawn Bergeron of SBTS met with the Selectmen to talk about building and fire codes as they apply to short term rentals. There are single family homes that are the legal residence but when they run them as an Airbnb and put sixteen or more people in them it changes the codes that apply. An example of the codes is the size of the windows, enclosed stairways, lighted exit signs, fire/carbon monoxide monitors etc. When you live in a home you know where your doors are but strangers are unfamiliar with them. We need to find a way to determine if a house is an Airbnb. Selectman Garland commented that she appreciates their effort but how do we get out in front of this problem Do we change the building permit or draft letters as we are doing now when we find out about one. Chet Hooper, owner of New England Inn, stated that it should be on the building permit and designated by bedrooms. Chairman Chandler pointed out that you can put sixteen people in three bedrooms and it is by bedrooms now. Hooper commented that the septic is based on 100 gallons per bed. Bergeron stated that figure is for a hotel not a residence. Bergeron also mentioned that the State is not working hand and hand with the towns and that the septic is not the real issue. It is the safety that is the big concern. Selectman Garland stated that people are buying homes as an investment. Chief Roberts suggested that people who have Airbnb's make out a change of use form. Selectman Garland inquired as how do we know who to have make out that form. Bergeron stated that is very difficult. Selectman Patch commented that if the home owner is paying the room & meals tax on their property he feels they are running a commercial business in a residential zone. Bergeron agreed. Hooper commented that he has to abide by the codes and everyone else should too as he has seen tree houses and school buses being rented out. Chief Roberts is concerned that we are going to lose lives if homes aren't adequately equipped. Bergeron stated that most realtors do their homework and have to disclose all information to buyers otherwise they don't know they are doing anything wrong. He suggests that there is a box placed on the building permit that has to be checked off if it is going to be used as a family home or an Airbnb. Lynn Jones, AA requested that she be given the legal definition of short term. She has a problem getting people to properly make out the permit applications for renewal things. Bergeron inquired if the owner has to sign the building permit application. Jones, AA, replied yes the owner has to sign or give written permission for a contractor to sign the form as we want the owner to be aware of what is going on. Bergeron stated that this is something that is not going to be resolved over night. Chairman Chandler requested that Bergeron do up a form with legal description that the Selectmen can review to possibly provide with building permits.

Wes Smith of Thorne Surveys and the Chris Mudgett family (5VILLG-RIV-40A) met with the Selectmen as there was an issue with the septic plan that was submitted. They need to be allowed to place six inches of fill on their property which is in the floodplain. Smith stated that he has gotten an approved subdivision plan. Selectman Garland inquired if by raising this property up was it going to have an impact on the neighbors. Smith replied that it shouldn't. Plans were approved.

Smith also had a FEMA form for the K. Wholey Property (6WSTSD-294-L03). Chairman Chandler stated that he isn't happy about signing the form as he doesn't have the qualifications to understand that stuff. Smith stated that the fill won't be in the flood plain. Selectman Garland commented that her understanding is that you can't restrict the flow of water. Chairman Chandler stated that you can't raise the base flood level. Smith said that there will be no impact on the property and most of it is out of the floodplain. Selectman Garland doesn't support this. Smith stated that he can't apply to FEMA without a Selectmen's signature. Chairman Chandler commented that he is opposed as he doesn't know if it is correct or not and has no way to verify the information. Smith said he complies with the ordinance. Chairman Chandler inquired how do we know it doesn't raise the water level. Selectman Garland inquired if Smith would feel comfortable living there. Smith explained that it would be a back lash which would be less of an impact. McEnaney commented that it is altering the flood plain and we should consider having an ordinance that states there is no building in the flood plain. Chairman Chandler stated that it wouldn't pass as 25% can be built on. Chairman Chandler suggested that a disclaimer letter be put with the form. Chairman Chandler moved that the form be signed and a disclaimer letter attached. Selectman Patch seconded the motion. Roll call vote was unanimous.

Douglas Lamb (1INTPK-SPR-80) is trying to sell this property on Spring Avenue that has 911 numbers of 37 & 39. He needs to prove that the two buildings on the lot are grandfathered. Chairman Chandler stated that we don't have a building permit for the apartment in the garage. Lamb stated that he does in Boston as this has been two separate buildings since before 1980. Pictures from 2011 were shown to him that has the 2nd building as a garage not an apartment. Lamb feels that the two separate numbers for the one parcel of land is causing the confusion at the mortgage company. K. Head, Realtor, commented that the numbers don't mean anything except for emergency purposes. Chairman Chandler requested a copy of the building permit and that once we have that we would get back to him as soon as we can.

Chairman Chandler informed the others that he had been approached by the Lower Bartlett Water Precinct and by Scott Hayes of Iron Mountain Water Co. because Joe Berry of AMSCO had written a letter to Governor Sununu that they hadn't seen but it concerned them. Chairman Chandler was able to obtain a copy of the letter that was sent to the NH Drinking Water and Groundwater Division. The letter was requesting support of prioritizing the water main extension and interconnection to Bartlett Village Water Precinct from the Lower Bartlett Water Precinct. At the present time it appears neither precinct wants this to happen.

Selectman Garland made a motion at 05:45 PM to enter nonpublic session per NH RSA 91-A: 3 II (a) to discuss a personnel issue with Police Chief Keaton. Selectman Patch seconded the motion. Roll call vote was unanimous.

Selectman Garland made a motion at 05:55 PM to end the nonpublic session. Selectman Patch seconded the motion. Roll call vote was unanimous.

Chief Keaton informed the Selectmen that the two adult nights that Storyland has hosted this summer have gone very well. They had just two people who had fake id's and were escorted out.

Selectman Patch spoke to the Chief concerning vehicles parking on both sides of the road at the swimming hole in Birchview by the Saco. He is concerned that his truck barely fit through and a fire truck wouldn't be able to do that. Lynn Jones, AA, mentioned that we have a winter parking ban but not a summer one. The Chief will check out the parking situation and figure out the best way to address the issue.

The Selectmen signed checks, building permits and correspondence during the course of the meeting. There being no further business the meeting was adjourned at 06:05 PM.

Respectfully submitted,

Brenda Medeiros, Sec.