

Town of Bartlett Office of Selectmen

Date: January 27, 2012

Attendance: Chairman Gene Chandler, Douglas Garland, David Patch

Reporters: None

Meeting opened at 08:30 AM.

Richard Klein (1Alpen-300-G57) who resides at Eagle Ridge met with the Selectmen as he believes the Board of Directors of the Association are wrong with what they are doing concerning the cutting of trees. He has filed a civil action to stop them from cutting down trees to improve views. They have cut 45 trees to create a window in one area. They are planning on removing trees on about 1  $\frac{3}{4}$  acres of land. He filed an emergency petition to stop them and he won  $\frac{1}{2}$  of the petition and lost  $\frac{1}{2}$  so that means he lost it all. He stated that the ridgeline ordinance has to be approved by the Selectmen and he believes they should have asked permission. He has been thru the property files here at the town hall and at the Carroll County Registry of Deeds and the latest plan of the area from 1994 seems to be missing. He believes the plan shows what is open, what is there, and what has to be left in place. Selectman Garland stated that the Bartlett Planning Board would have seen the plan but back then it wasn't a requirement to define on the plans the dedicated areas. Chairman Chandler stated that it could have been identified but not a condition on the plan as it wouldn't have been a requirement since this is residential not commercial. Klein inquired about buffers between the buildings. Selectmen Garland responded that all that needs to be is grass. Selectman Garland stated that in 1994 they may have done an as built after the fact. Lynn Jones, AA. stated that if the plan is not at the Carroll County Registry of Deeds then it must never have been approved. Chairman Chandler explained the ridgeline ordinance which is part of the Bartlett Zoning Ordinance states that it has to be visible in the Town of Bartlett from either Route 16 or 302. Klein remarked that in one paragraph it states that but in the other paragraph it doesn't. Selectman Garland explained that they designate open space on the plans but when the construction was actually done it could have changed as sometimes the septic has to be modified after the fact. Klein stated that they are planning on cutting trees on 1  $\frac{3}{4}$  acres of land to improve the views and some of these trees are over 30' tall. Klein is concerned about them clear cutting the land which he doesn't believe they can do. Selectmen Garland stated that he would think that they would come and see us as there are the issues of retention of the slope, vegetation, etc. Klein inquired if they needed a permit as it is over 5000'. Selectmen Patch inquired if they had made out an intent to cut form. Klein stated that he didn't know and that trees are considered real estate. Selectman Garland stated the town doesn't tax trees anymore than we tax grass. Selectman Garland suggested that someone from the Association come speak to the Selectmen about what they are planning on doing as they may be able to do it if we know what it is they want to do. Klein remarked that they are out of control. Selectman Garland stated the Association members have powers beyond this board. Klein stated that most of the Board members don't live here so they don't know what it is like and they come here and get to play mountain man. Selectman Garland stated that we would need to see a plan of what they are doing to see if it gets our blessing. Selectman Garland stated that we would write the association a letter asking them for clarification.

Page 2- Selectmen's Meeting Minutes 01-27-12

A telephone call was placed to Don Moore, Associate/Hydrogeologist, of Stantec in reference to the Bartlett Landfill monitoring on the Garland property (3RT302-176-R01). It was agreed that Moore would write a letter to the New Hampshire Department of

Environmental Services requesting an extension for a year for addressing the magnesium situation in one well due to the downward trend of the magnesium level.

Police Chief Timothy Connifey met with the Selectmen and gave them a price quote on a new 2012 Chevrolet Impala Police cruiser. The price would be \$22,814.00. Connifey also updated the Selectmen that our newest police officer, Brandon Weckbacher, has been at the police academy for three weeks and is doing fine. He has also had another officer from Maine who has put an application in for a part time position at the police department. The Chief will check into this further as he believes that at the least he would need to take the New Hampshire law package.

Police Chief Timothy Connifey requested to go into nonpublic session to discuss a personnel matter. Chairman Chandler made a motion at 09:45 AM to enter into nonpublic session under NH RSA 91-A 3 II (a). Selectman Patch seconded the motion. Motion carried unanimously. Selectman Garland made a motion at 09:55 AM to end the nonpublic session and to seal the minutes. Chairman Chandler seconded the motion. Motion carried unanimously.

A telephone call was placed to Robert Ray of FEMA in reference to further improvements beyond restoration to predisaster condition of the River Street Bridge and how the Selectmen wished to proceed. The Selectmen gave Ray permission to continue to work with Josh McAllister, P.E. of H. E. Bergeron Engineers, Inc. regarding the work evaluation on the bridge.

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

Meeting adjourned at 11:15 AM.

Respectfully submitted,

Brenda Medeiros, Sec.