

Town of Bartlett Office of Selectmen
Meeting Minutes: August 31, 2012
Attendance: Douglas Garland, David Patch
Absent: Chairman Gene Chandler
Reporters: None

Meeting opened at 08:30 AM.

Stephen Johnson of Moat Mountain Brewery along with his Attorney Rob Upton did a preliminary meet and greet with the Selectmen in reference to the possibility of having a brewery at the Limmer Holding Co. (1RT16A-24-L00). Upton stated that to save time they were wondering if there were any red flags from the Selectmen's stand point. Selectman Garland replied that the question would be as to whether this activity is allowed on this grandfathered lot as this is not really a commercial lot as there is no access off Route 302. Johnson explained that the production would be just the brewery and there would be very little activity on the lot and maybe one truck a day. There is a lot of building there and it has quite a historical significance, there is a full foundation and with some structural repairs it would work out great for the brewery. Selectman Garland stated that personally he would say yes, but he would have to abide by what the Zoning Board of Adjustment (ZBA) allows. Selectman Garland stated that the Selectmen would have to deny the permit and then they would go to the ZBA and the ZBA has more room to work with. Selectman Garland stated his goal would be to retain the historical building, but one problem would be adding to commercial to make more non conforming isn't allowed. Selectman Patch stated they aren't really changing the use. Selectman Garland commented that it is technically grandfathered. Upton commented that it is a great building and they would like to keep that part of it without a significant increase in traffic. Selectman Patch inquired about the septic. Johnson stated that they would be hooked into the sewer for North Conway and he has spoken to David Bernier of the North Conway Water Precinct and he sees no problem with that. Johnson also mentioned that there would be no changes to the driveway. Selectman Garland stated that they don't qualify as a home industry as someone has to live at the property. Selectman Garland inquired as to how many employees would they have. Johnson replied that they would have four employees. Selectman Garland stated that the Selectmen would have to deny his permit but he supports the variance. Selectman Patch inquired if they would meet the 400' access off Route 302. Lynn Jones, AA, explained that the 400' access would be from the entrance to Route 16A and perhaps they should go to the ZBA in reference to the access. Selectman Garland stated that it was previously commercial and the abutters are aware of this as it is most important to have the abutters on your side. Johnson stated that all mechanical aspects of the business would be on the back side of the building so it would be relatively quiet with low intensity and it would offer good year round jobs. Johnson stated that he had looked at adding to his restaurant but it really wasn't ideal and he would like to separate the two businesses. Selectman Patch stated this would be light manufacturing behind closed doors and he would like to see this happen. Selectman Garland again stated that they would have to deny his permit and they would have to go to the ZBA for a variance which he would support as he would like to retain the character

in old buildings in town. Upton will review further, possibly submit a building permit if they decide to proceed, and they will pick up the necessary paper work from the ZBA Secretary to start the process.

George Clermont of GDC Garden Center (1INTVL-2A-0) met with the Selectmen in reference to a letter he had received from the Selectmen about violations in his green area. Selectman Garland stated that our concerns are that you can't have anything displayed/stored in the green area. You have to keep everything out of the 10' green area. Clermont stated that to make room for parking he is doing away with his storage bins, but he is confused as Bob Tafuto of Ammonoosuc Survey had told him that he has no back green area. Selectman Patch stated that you have to have a back if you have a front. Clermont would like to install an 8x10 shed that would be up against the present building. He has installed a berm to help divert the water and he did speak to the road agent, Travis Chick, about this and he is all good with what was done. Selectman Garland reminded him that he has to be careful not to create a problem for someone else. Clermont stated there is only twice a year, Mothers Day and Memorial Day, that he has any real parking problems and hopefully these additional nine parking spots will help. He is also fine with putting up signs if that will help, but he did put up signs before and people parked across the street in the road which created another problem. Selectman Garland inquired if Shear Edge Beauty Shop would let him use their parking lot. Clermont stated that it causes problems. Selectman Garland reminded him that the lot has restrictions and he will need to post no parking. Clermont stated that he has 200 blocks to remove and that will take him a little bit of time to do. He hates to give up the bins for a parking lot as he blends his soil and that is his money maker. Selectman Garland reminded him that he has an envelope that he can build in and he also needs to check with the Lower Bartlett Water Precinct to find out what their set back requirements are. Clermont stated that it is 75'. Selectman Garland suggested that an option may be that he could ask them for a variance. Selectman Garland inquired if he would be fine if the Selectmen put a December 1st dead line on the removal of the blocks. Clermont stated that would be fine. Selectman Garland instructed Clermont to come in and get a building permit when he is ready to build the shed.

Bob Hajjar (5VILLG-RIV-560) telephoned the Selectmen to find out what course of action was being done for the River Street Bridge and were they raising it a few feet. Selectman Garland replied yes and they would be doing some work to the culvert. Hajjar inquired if a temporary bridge would be installed. Selectman Garland stated that he didn't know the answer to that yet. Hajjar stated that his property frontage extends to the bridge and he is concerned about his driveway becoming steeper. Selectman Garland briefly described what is to be done to the bridge and that a flow study had been done. Hajjar once again stated that he is concerned with his driveway. Selectman Garland stated that he would walk the line and take a look at the situation. Selectman Garland reminded Hajjar that back in December of 2011 the Selectmen had written him a letter concerning the storing of material in the floodplain. As of this date they hadn't received a plan to view or the required certification from a licensed land surveyor or engineer that the work

wouldn't affect the elevation of the river. Hajjar stated that he built a stone wall. Selectman Garland stated that this needs to be done properly and that we needed to be given a plan. Hajjar stated that he has been an engineer for 30 years and he has a right to be concerned about the bridge and the difficulty of getting out of his driveway. Selectman Garland informed him that the preliminary plans have been approved by FEMA and he is welcome to review them, but in the mean time we need the information requested in our letter of 2011. Hajjar stated that he wants to see the preliminary plans.

Greydon Turner of Pinkham Realty, who was representing one of his customers, spoke to the Selectmen in reference to the former Glen Chill Out Restaurant, 1054 NH RT 16, (2RT016-192-R00). He has someone interested in the 25 seat restaurant. They would like to put a charcoal grill out back with seating outdoors as well. They would be using all paper goods. Selectman Garland stated that we would need to know if this puts more stress on the septic. There would also be concerns with fire pits and tents. Turner inquired if they could swap seats inside to outside. Lynn Jones, AA, stated that the gallonage has to remain the same and any tables/chairs on the inside would have to be rendered non usable. Turner mentioned that they would put a tent up. Selectman Garland stated that the tent would have to meet the set back requirements and that the green area must be retained. Turner inquired if this applies to a picnic table. Lynn Jones, AA, stated that any structure that is on or in the ground it applies to. If he was not using the property as commercial it would be ok but if used commercial it has to meet setbacks. Selectman Garland advised him to speak to Shawn Bergeron, Bergeron Technical Service, to calculate the number of seats allowed for the gallonage. Selectman Garland advised him that he needs to sign a contract with the town for Bergeron to do the inspection as well as make out a change of use form and submit a plan so they can look at it to make sure that the activity is fine. Selectman Garland also reminded him that the property owner is the one who has to sign all forms. Turner stated that he is guessing that the parking area is ok if it had been approved before. Lynn Jones, AA, stated that a 10'x20' parking space is required per vehicle. Selectman Patch reminded him that there isn't much wiggle room on the septic issue. Selectman Garland remarked that he is not sure how you subtract out paper goods re: dinner ware to determine the septic gallonage. Turner will take this information back to his customer.

Selectman Patch made a motion at 10:40 AM to enter nonpublic session to discuss a request for aid under NH RSA 91-A: 3 II (c). Selectman Garland seconded the motion. Motion carried unanimously. Selectman Garland made a motion at 11:00 AM to end the nonpublic session and to seal the minutes. Selectman Patch seconded the motion. Motion carried unanimously.

Selectman Garland made a motion at 11:02 AM to enter nonpublic session to discuss a request for aid under NH RSA 91-A: 3 II (c). Selectman Patch seconded the motion. Motion carried unanimously. Selectman Garland made a motion at 11:15 AM to end the

nonpublic session and to seal the minutes. Selectman Patch seconded the motion. Motion carried unanimously.

Travis Chick, road agent, met with the Selectmen in reference to tractor repairs. The 1979 International 250A has an issue when it is in reverse it gets extremely hot. He has had Valladares Trucking look at the tractor and they said that it is a transmission issue. Chick stated that the motor is ok and they only use the tractor for mowing. Chick also stated that even if they were to get the tractor repaired there may not be enough time to get all the roads mowed. He has looked at renting a tractor for a couple of months. Jay Henry, Jackson road agent, could use the tractor for two weeks of that time period and Chick believes that in six weeks they could get most of the mowing done. Selectman Garland inquired if we had tried to fix the problem by putting in mystery oil as we don't have anything to lose by at least trying it. Chick stated that the valve is leaking somewhere and he doesn't have a problem trying the mystery oil.

Selectman Patch returned a call to Ed Furlong (5RT302-23-L00) who inquired about cleaning up the mess in front of his property. Selectman Patch stated that to the best of his knowledge that the prior letter from our attorney to Furlong still stands until we hear differently.

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

Meeting adjourned at

Respectfully submitted,

Brenda Medeiros, Sec.