

Town of Bartlett Office of Selectmen

Meeting Minutes: October 12, 2012

Attendance: Chairman Gene Chandler, Douglas Garland, David Patch

Reporters: None

Meeting opened at 08:30 AM.

Paul Mayer, Realtor of Black Bear Realty, met with the Selectmen in reference to a letter he had received from them that had informed him that his sign on NH Rt. 16/302 on lot 1RT016-203-L00 is in violation of the Bartlett Zoning Ordinance set back regulations. Mayer stated that if he was to move his sign to the required 75' set back that it would end up being 12' in the woods. Mayer also informed the Selectmen that he had contacted Mr. Chute of the State District One highway department and he only has to be 30' back to meet their requirements. Selectman Garland informed Mayer that the zoning ordinance is what they have to enforce. Mayer replied that there are 12 signs that are within the right of way and he thinks the Selectmen need to be fair and write to those people as well. Lynn Jones, AA, instructed him to give her a list and she would write letters to those people. Chairman Chandler informed Mayer that it may not be right but the Selectmen don't enforce the small real estate signs as they do obtain annual permits. Selectman Garland stated that they don't have the flexibility in allowing that sign and that he would have to go to the Zoning Board of Adjustment (ZBA) and he isn't sure what the argument would be. Lynn Jones, AA, mentioned that every other realtor has had to place their sign at the edge of the woods on this lot. Selectman Patch stated that his sign is different as it is a post sign versus the 16 square foot real estate sign that is a wire frame that you push into the ground. Selectman Patch also mentioned that it appears that he wouldn't be able to cut trees to enable him to move the sign back as they are in the state right of way. Mayer stated that the owner doesn't want to cut trees. Selectman Garland explained to Mayer that he will have to prove to the ZBA that this is creating a hardship for him to put the sign where it is legal. Mayer replied that he will go to the ZBA for a hardship. Selectman Garland stated that he can't predict what they would decide and he isn't sure when the next meeting is. He should check with the ZBA secretary and pick up the proper paper work that needs to be submitted. Lynn Jones, AA, inquired if the present sign needs to be removed in the interim. Chairman Chandler replied, "Yes". Mayer stated that he has a permit. Chairman Chandler reminded him that he didn't meet the requirements that were listed on the permit. Lynn Jones, AA, cautioned him that the ZBA is not suppose to issue after the fact permission.

Chairman Chandler made a motion at 09:30 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 09:50 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 to go over the following:

- 1.) There is a culvert at 54 Middle Ledge (2GLENL-M-1) that the home owner has illegally attached to a town culvert. The town culvert needs to be replaced and when this is done it is going to cause a problem for the homeowner’s driveway as it is going to tear part of it up. A letter will be written to the homeowner to see if he is willing to move his driveway as it appears that it was not placed in the proper location when originally put in.
- 2.) Chick also inquired if the Selectmen want him to continue to purchase the road salt through Granite State Minerals as they seem to have the best price. The Selectmen agreed to stick with them.
- 3.) Chick inquired about the scrap metal that has accumulated at the highway garage and if he can have it hauled away to obtain money from it to help purchase other things he needs at the town garage. Chairman Chandler explained that any money generated from the sale of scrap metal would have to go into the general fund not the highway fund. Selectman Patch inquired if they could haul the metal in the town dump trucks so that they could get the most money from it. The Selectmen agreed that Chick should place a call to Northeast Resource Recovery and to Ricker's to see who he can obtain the best price from. Once this is done he should sell the scrap metal so as to clean up around the garage.
- 4.) Chick stated that the roller is not working properly and it is not worth putting money into it. He would like to look at finding a bigger one that would help him when he does the dirt roads. Chick inquired if he should get rid of the old one for scrap metal? Selectman Patch stated that he would probably get somewhere between \$250.00 to \$300.00 for it. Selectman Garland inquired if we should put it out to bid as someone may want it for parts. Chick stated that it is a 1979 roller and he would doubt with its age if anyone would want it. Chairman Chandler suggested that we put this discussion on hold for now.
- 5.) Chick also discussed an issue he is having on Town Hall Road up by the bridge where the guard rails are as they attempted to mow in that area and the homeowner came out and stopped them. Chairman Chandler will go up and take a look at the situation and get back to Chick.

David Shedd met with the Selectmen to discuss a planning board issue. He is not representing them but has some questions concerning the Highland Road extension off the West Side Road. Shedd stated that he went to the Carroll County Registry of Deeds but was unable to find much of anything. Shedd had assumed that in 1983 when the town voters accepted the road that was it and hadn’t thought about the fact that the town needed a deed as well as the road needed to be brought up to town standards. Chairman Chandler explained that traditionally after the town votes that the Selectmen have to accept the road that is constructed to standards and then they have to obtain a deed which they have to record. Chairman Chandler stated there is no deed to that extension and it was never constructed to the road standards. There seems to be lots of plans by various engineers. Shedd said that on one set of plans where they did a boundary line adjustment of four lots that it does show a road profile, however the deed is an issue. Shedd stated

that even if the Planning Board did accept the extension as a town road that there were quite a few steps that hadn't been carried through. Selectman Garland inquired as to which road specs would they go by, the ones for 1983 or today's specs. Shedd stated that the planning board needs to make a decision. Selectman Garland informed Shedd that the Selectmen will be asking the town attorney for some guidance on this as the road hasn't been touched for 29 years and not sure the vote is still binding or which road specs they would go by. Chairman Chandler stated that he believes that roads should be built to town specs before someone comes to town meeting to have the town accept the road. Selectman Garland mentioned that they were being nice before when they took the roads before they were up to town standards. Chairman Chandler stated that it was left up to the Selectmen to decide if a road was ok to take over and he has concerns about a fire truck being able to turn around on this road. Shedd inquired if he could come in next week and go through the town records on this property. Lynn Jones, AA, stated that she has to go back and pull a lot more files but she has some stuff already pulled that he could get started on looking at. Shedd is trying to figure out how to deal with the requested driveway waiver. Chairman Chandler replied that there is no legitimate reason for a waiver. Selectman Garland stated that when the original permit for two houses off a driveway was issued that everyone was aware of the restrictions but now they are looking to build on a land locked lot. The Selectmen and Shedd reviewed plans that Shedd had brought with him. After reviewing the plans Selectman Patch inquired as to why the prospective builder who owns plenty of land why he just doesn't build a town spec road in a different location and solve all the problems. Shedd will stop by on Monday and review what files we have. Selectman Garland would like to review the meeting minutes from back in 1983/1984.

The Selectmen placed a call to the town's attorney to discuss legal issues.

The 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.