

TOWN OF BARTLETT SELECTMEN'S OFFICE

MINUTES: MONDAY, OCTOBER 26, 2015 – SELECTMEN'S MEETING

ATTENDANCE: Selectmen Gene G. Chandler (Chair), David A. Patch, Jonathan Hebert

REPORTERS: None

VISITORS: None

Meeting opened at 4:00PM.

Chairman Chandler reviewed some issues with the River Street Bridge project and some changes that were made that were not part of the original plan concerning the culverts but we really had no choice about changing. Selectmen agreed to draft a letter outlining their concerns to Project Manager Josh McAllister.

Amanda DiSilva Noyes attended the meeting with regard to possibly subdividing her property located at 635 Hurricane Mt. Rd. (4HURRI-122L00) that is currently 4 apartments so that she can build a new house for herself and children. Due to some personal reasons, she must move from her house on Albany Ave and wants to stay in Bartlett so her children can continue at Bartlett School. In order to get a loan to build a new house, they want the apartment house separate. Chandler asked how much property there is and Noyes stated a little over 3 acres. Chandler explained that she may have a problem meeting the Bartlett Zoning Ordinance minimum land area requirement due to the apartments since it is based on soil type and slope per dwelling unit. Noyes stated she didn't want to evict any of her tenants and there really isn't enough room for her and the children there anyway, so building another house on the lot was her preference. Chandler also explained that her property is located in the Kearsarge Lighting Precinct that has their own separate Zoning Ordinance with which they must comply and he believed their requirements are more strict than ours. He suggested starting with a septic designer or engineer to make a determination of how many dwelling units would fit on this property and to contact Kearsarge Lighting Precinct for their regulations. Most likely if they can comply with theirs, they will probably be able to comply with ours. Chandler clarified that there are two separate processes she will have to go through for approval (the town and the precinct), however, it probably would be best to start with Kearsarge Lighting Precinct. She was provided info on the minimum land area requirement and how to contact Kearsarge Lighting Precinct.

Motion was made by Patch, seconded by Hebert to enter NonPublic Session under NH RSA 91-A:3 II (c) to interview a request for assistance. Roll call vote = Unanimous to enter NonPublic Session at 4:20PM. Selectmen met with applicant. Motion was made by Patch, seconded by Hebert to end NonPublic Session. Roll call vote = Unanimous to end NPS at 4:30PM. Selectmen agreed to provide 2 nights housing, \$50 food voucher, and provided information on homeless shelters and outreach programs.

Alison Bickford and Gus Vincent attended the meeting to discuss operating a catering business out of the former Christmas Mt. Amenities Building (now privately owned) located at 100 Christmas Mt. Rd. (2RT016-182REC). Bickford explained that they have a great kitchen in the building and she has had trouble finding information on what she needs to do. She has been in contact with the State about what she needs to do as far as inspections and licensing and she has been working on this since June with her website due to be up in a couple weeks. Then she contacted the Fire Chief for an inspection and found out she needed a permit from the town. Chandler stated that unfortunately she probably needed to come to us early on and we could have helped her, but this property has had issues in the past because it was built originally with the intent of being an amenities building only to the Christmas Mt. Homeowners and their septic approval clearly states this.

Bickford stated that it operated as a restaurant in the past and Chandler clarified that they have operated illegally in the past and it cannot be used commercially. AA Jones explained that they have been to the Zoning Board of Adjustment and court and were unsuccessful at getting this classified for commercial use. Hebert asked if she would have any staff.

Bickford stated that it would basically be meals to go and she would do the prep work there and then would deliver them and doesn't anticipate any staff other than her at this time. Bickford stated she has put a lot of money into fixing up the kitchen and getting this ready and asked what could she do. Chandler stated that this property cannot be used commercially due to its location in the residential district (TRDA) and the septic restriction, and she would only be able to serve the Christmas Mt. Owners (not the entirety of Linderhof). Chandler stated she could possibly go with a Home Industry (but not on this property since you have to live where the industry is) and was provided with the definition of Home Industry to see if she could comply. Bickford clarified that she could do this from her home and Chandler said yes as long as you meet the criteria listed for Home Industry and passed State health inspections. Hebert pointed out that she didn't have to make a decision right now and should think about what she wants to do and submit a Change of Use application when she decides, but it doesn't look like the Christmas Mt. property will work out for her.

Norman Head then dropped in to the meeting. Chandler asked if he wanted something. Head responded nothing special but he thought there was a Transfer Station meeting today. Chandler responded that there was one scheduled for 5:00PM but it would be a NonPublic session. Head then left the meeting.

Police Chief Janet Champlin attended the meeting to update the Selectmen on some police matters:

- 1) She submitted a purchase order for boots for Officer Mike Chapman. Selectmen approved it.
- 2) Officer Chapman had a successful arrest over the weekend. The person was originally stopped for a hands free violation but when he went to pull him over, he took off and drove up Pear Mountain Rd. then exited the car and ran in the woods. Officer Chapman caught him and it turns out the person has some outstanding matters and is wanted in RI.
- 3) Officer Sheehy was successful at catching a purse snatcher.
- 4) The burglars from Bart's Deli and River St. have been caught and are being prosecuted.
- 5) Champlin was contacted by Secret Service to inform her that Hillary Clinton will be in town on Wed. and just wanted to give her the heads up. Champlin clarified that the Bartlett Police have not been requested nor have they been involved in any element of protection for Clinton.
- 6) She stated that since the press release on the car thefts, there have not been any more reported and hopes that residents are locking their cars when parked at their homes.
- 7) She stated that Halloween is all set for Saturday, October 31, 2015 in the Village.
- 8) Part-time Officer Bob Knight will be reaching his maximum allowed hours soon. Champlin will be requesting an extension from NH Police Standards and Training due to extenuating circumstances due to Officer Cheryl Harris being called up by the military and Officer Chapman (who is part time certified) not being able to get into the full time academy until January 2016. Chandler asked Champlin to give him a copy of her letter.
- 9) The department meeting had to be moved to 11/4/2015 at 3PM. Selectmen are welcome to attend.

Selectmen agreed to send a letter to the Bartlett Historical Society to thank them for their efforts with the snow roller. Chandler then suggested that we put the snow roller on the cover of the 2015 Town Report. All agreed. Chandler will contact BHS President Norman Head to see if they have any photos of before and after.

Motion was made by Chandler, seconded by Patch to temporarily recess the meeting until after the Bartlett Jackson Transfer Station Committee meeting that is scheduled for 5:00PM. Vote = recessed at 4:59PM.

Meeting reconvened at 6:15PM.

Hebert reviewed the Time Warner and Fairpoint bills against the new proposal from Time Warner to include the phones in the cable fee. Hebert stated we should be able to save a lot of money but they suggest having an audit done of our existing systems so they can make a recommendation of what will be the best plan for us and whether our phone system can be converted. This costs \$75.00. Motion was made by Chandler, seconded by Patch to go ahead with the audit. Vote = passed. Hebert will arrange this.

Hebert stated he wanted to discuss the tax deeding discussion that was included in the minutes from the meeting on 10/20/2015. Apparently there was a misunderstanding of where in the process we were and the need for notification. Hebert was not aware that Chandler was talking about the notification procedure required due to an impending tax deeded property sale, he thought he meant just another notification and felt that was not necessary because the Tax Collector had just done that, and the next step is to look at the list of properties and determine which ones we will accept the deed for. Chandler stated that he wants to go ahead with a sale as soon as legally possible which includes another notification process and wants to get as much money collected in this year as possible even though the earliest the sale could occur would probably be February 2016. It was agreed to contact legal counsel on the correct process, whether to record the deeds or not, what to do with the quarter timeshare ones, and then discuss how we will proceed at the next meeting.

Selectmen discussed a building permit for a shed on 55 Eastbranch Rd. that does not meet setback. The old 8 x 10 shed is to be removed and a new 12 x 14 shed put up. The old shed does not meet the setback from the road and the new shed will be larger but in the same location as the old one. Selectmen will send a letter explaining the issues of grandfathering and setbacks.

Selectmen reviewed an email inquiry regarding whether the “50% expansion rule” in the Zoning Ordinance, that allows for a nonconforming structure to add on 50% of the linear dimension that does not meet setback without violating any other setback, applies to vertical additions. Selectmen had contacted legal counsel on this previously and it was determined that the vertical dimension does not count, that it only applied to the footprint, however, any height additions had to stay within the height requirement. AA Jones will respond to the email with this info.

Selectmen reviewed various correspondence, signed letters, approved building permits, and signed the checks throughout the meeting as time allowed.

Motion was made by Chandler, seconded by Patch to adjourn. Vote = meeting adjourned at 7:05PM.

Respectfully submitted,

Lynn P. Jones, Admin. Asst. to the Selectmen
(for the vacationing Brenda Medeiros, Secretary)