

Town of Bartlett Office of Selectmen

Meeting Minutes: July 23, 2018

Attendance: Chairman Gene Chandler, David Patch, Vicki Garland

Visitors: See attached list.

Reporters: None

Meeting opened at 03:30 PM.

William Abbott, Executive Director, of the Upper Saco Valley Land Trust (USVLT) met with the Selectmen in reference to the Glade development on the former Ware property off of East Branch Road. Handouts were given to the Selectmen along with letters of support from the Bartlett Conservation Commission and Ragged Mtn. Equipment. Abbott explained the following:

- 1.) That USVLT purchased 48.4 acres of the original Ware parcel from the Society for the Protection of New Hampshire Forest (SPNHF) on April 24, 2018. SPNHF subdivided a 5 acre building lot that is now on the market.
- 2.) USVLT allows public access and hunting on all land it owns, unless such public access threatens conservation values.
- 3.) Future management is controlled by a Conservation Easement retained by SPNHF that allows for only limited recreational development.
- 4.) Within the confines of the Easement, USVLT will sustainably manage timber products onsite.
- 5.) USVLT will commission a Forest Management Plan for the property in the near future.
- 6.) USVLT will pay taxes at the current use rate.
- 7.) USVLT and the Granite Backcountry Alliance (GBA) are partners in fundraising for the initial purchase and improvement onsite.
- 8.) USVLT and GBA will collaboratively manage public access to the preserve, with GBA having a primary role in controlling access to the area of WMNF upslope (permitted glade areas).
- 9.) USVLT plans to install a logging yard and enhance existing logging roads onsite, rerouting the lower section of the eroded historic "Maple Villa Trail" upslope and away from the property line, connecting directly to the logging yard.
- 10.) USVLT plans to install an access gate and signage to control unauthorized (summertime) use.

Tyler Ray, Granite Chief, Granite Backcountry Alliance stated that they are proposing to enhance and develop safer backcountry skiing on Pine Hill which is presently owned by the Town of Bartlett that was acquired by gift from Whitman Duprey. Pine Hill abuts and complements the existing "glade" development on the White Mountain National Forest planned by GBA and authorized by the WMNF. They are requesting permission to cut glades to safely manage and maintain Pine Hill for backcountry skiing use in compliance with USFS glading standards. GBA shall administer all glade design, development, and maintenance, in partnership with the Town of Bartlett, either by management agreement, lease or transfer in fee to GBA. Such arrangement will either eliminate or indemnify the Town of Bartlett for any town liability on the premises. Ray mentioned that he is aware of Bartlett's concern in reference to liability and safety is important to them. They will all know first aid, sleds will be available, as well as people prepared with backpacks. They will also coordinate with NH Fish & Game and educate skiers on safe backcountry travel, preparation and etiquette.

GBA maintains insurance to protect against liability for damage claims through public use, personal injury and property damage with a general aggregate limit of \$2,000,000.00. The policy covers all work performed by volunteers, but not for engaging in the activity itself. NH has two laws providing legal protection to landowners limiting their liability in order to encourage property owners to open their land to the public for recreational use. Chairman Chandler replied that we would probably be ok but it costs money for attorneys to fight any law suit. Ray also mentioned that the property would most likely only be used from January to March and the powder snow would need to have a 15" base to ski it. Selectman Garland inquired as what is the liability if a skier ends up on private property and gets hurt. Ray replied that they are protected by State law RSA 508:14. Selectman Garland asked about signage. Ray stated that it is very important and they will have lots of signs and maps as well as knowledgeable volunteers. Selectman Garland inquired about parking as we don't want another Diana's Bath situation on our hands. Ray replied that they have spoken to Hartmann RR Museum (1RT16A-195-L02) and they may shuttle people from that location. Ray also mentioned that the GBA developed 100 acres of gladed terrain in the Randolph Community Forest which worked very well as it brought people into town and they spent money. Chairman Chandler asked if the organizations would be willing to come to a public meeting to explain what they are proposing to do so that abutters know what is happening as the people who live at Eagle Ridge are concerned. Kevin McEnaney asked to speak. Chairman Chandler requested him to speak at the end of the meeting during the public comment time or he could speak to Ray in the hallway. McEnaney was very upset and said that was stupid to do it then. Chairman Chandler explained that people are here to see the Selectmen not the general public. McEnaney still asked the question of what are the downsides. Chairman Chandler stated that the town is the one who will need to decide what they want to do.

Joseph Boucher, Chip Sawyer, Bill Rice and Ed Poliquin had received an ordinance violation from the Town of Bartlett concerning their businesses on the West Side Road (6WSTD-399/401-R00). Chairman Chandler explained that they are parking the overflow vehicles from Diana's Bath in their parking lots which is in violation of the Bartlett Zoning Ordinance that states you can't park if it exceeds 400 feet from the location. They need to go to the Bartlett Zoning Board of Adjustment (ZBA) and either request a special exception or a variance. You would need to fill out a building permit application which the Selectmen will deny before they can go to the ZBA. Poliquin inquired as to why this is coming up now when it hasn't been for the last few years. Chairman Chandler replied it is because we received a complaint and it was an on and off problem. Selectman Garland stated that they aren't being targeted out but we have to treat everyone the same. Once we get a call we have to act upon it. Boucher explained that people were stopping at his business, requesting to park and use his bathroom facilities so he thought he was doing the right thing. Chairman Chandler commented that it is probably too late to get this resolved for this year but if they go to the ZBA now and if it is granted they will be all set for next year and whatever is granted will run with the land. (Application was given to them)

Angela Huertas and Patsy Rogerson of the Saco River Ad Hoc Committee inquired if there were any updates from FEMA on the repairs for the Saco River. Chairman Chandler let them know that he was meeting with Heidi Lawton (DOS) and Fallon Reed (Planning Chief of Homeland Security and Emergency Management) to walk some more river damage so that they can take the information back to FEMA. Patsy inquired if there is anything they can do as they would try to help. Chairman Chandler replied that he would let them know the results of the meeting. Chairman Chandler stated that he had some good news as it looks like FEMA is going to pay for the grader engine that was destroyed during the flood repairs so we are making some progress.

Craig DuVarney of 106 Highland Road (6SACOR-37-HR1) met with the Selectmen concerning his tax bill and abatement request being denied. He doesn't understand why his land value is \$517,500.00 while his neighbor's is "0" when they share the same lot. They have a shared driveway, the same views, and just about the same house. He just wants to be fair and not subsidizing his neighbors. Chairman Chandler assured him that they will be taking a look at the neighbor's property this year when the assessing is done but that the "land" assessment is the view factor. A copy of his assessment card was given to him.

Kevin McEnaney complained more about him not being allowed to ask questions when the Upper Saco Valley Land Trust and Granite Backcountry Alliance were speaking. He has been coming to the Selectmen's meetings for awhile now (not just for pickleball) and has spoken before. Chairman Chandler tried to explain to him that public comment at every other town is at the end. McEnaney doesn't feel that is right as when people are speaking is the time to ask any questions. Selectman Garland commented that at the school meetings there is a designated comment period. McEnaney stated it is a public meeting. Selectman Garland commented that she has been reading the Municipal book and it states that public questions should be held at the end. Chairman Chandler stated that people come in to speak to the Selectmen not the general public. McEnaney replied that at town meeting the Selectmen make it known what they support and then it is discussed by the public. To him it is only common sense that they then take questions while people are speaking on the topic. Selectman Garland said he was more than welcome to read the Municipal book. McEnaney replied no as they are only guidelines/suggestions not laws.

Silas Miller and Ian Ferguson who recently purchased the Hartmann RR Museum (1RT16A-195-L02) met with the Selectmen as they would like to have retail in part of the building, which will probably be their partner Tim Jackson's stove shop. In the rest of the building they would like to have a small high end brewery with seating. Chairman Chandler stated he believes that would be permitted but they do need to fill out a change of use application form for both businesses. Chairman Chandler wasn't sure if they would have to go before the Bartlett Planning Board for site plan review. Lynn Jones inquired if they were adding on to the existing building. Miller replied no they were only changing the inside. Selectman Garland reminded them they will also need to pick up a sign permit application. Chairman Chandler mentioned that they need to submit their applications and septic plans to make sure everything is compatible. Miller said that they might sublet to a climbing group. Chairman Chandler stated that would kick it in to a special exception if they did that as it would be more than two businesses on the lot. McEnaney stated that if he does a brew club he would like #1 on his mug. Chairman Chandler commented that #1 should go to the person that denies you. (Proper applications were given to them)

Jackson Selectmen had requested a date when both towns could get together for a Bartlett Jackson Transfer meeting. Chairman Chandler suggested August 15th at 04:00 PM in either Jackson or Bartlett. Bartlett Selectmen were all available that day. We will e-mail Jackson Selectmen to see if that date works for them as well.

Brian Otis inquired about what the concerns are concerning the Upper Saco Valley Land Trust and Granite Backcountry Alliance land. Chairman Chandler replied that the parking lot and the liability are both issues. Chairman Chandler also mentioned that to lease/sell the town owned (Duprey lot) land it would have to be voted on at a town meeting.

Police Chief Christopher Keaton informed the Selectmen that the State Police at the present time are not doing midnight shifts. He has spoken to two of his Officers and they are willing to change their shift times until we get a full staff. Chairman Chandler stated that he will bring it up again (speaking for himself) that he would like to see the times for the night shifts be switched around from time to time as people figure out pretty quickly when there is an Officer on or not. Selectman Garland inquired if the Officers are out driving around or in the office. Chief Keaton replied that they are out in the cruisers unless they have reports to do. Chief Keaton also remarked that they have been busy.

Town Clerk/Tax Collector Cheryl Nealley is having problems getting anyone to cover for her while she is at certification classes in Concord from August 6th to 10th. She has one that will do it, but Bartlett's customers will need to go to the Jackson Town Clerks office to register their vehicles. Bartlett Selectmen were ok with this but it needs to be checked out further with the Jackson Selectmen.

The Selectmen signed checks, reviewed building permits and correspondence throughout the meeting. The meeting was adjourned at 05:40 PM.

Respectfully submitted,

Brenda Medeiros, Sec.