

Town of Bartlett Office of Selectmen

Meeting Minutes: November 18, 2019

Attendance: Chairman Gene Chandler, Selectman David Patch, Selectman Vicki Garland

Visitors: John Smallcomb, Kevin McEnaney

Reporters: None

Meeting opened at 03:45 PM.

Commercial Building Inspector Shawn Bergeron of SBTS and Fire Chief L. Patrick Roberts met with the Selectmen in reference to safety concerns with single family homes being used for Airbnb's. Roberts explained that per the NH Life Safety Codes if occupancy is transient (occupancy of a dwelling unit for not more than 30 days) and provides accommodations for fewer than 17 occupants the occupancy shall be classified as Lodging & Rooming. The State Fire Code general requirements are the following:

- 1.) Enclosed interior stairways.
- 2.) Separation between building levels.
- 3.) Sprinkler protection which is a 10 minute water supply for two sprinkler heads.
- 4.) Monitored fire alarm system with-in room smoke detection.

If occupancy is transient in nature and providing accommodations for more than 17 occupants, the occupancy shall be classified as a hotel/motel or dormitory. The general requirements for such occupancy are the following:

- 1.) Enclosure of exits.
- 2.) Enclosed interior stairways.
- 3.) Sprinkler protection to meet the requirements of NFPA 13R which is a 30 minute water supply for two sprinkler heads.
- 4.) Monitored fire alarm system with in-room smoke detection.
- 5.) Two exits required per story unless it is less than 35' to the exit.
- 6.) Self-closing 1-hour fire rated doors between the exit and the occupancy area.
- 7.) Emergency lighting within the unit, with exits and at exterior exist discharge.
- 8.) Illuminated EXIT signs and directive signage leading to exits as necessary.
- 9.) Protection/enclosure of vertical openings other than stairs to include separation between building levels.
- 10.) 20 minute fire rated, self-closing doors on all sleeping rooms.

Roberts stated that the question for the Selectmen is whether they are going to allow Airbnb hotels in a zoned residential area. Bergeron clarified that when there are 17 or more occupants that it is no longer considered a single family home. Selectman Patch read from the zoning ordinance that the definitions of a single family dwelling is a detached residential building including mobile homes and occupied by one family only. He also read the definition of inns, lodging houses and bed & breakfast as an owner occupied or manager occupied dwelling of single family character in which not more than 12 guest rooms are offered for rent with or without meals for overnight guests only for the primary purpose of overnight lodging to tourists. The dwelling must exist on the date of enactment of this amendment (11/8/88). The definition of motels, hotels, tourist courts, cabins means one or more buildings containing guest rooms or suites for transient occupancy by the traveling public. Selectman Garland inquired what about grandfathered buildings. Roberts stated that there is no such thing as grandfathering when fire codes are concerned.

It is the code of the day. Kevin McEnaney inquired as to what is considered short term? Bergeron stated less than 30 days. Selectman Garland inquired about ski houses that are in the residential area. Lynn Jones, AA, explained that the ski houses are by membership and they can have a guest. Selectman Garland also inquired about rooms and meals tax. Selectman Patch replied that the State doesn't require a rooms and meals tax when it is less than 180 days. Selectman Garland suggested that perhaps when someone requests a building permit that we could attach a form that lets us know if it is going to be an Airbnb so it can be checked out to see if it falls under the category of having to meet the fire codes or not. Roberts stated that they need some guidance before they can move forward with a solution to this growing problem. Chairman Chandler stated that we need to check with NHMA and our attorney before we do anything.

Angela Huertas and Patsy Rogerson (no appointment) of the Saco River Ad Hoc Committee inquired about the status of FEMA and the Saco River repairs. Chairman Chandler stated that we asked for a 90 day extension as they were requesting more information. We have also been in contact with NRCS (Natural Resources Conservation Service) and they are going to look at the river issue to see if they can help. Huertas stated that she attended the Saco River Advisory Committee meeting and when they asked for public input she corrected them on some of the river problems. They have to either approve or deny by Nov. 27th. Chairman Chandler commented that it appears that we are going to have to start writing to public officials like the Governor, etc. Chairman Chandler also mentioned that we have figured out who the gentleman (he has since been moved to another department) was that gave us permission to remove the debris that they are now saying we shouldn't have. We shouldn't be held responsible when it was their employee who granted the permission. Huertas also said that the Saco River Advisory Committee feels that the State of NH should be responsible for repairs to the Rocky Branch as it is their bridge and road that is affected. The Selectmen agree with them.

K. McEnaney (no appointment) inquired about the town audit. Chairman Chandler replied that it had been put out to bid so one will be done. Lynn Jones, AA, stated that we put it out to bid once and got no response so we had to put it out to bid a second time and we received just one bid which we are taking.

Selectman Garland made a motion at 04:55 PM to enter nonpublic session per NH RSA 91-A: 3 II (c). Selectman Patch seconded the motion. Roll call vote was unanimous. Selectman Garland made a motion at 05:00 PM to end the nonpublic session. Selectman Patch seconded the motion. Roll call vote was unanimous.

The Selectmen reviewed correspondence, signed letters and checks throughout the course of the meeting.

There being no further business the meeting was adjourned at 05:30 PM.

Respectfully submitted,

Brenda Medeiros, Sec.