

TOWN OF BARTLETT – OFFICE OF THE SELECTMEN

MINUTES: FRIDAY, APRIL 19, 2013- SELECTMEN’S MEETING

ATTENDANCE: Selectmen Gene Chandler, Doug Garland, and David A. Patch

REPORTERS: None

Meeting opened at 8:30AM.

John Lowell, Gen. Mgr. of Attitash Resort, and Atty. Rob Upton, legal counsel for Attitash, attended the meeting to discuss upcoming projects at the resort. Lowell submitted a building permit application for a zipline to be constructed between Bear Peak and Attitash. Chandler stated that he can explain all he wants but the Selectmen don’t usually respond much when the applicant has legal counsel present and we do not as we have learned from our prior mistakes in this regard. Atty. Upton explained that he was asked by Lowell to review the Zoning Ordinance to see if this complied with it and is not meant to be an adversarial visit. Chandler asked Upton if he considered himself to be the legal counsel for the ZBA. Upton responded no, but that he has in the past represented them when it has been adversarial with the Selectmen and they needed to get their own counsel because they could not use the town’s. Lowell reviewed each page of the documents submitted with the application explaining that the page with the overhead view shows various options but they have decided to use the one shown in red and to disregard the blue and green ones. Garland asked about compliance with the Ridgeline Ordinance (RHOD) and whether it is in the RHOD as Lowell has checked “no” on the form but Garland is pretty sure that it is in the RHOD. Upton and Lowell responded that they didn’t think it would be impacted by this but they were aware of the RHOD. Lowell corrected the form to “yes” indicating it is in the RHOD and initialed and dated it. Garland reminded them that they have to be sure that the sky is not the backdrop when reviewing compliance with the RHOD. Lowell explained that the towers are all on Attitash land and are no higher than 27 ft. The cable and other materials would be flown in for placement and they are using the same company used by Gunstock ski area who indicated that they were very satisfied with this company. Lowell also explained that there would be an “orientation” at the Attitash base area near the snow belt where people are given instruction, fitted with the harness, and lifted a short height to be sure the harness was fitted correctly and the people wouldn’t freak out. Then they are taken to Bear Peak where they ride the Flying Bear lift to the takeoff platform and go from there. Pads for the towers are substantial measuring 22’x22’. Garland asked if this could be a year round activity and Lowell stated yes. Selectmen will review the permit.

Other attractions that they hope to have are a Freefall Airbag and a Slackline. The Freefall Airbag will include a tower (which is temporary) which will be about 41 ft. in height and plan to put it behind the Adventure Center. Garland explained the issue the Selectmen are having is that the line between what is an accessory use to a ski area and what is not is becoming very hard to distinguish from an amusement park and the town’s zoning ordinance does not allow amusement parks (Storyland was obviously grandfathered). Chandler explained that one could argue that accessory uses to ski areas would be only those that could occur in winter and the addition of things like the climbing wall, airbag, etc. may not qualify. Garland stated the mountain coaster is ugly and did not end up the way it was presented to us and the climbing wall was supposed to be out of view but keeps appearing well within view. Chandler explained that this is the only place this can be considered an accessory use and that we do not distinguish between temporary and permanent structures, that structures are structures and have to meet the ordinance and the tower is over the height limit. They will have to go to the ZBA or they can lower the height to meet the ordinance. The Slacklining would only involve some anchors and no height issue as it is only about a foot off the ground. Garland then mentioned that they will have to go to the Planning Board for a waiver from site plan review

as they are already beyond the 5,000 sf of building area limit. He suggested taking all of their proposed projects at once to the Planning Board so they wouldn't have to keep going back for every permit. Selectmen determined that they would need to submit permit applications for the Freefall Airbag and Slackline attractions. They suggested that they go over to the Planning Board secretary and start the site plan review process now.

NH Dept of Environmental Services Inspector Rick Treiss dropped into the meeting to drop off an inspection on a property on NH Rt. 16A. Triess explained to the Selectmen the NHDES policy regarding issuing Approvals for Operation on foundations only in order to safeguard against grandfathering systems that may not be adequate in the future if the regs. change. Selectmen appreciated the information.

Police Chief Tim Connifey met with the Selectmen regarding the purchase of ballistic vests. While we got some from donations from Attitash and grants, none of them fit new full time Officer Jamie-Lynn Shackford. She has an old vest from prior employment but it needs replacing. Connifey would like to also purchase a carrier for Office Harris' vest. After much discussion, Chandler stated that we should purchase three vests for Officers Shackford, Harris, and Champlin. Garland and Patch agreed but asked the Chief to check on prices with at least one other company and to pursue any grants that may be available to cover this, however, we want to purchase these promptly to insure protection for our officers.

Connifey went on to explain that he had an individual contact him about part time work. He is retired but wants part time work and is still certified. Although we are not hiring, we will keep him in mind and may contact him. Connifey went on to say that we have gotten the 3 radios from the grant and that we will be sending a cruiser and officer to the Rec. Dept. Touch the Truck day. He is also working with Jimi Emery at the school for recycled computer stuff. Chandler asked if he has been working with the school on the safety programs. Connifey stated they have plans in place and do perform drills regularly.

Selectmen reviewed a building permit to totally renovate a 5 apartment complex. It was agreed that they will need a dumpster for this project rather than dumping this amount of material at the Transfer Station and will notify the applicant.

Selectmen also reviewed a building permit application for a scientific tower to be place in the Bartlett Experimental Forest. Selectmen had concerns with the US Forest Service allowing this type of activity without discussing it with the Selectmen first. The permit cannot be approved at this time due to the height of the tower being 116 ft. so a letter of denial will be sent as well as a letter to the US Forest Service.

Selectmen determined that the Load Limits on town roads would be lifted today.

Selectmen signed checks, reviewed correspondence and building permits during and throughout the meeting.

Meeting was adjourned at 11:00AM.

Respectfully submitted,

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