

Town of Bartlett Office of Selectmen

Meeting Minutes: August 4, 2014

Attendance: Chairman Chandler, David Patch, Douglas Garland arrived at 04:20PM

Chief Connifey

Reporters: None

Meeting opened at 03:30 PM.

Jon Hill, a builder, met with the Selectmen in reference to a building permit application for a new home located at 88 Parker Ridge Rd (5STLNG-A37). There was a discrepancy on the septic plan that was presented as it was labeled as a four bedroom house plan however there is a two bedroom cabin already on site. The design data also says it is a three bedroom house. Lynn Jones, AA, inquired if there was a bathroom in the cabin. Hill stated that there was and it is tied into the house septic system. Hill informed the Selectmen that the corrected septic plans were sent off to the state today. Hill also informed them that he had the MLAR (minimum land area) documentation done by the engineer and has the calculations that state the proposed use meets the MLAR criteria. Hill mentioned that he has added the setbacks to the plan as requested by the Selectmen. Hill also corrected the form that he had marked incorrectly indicating he is in the ridgeline. Jones inquired if the property could be seen from Route 302. Hill stated that it can't be seen from anywhere. Jones inquired if Hill was looking for permission from the Selectmen to get started. Hill stated that he was. Chairman Chandler informed him that they would give him a permit for a foundation only until the septic approval has been corrected.

Paul Pagliarulo at 1226 US RT 302 (5VILLG-MAI-20) inquired if the cease & desist orders had been filed at the court. Chairman Chandler replied no. Pagliarulo inquired if they had any intention of doing it. Chairman Chandler stated that it depends upon what you do. Pagliarulo stated that he only has 20 days to answer and if the town has filed the deadline is Thursday. If they didn't file he has to know how to proceed and know what to do. Pagliarulo inquired if the town has ever filed with the court any prior cease and desist orders. Chairman Chandler replied that different cases have different files and any record of being served would be in the individual property file, there is no file with just cease & desist orders in it.

Pagliarulo said "Hi Tim" to the Police Chief. Connifey addressed Pagliarulo stating that he was Chief Timothy Connifey and was not on a first name basis with him. Connifey mentioned, just for clarification, that when the police department serves papers that they file a return of service at the Selectmen's office. Pagliarulo stated that Connifey works for the taxpayers which he would be one of and he knows they have to enforce fairly and equitably. Connifey stated that Pagliarulo hadn't cooperated with the department and had tried to dodge them when they tried to serve papers on him. The department had gone to the Cook house, went to Pagliarulo's house, left messages, and the second time they called Pagliarulo he finally answered them at 10:00 PM and set up an appointment to meet the next day. Pagliarulo stated that Connifey had misinformation as he wasn't trying to dodge the department. Pagliarulo commented that he didn't know he had the police department against him. Connifey replied that no one was against him. Pagliarulo

commented that he understands Connifey has to do as directed by the Selectmen whether it is right or wrong. He knows Connifey has to do as told since the Bob Snow incident. Pagliarulo commented that the Selectmen didn't file with the court and were keeping the option open to file. Chairman Chandler requested that he let the Selectmen worry about their status. Pagliarulo stated that they are creating a scenario that he has no rights and no recourse unless they file with the court and no recourse for his fines. Chairman Chandler commented that they didn't understand his position. Pagliarulo stated that he has questions. Chairman Chandler replied that he would hear from us at the appropriate time. Pagliarulo questioned the letter and floodplain map that the selectmen had sent him as he can't find the property on the map. Chairman Chandler stated that the map and letter were pretty clear and that we weren't going to keep engaging back and forth that anything from now on would be from the attorney. Chairman Chandler also commented that the information Pagliarulo had provided is for a house number in Harts Location not Bartlett. Pagliarulo stated that Harts Location is Bartlett. Selectman Garland suggested that Pagliarulo get an engineer and have the floodplain certified. That he needs to get a floodplain permit so he needs to get an engineer to sign off that he is not in the floodplain. We have never had this problem with others. Pagliarulo stated the use of the land predates the floodplain. Selectman Garland stated that floodplains are not grandfathered. Selectman Garland again stated show us the facts. Get a surveyor to fill out the floodplain permit and then get a change of use application and submit it. Pagliarulo made a comment that floodplain maps are just insurance maps. Pagliarulo commented that it is the same exact use as in past as they sold apples and pies before and he is planting trees so he doesn't understand this communication block. Selectman Garland commented get an engineer and verify the floodplain information and get the engineer to sign off on the property. Pagliarulo stated that he had the town engineer look at the property and he gave Pagliarulo his blessings. Selectman Garland stated that he didn't believe that Engineer Burr Phillips would do that. Pagliarulo stated that he didn't know his name but he didn't think it was Phillips but it was the engineer for the town Merrill property. Lynn Jones, AA, stated that it is the Morrell property and the company name is Headwater Hydrology and they were working for the Bartlett Recreation Department not the Town of Bartlett. Selectman Garland stated get a floodplain permit and have an engineer sign off on it. Selectman Garland inquired if he wanted to hear it again. Get a floodplain permit and have an engineer sign off. Selectman Garland mentioned that the setbacks that were listed for the storage trailer were incorrect. Pagliarulo commented that others in town get storage trailers and don't get permits so he shouldn't have to either. Chairman Chandler commented that it is clear we don't agree. Pagliarulo stated that if he is to hear from the town's attorney that he would like advance notice to respond. Chairman Chandler stated you will hear from us.

Chief Connifey stated that they had a dog issue and they are dealing with the complainant and the dog owner. The animal control officer, Betty Holmes, is also addressing the issue. Chairman Chandler requested copies of the reports as the complainant has also spoken to him.

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Chairman Chandler informed Chief Connifey that he needs to get in touch with the transfer station manager, Jon Edgerly, and figure out a way to clean up the mess that was left at the transfer station when his officers were up there qualifying with their guns. Chief Connifey will get with Edgerly and take care of the issue.

The Selectmen reviewed correspondence, building permits, signed letters and checks prior to and throughout the meeting.

Meeting adjourned at 05:45 PM.

Respectfully submitted,

Brenda Medeiros, Sec.