

KEARSARGE LIGHTING PRECINCT

Board of Commissioners Monthly Meeting

Minutes

September 17, 2019

Present: Commissioners - M. Lynn Lyman, Joe DiFiore

Treasurer - Peter Donohoe

Clerk - Meredith Wroblewski

Absent: Commissioner Rick Jenkinson

Guests: Ray Porter, KoKo Oyler, Herb Hunt, Wayne Beyer, Kevin Tilton

Called to Order: The meeting was called to order at 6:32 PM by Commissioner Lyman.

Minutes: The Commissioners reviewed, motioned and unanimously approved the monthly meeting minutes from July 16, 2019.

Treasurer's Report:

Mr. Donohoe presented the reports for July and August 2019. He reported the income and expenses for both months. In July, the Conway tax reimbursement was received.

Commissioner Lyman motioned to accept the reports and all were in favor.

Outstanding Attorney Fees

Commissioner DiFiore asked if \$3000 was sent in July and again in August to each attorney per the July minutes. Mr. Donohoe responded that each attorney office received \$3000 in July, but no payments were made in August because there was a request from Attorney Malia to be paid in full and Commissioner Jenkinson asked that Mr. Donohoe hold off on further payments until the next meeting. There is currently about \$17,500 outstanding in attorney fees. Commissioner DiFiore made a motion to pay Attorney Malia's balance in full. This was unanimously accepted.

Fidelity Account

Mr. Donohoe explained that Mr. Oyler, the previous Treasurer, needs to be removed from the account. There is a Corporate Resolution form that needs to be completed in order to do this. Mr. Donohoe will complete the form and Commissioner DiFiore agreed to sign off on it.

New Business:

Building Permits and Questions

Wayne Beyer, submitted an application, #377, to build a deck off the back of his house. Commissioner Lyman explained that his plan meets the setbacks. The application was approved.

Herb Hunt, submitted an application, #378, for a detached garage. He paid the application fee in cash tonight. The garage would not meet the setback requirement on one side. The Commissioners voted to deny the application. Clerk Wroblewski will email Mr. Hunt the application to appeal to the Zoning Board of Adjustment.

Herb Hunt submitted another application, #379, for a solar tracker system. This meets the ordinance requirements. This was unanimously approved.

Mr. Kevin Tilton from HEB was in attendance on behalf of resident Lloyd Drew. Mr. Drew owns two lots on Longview Terrace. Mr. Tilton presented a map of the lots. The lots are currently nonconforming. Mr. Drew would like to balance out the two lots so each is about an acre. He is not proposing any additions or new construction at this time. The new lots will still meet the setback requirements. Mr. Tilton inquired if Mr. Drew will need to apply for a variance. A zoning variance is required from the town of Conway. The Commissioners reviewed the map and proposed changes and advised Mr. Tilton that Mr. Drew does not need a variance from the KLP.

Ms. Wroblewski shared a follow up email from Mr. Chad Fletcher. He had previously inquired, via email, about whether or not he would need to apply for a permit from the KLP in order to make changes to the furnace room in his home. His follow up inquiry pertained to changing the use of the interior rooms, but it was unclear what he was proposing. Clerk Wroblewski will follow up with Mr. Fletcher to clarify his question and advise him accordingly.

Ray Porter Email

Mr. Porter was in attendance and spoke to the email he sent a couple of weeks ago to the Commissioners. He explained that he has attended all but one of the zoning review committee (ZRC) meetings. He would have volunteered to be on the committee if he had been around at the time it was formed. He feels the group could be better balanced. Mr. Porter said he moved here five years ago and resides here. He doesn't own a rental property or real estate company, and has no other priorities here other than as a homeowner.

He expressed concerns specific to one of the committee members, Mr. Josh Brustin, saying Mr. Brustin doesn't actually live in the same town. He lives in Bartlett.

Commissioner DiFiore interjected to point out that Commissioner Jenkinson and other residents also live in Bartlett. Clerk Wroblewski explained that the KLP spans portions of both Bartlett and Conway.

Mr. Porter continued, saying Mr. Brustin has a major real estate company in the town. He doesn't feel it's appropriate for him to be on the committee and suggested the Commissioners could change the composition. Commissioner Lyman responded that the committee could

change the composition without Commissioner involvement. She explained that they didn't have a lot of people who wanted to be on the committee when it came down to it. They tried to balance both sides, but then some folks backed out. Ms. Lyman explained that the commissioners can come up with their own amendment if they don't agree with what the committee proposes.

Mr. Porter said he has received at least two letters from Mr. Brustin. His viewpoint was very clear. Mr. Brustin would like to open up the whole neighborhood to rentals. His perspective is as a business person and the association he lives in doesn't allow rentals for less than 30 days. Mr. Porter said he hasn't seen much group thinking during the committee meetings. Two people control the conversations. Mr. Porter said he suggested a consensus style of decision making at an earlier ZRC meeting. He is concerned that people may look at the committee as something that has more credibility than deserved as it's lacking a fair balance.

Mr. Donohoe commented that it's unfortunate how the committee composition played out. He compared the situation to his time serving on a budget committee. Entities can make recommendations, but they don't always agree. If the Commissioners don't approve the committee recommendations, that will also carry a lot of clout.

Mr. Porter stated that Ms. Clark, ZRC committee co-chair, keeps cutting him off. He has said to her multiple times that five minutes isn't enough time for public comment at the end. She was supposed to hold 10 minutes for him at the end of one of the meetings, but then he only had four minutes and one of the members had to leave. If the members don't have the time, they shouldn't be on the committee. Ultimately we have a residential neighborhood running commercial businesses.

Mr. Donohoe said there have been a small percentage of incidents. In Kearsarge, those that will be the most vocal and active will be the minority of the people. This is not enough to carry the sentiment of the neighborhood. The challenge is to get the message across to people.

Mr. Porter said he was woken up by renters at 4 AM last weekend. He has stopped reporting to the police because it doesn't help and doesn't get documented.

Mr. Hunt said he agrees with what Mr. Porter said about the last ZRC meeting. They are not allowing much public input.

Koko Oyler Intervale Cross Road Presentation

Ms. Oyler was in attendance to share her information from the presentation she gave to the Conway selectman in August about Intervale Cross Road. She explained she is new in town. She thought she was moving into a residential community, but it has been more commercial and the road has not been safe. Had they known the state of the road, they would have never bought there. She read aloud portions of the CDS article that was written after her presentation.

Ms. Lyman commented that people used to drive more slowly before the road repairs.

Mr. DiFiore explained that he lives on the same road, and that he agrees with Ms. Oyler completely. Ms. Libby, another resident on the road, comes in annually to ask for help with the situation. He has talked to the police in the past. They are overwhelmed and have said there isn't much they can do.

Ms. Oyler said the police agree we need better speed signs.

Ms. Lyman said they have asked for more signs in the past and the town had said no.

Mr. Porter asked about the possibility of raising money for the signs.

Ms. Oyler said she was brushed off after her presentation. She realizes this situation is a low priority for the selectmen. Paul DegliAngeli said he agreed with a lot of what she had said.

*The presentation notes will be posted on the KLP website with the minutes.

Adjourned: The meeting was adjourned at 8:02 PM by Commissioner Lyman.

Respectfully submitted,
Meredith Wroblewski, KLP Clerk and Recording Secretary