

KEARSARGE LIGHTING PRECINCT

Board of Commissioners Monthly Meeting

Minutes

February 15, 2022

Present: Commissioners - M. Lynn Lyman, Joe DiFiore, Sarah Sullivan Mallett
Treasurer - Peter Donohoe

Absent: Clerk, Meredith Wroblewski

Guests: **Attorney** Attorney Jason Dennis, Peter Crane, Martha Mawhorr, Michael Lynch, Blair Lynch, Robert Tafuto, Ray Porter (via zoom)

Called to Order: The meeting was called to order at 6:31 PM by Commissioner DiFiore.

Old Business:

The Lynch family is requesting given the unique and historic nature of this property and the fact that it's commercial uses predate Conway and KLP Zoning Ordinances that the KLP determine that the mixed commercial and residential use of this parcel is a pre-existing, non-conforming use and said use is permitted by the KLP.

Mr. Tafuto spoke on behalf of Michael and Blair Lynch who want to subdivide approximately 30 acres of land that were formerly the residence of Arthur and Carol Lynch and is also where the family business is located. Currently, Elizabeth Lynch the sister of Michael resides in the single living unit on this parcel. The Lynch's wish to separate Ms. Lynch's living unit from the current 30 acre parcel. Mr. Lynch hasn't lived on the property for several years. The business has gone in and out of non-conformity over the years. Commissioner DiFiore asked Mr. Lynch what his plans were with the whole parcel and Mr. Lynch was unsure other than he wanted the business to be on its own parcel, his sister to have her own parcel, his son to have his own parcel and the possibility of some other house lots. Commissioner Lyman noted that they only have enough road frontage for one living unit which is what they have presently which would be Ms. Lynch's home. They have plenty of land but they need 250 feet of road frontage per living unit so this would require a road built to town specifications.

Motion was made by Commissioner DiFiore to go into a non-public session with legal counsel per 91-A:2 I(b). at 7:15 PM to discuss the Lynch subdivision and seconded by Commissioner Lyman. All were in favor.

Motion was made to leave non-public session and return to public session by Commissioner DiFiore at 7:30 pm. Commissioner Lyman seconded and all were in favor.

Public session reopened at 7:35 PM.

Motion made by Commissioner Lyman and seconded by Commissioner DiFiore. All were in favor to :

1. Collect verbal scope of the Lynch business tonight from Mr. Lynch
2. Mr. Lynch to provide written scope of the Lynch business within three days.
3. The Kearsarge Lighting Precinct would provide an answer within one week after written information was received.

Mr. Lynch asked if he could have until February 21, 2022 to provide written information.

Commissioner DiFiore made the motion to extend the three day written information period to February 21, 2022. Seconded by Commissioner Mallett and all were in favor.

Verbal general scope of the Lynch business:

- Lawn care
- Property care
- Hardscaping

- Light excavation
- Firewood sales
- Snow maintenance
- Equipment to include approximately ten trucks and some forest equipment.

Minutes: Commissioner DiFiore made a motion to approve the minutes from January 2022. This motion was seconded by Commissioner Lyman and all were in favor.

Treasurer's Report: Treasurer Donohoe presented his reports for January 2022. Commissioner Lyman motioned approval of these reports. This motion was seconded by Commissioner DiFiore and all were in favor.

New Business:

Building Permits

None

Old Business Continued:

Crown Ridge Condos

Motion by Commissioner Lyman and seconded by Commissioner Mallett and all were in favor to enter non-public session with legal counsel per 91-A:2 I(b). at 8:13 PM to discuss a

Non-public meeting held via zoom that Commissioner Mallett was unable to attend and needed to be brought up to speed. During this non-public meeting it was determined that the Crown Ridge Condominiums cannot be short term rentals unless the Supreme Court overturns the Superior Court ruling.

Motion was made to leave non-public session and return to public session by Commissioner Lyman at 8:21 PM and seconded by Commissioner DiFiore. All were in favor.

Public meeting reopened at 8:21 PM.

538 Old Bartlett Road

The violation letter that was mailed to the owner of 538 Old Bartlett Road mailed the original back to the KLP with a handwritten note on it that said they didn't realize they needed a building permit. They have removed the structure and now there are two trash cans sitting in the place of the structure with what appears to be a bicycle lock on them. Mr. Porter voiced his concern that this will attract wildlife such as bears. He claimed that there is a bear den 50 yards away from this location. Commissioner Lyman explained that there is not much we can do because these are trash cans with wheels not a dumpster so the dumpster setback would not apply. She suggested Mr. Porter could contact NH Fish and Game. Commissioner Mallett will try to have a conversation with the owners at 538 Old Bartlett Road and discuss all the concerns related to leaving the trash cans outside and near the road.

Annual Meeting and Budget Hearing Dates

Date selected for the Budget Hearing is April 19, 2022

Warrant needs to be posted by April 25, 2022

Annual Meeting to be scheduled for May 3, 2022

Exact time and place to be determined.

Public Comment:

Ray Porter voiced his concerns about 538 Old Bartlett Road

Adjourned: The meeting was adjourned by Commissioner Mallett at 8:29 PM.

Respectfully submitted,

M. Lynn Lyman, KLP Commissioner