

SUNAPEE BOARD OF SELECTMEN
MEETING AGENDA

7:00PM Town Office Meeting Room

Monday December 12, 2022

Join us on Zoom: <https://us06web.zoom.us/j/83386192215>

1. REVIEW OF ITEMS FOR SIGNATURE:

CZC's:

INENT TO CUT:

Parcel ID: 0231-0042-0000 & 0231-0043-0000 Pine Ridge Road, Nichole and John Cassidy

2. APPOINTMENTS

- 7:00PM Septic Ordinance Presentation – Doug Gamsby & LSPA
- 7:30PM Scott Hazelton & Innovative Surface Solutions – Pilot Study Presentation

3. PUBLIC COMMENTS:

4. SELECTMEN ACTION

- Encumbrances
- Resignation Letter from Terry Mattson, Conservation Commission
- Appointment of Ginny Gwynn, Conservation Commission
- Re-Appointment of Mark Reynolds
- Street Name Application – Bell Engineering, Inc.
- Finalize Warrant Articles for Budget Public Hearing
- Approve the transfer of \$18,000 from various lines to the Sick Bank
- Use of Facilities – Veterans Field – Scouts BSA Recruitment Event
- Review and Approve Interest Payment Refund
- PERMIT TO EXCAVATE:
 - Grandliden Rd/Jobs Creek Rd - Pole# 4X/32 to 40/83 - Public Service Co. of NH D/B/A Eversource Energy
 - John Avery Ln - New Line Construction for Load Growth - Public Service Co. of NH D/B/A Eversource Energy

5. TOWN MANAGER REPORTS

- Expenditure and Revenue Reports
- Coalition Commission Update
- NHMA Legal Files

6. CHAIRMAN'S REPORT

- **Motion to enter nonpublic under RSA 91-A:3 II(c)--Matters discussed in public likely to affect reputation**

7. UPCOMING MEETINGS:

12/13-7:00PM- Recreations Committee Meeting

12/14-5:00PM-Energy Committee Meeting

12/15-8:30AM-Coffee with the Chief

12/15-7:00PM-Abbott Library Trustees Meeting

12/20-6:30PM-Zoning Board

APPLICATION FOR USE OF TOWN OF SUNAPEE FACILITIES

Area (Circle One): BenMere/Bandstand – Coffin Park - Dewey Beach - Georges Mills Harbor –
Safety Services Building--Sunapee Harbor-Tilton Park Veterans Field

Name of Organization:

Troop 71 (Scouts BSA)

This Organization is: Non-Profit – Political –Private (N/A for profit companies)

Charleen Osborne

Name of Duly Authorized:

284 Route 11 Sunapee

Mailing Address:

Daytime Phone: 978-314-7571 Evening Phone: 603-763-5453

I/We hereby apply for permission to use the above circled Town facility on:

Event Date: 5/21/23 Time: From: 11:00 To: 3:00

Please describe the complete details of the event:(If advertising please include ad or flyer)

*include a list of outside vendors that will be part of your event.

Scouts BSA recruitment event using the council
recruitment trailer. Will have fun activities
for youth participants

I/We acknowledge understanding the following restrictions:

(1) If this event will likely bring more than 50 people or 20 cars to the area, the applicant must first submit this application to the Chief of Police. The Chief of Police may require the applicant to hire police officer(s) for crowd or traffic control.

(2) I/We agree to abide by the Town of Sunapee's Recreation Area Ordinance, which controls conduct and uses of this area.

(3) The applicant shall indemnify and hold the Town of Sunapee, its employees, agents, and representatives harmless from any and all suits, actions, claims, in equity or at law, for damages asserted by any attendees at such function, or other third parties, resulting from the use of the premises, or from

the food and beverages served at the above-described function. In addition, in the event that the town is required to respond to any claims of any nature arising in connection with the function or the applicant's use of the premises, the applicant agrees to pay to the Town all costs, fees, charges and attorney's fees which may be incurred by the Town concerning such claims.

I/We plan on 75-100 # of people and unknown # of vehicles attending our event.

Signature of Responsible Individual Charles Osborne Date 11/28/22

[Signature] Date 12/15/22
Approved by Chief of Police

of Officer(s) will be assigned to event at applicant's expense.

[Signature] Date 12/06/22
Approved by Recreation Director (if applicable)

Approved by Fire Chief (if applicable) Date

Approved by Highway Director (if applicable) Date

Signature of Approving/Denying Authority (Chairman of the Board of Selectmen) Date

Insurance: At least ten (10) days prior to such scheduled function, the applicant shall furnish to the Office of the Sunapee Board of Selectmen written confirmation that the applicant has secured adequate liability insurance covering the event in an amount not less than \$300,000.

***Suggested \$50 contribution for non-residents**

**NO ALCOHOL ALLOWED ON TOWN PROPERTIES WITHOUT A
ALCOHOLIC CONSUMPTION ON TOWN PROPERTY PERMIT**

December 6, 2022

Dear Sunapee Board Members and Administrators,

The Lake Sunapee Short Term Rental Association (LSSTRA) is reaching out on behalf of our association's interested parties. This includes STR owners, pro-STR local businesses, and pro-STR residents of Sunapee.

We feel the suggested changes from the December 17th meeting to Amendment #7 regarding STRs are unbalanced and excessively restrictive. This is our reasoning and our requests for consideration:

Where is the Evidence?

- 1) The revised Amendment #7 would essentially eliminate all STRs in the RR and RL districts, as few to none have "owner in residence" while the house is rented. Yet, there is **no evidence** to support this level of restriction. The town cannot make decisions based on a few historical anecdotes that have become exaggerated over time, which also, incidentally, did not even occur in the RR or RL districts. Decisions must be fact-based; not fear-based, conjecture-based or prejudice-based.
- 2) Currently, the ordinances allow for "tourist homes" in RR districts via a special exception. The proposed Amendment #7 completely **removes any provision** for a tourist home or STR to operate in a RR or RL district. And we know from a recent case with the ZBA, when a special exception was requested for a tourist home on Perkins Pond, that the current ordinances and definitions resulted in a bias-based misinterpretation to reject the request.
- 3) Therefore, adding back into Amendment #7 this provision of application for a special exception will not likely create an **equitable outcome** for the STRs currently operating in the RR and RL districts. Plus, the time required for the ZBA to consider each application for a special exception would be exorbitant.

Benefits of STRs to the Town of Sunapee

- 1) The question has been raised about the benefits that STRs bring to Sunapee. One of the largest benefits is the work that the upkeep of STRs provide to our **local support services** (carpenters, contractors, snow-removal, landscaping, cleaners, painters, electricians, odd jobs, co-hosts, etc.). Even STR owners who live in or near Sunapee use these services – it is not just owners from out of town. Without STR customers these local businesses will absolutely feel the hit from an already shaky economy.
- 2) Another benefit which STRs bring to Sunapee is the **harbor business economy** during the on-season months. Most people staying in an STR in Sunapee will visit the harbor at least once and likely partake of the food, gift shopping, antique shopping, clothes shopping, boat cruise, boat rental, etc. options. Again, putting money back into the locals' hands.
- 3) The third top way in which STRs are a benefit to Sunapee is providing **stay options** for out-of-town visitors seeking a place that will suit their needs. This shows that as a tourist community of service we are accommodating to all types of visitors. Handicapped accessible, child-friendly,

pet-friendly, private or shared spaces, small or large, economy-style or lavish, lake-front or tree-lined street, sport-minded or sedentary, a one-night-stay to four weeks in a row, the list could go on. Would we risk being discriminatory without these options? Rental spaces that meet guests' needs means they are relaxed and comfortable and happy... and more likely to spend money in our town.

- 4) STR owners contribute to the community in anonymous ways too, and the LSSTRA encourages them to do so. Quietly supporting needs without fanfare, without a nod of recognition. These **give-back efforts** cannot be underestimated in the benefits to our civil resource departments, non-profits, and schools, to name a few.

Rights of Homeowners and the Town of Sunapee

- 1) Our United States constitutional rights include that people are "innocent until proven guilty." Yet, STR owners feel we have been deemed *guilty* simply for hosting an STR without the chance to prove ourselves innocent. We are **responsible hosts**, who need (or chose as a home-owner's right) to rent our homes or spaces. Most STR hosts want the opportunity to show compliance with a registration process and adherence to equitable ordinances. The town cannot base sweeping decisions on a few historically poorly managed STRs, which have, with education and support, shown marked improvement.
- 2) The proposed Amendment #7 is moving the STR conversation and decisions backwards, not forwards. It is not a "baby-step". It is a giant push in the wrong direction, neglecting to consider the **impact on homeowners, Sunapee businesses, and the shores of our lakes**. For example, if homeowners of family-held houses on our lakes and ponds are forced to sell because they aren't allowed to rent and therefore can't pay their taxes, those decades old, memory-filled homes will be sold, torn down, and re-built. And then not likely inhabited by full-time Sunapee families. They will be second homes for out-of-town people who will contribute less to our economy than STRs do. And, in the meantime, we will have pushed out families with a real history, engagement with, and connection to our town.
- 3) Further, the proposed Amendment #7 would create a **havoc workload** for the Town's administrative office to impose. They are already understaffed and under-resourced. Implementing this change would put a costly burden on them. Please show these hard workers your sensitivity to and awareness of how this would hold their office underwater even more than it already is. They have a right to a manageable workload.
- 4) Lastly, the 2022 town budget had legal fees predicted at 18K. The town has already paid out 48K in legal fees to date. Some of these legal fees are related to landowners' rights being violated and consequent legal action pursued. It is naive to think that STR owners will not **fight for their right to rent their homes**. The legal fees for Sunapee could explode beyond the already excessive amounts. Our Police, Fire, Highway, Water/Sewer, Library, etc. departments need more people and financial resources to safely run our town. Yet, it appears the elected boards are blithely acknowledging that increased legal fees will be an acceptable outcome from this proposed amendment. This is short-sighted and an example of poor financial stewardship.

Our Request

- 1) We are respectfully asking that the proposed Amendment #7 about STRs be constructively re-written. With time in such short supply as we near the final ballot wording, too many questions remain unanswered. Too many negative human and financial costs are inevitable if the proposed Amendment #7 stays in place.
- 2) In our opinion there are 2 options:
 - a. Go back to the original Amendment #7, which would *work with* STR owners to ensure compliance to regulations and registration. Perhaps add in that STRs in RR and RL districts are required to have a local contact or co-host if they are not "owner-in-residence."
 - b. **OR**, let's take the time over the next 9 months to gather more data:
 1. Complete the Master Plan survey.
 2. Engage in a STR voluntary registration process.
 3. Support the LSSTRA to complete our own survey for Sunapee guests (currently being piloted).
 4. Create a town-appointed sub-committee to gather and interpret Sunapee data.
 - c. We don't know exactly how many STRs there are, where they are located, or who owns them. We don't know how many are owner-occupied (per the *current* "120 days"), how many are owned by Sunapee residents, how many are owned by investors, how often they are rented, how many people they sleep, and what platforms are used to rent them. We simply do not know enough.

Please complete the ethical due diligence required of the boards in representing **all** tax-paying homeowners in Sunapee. Please consider how the proposed Amendment #7 and its restrictive changes, would create chaos and hardship on so many people. **Please weigh the voices of STR owners as equal to other home and landowners in Sunapee, especially given that STR owners bring very real positive economic and relational outcomes to our town.**

Thank you for your consideration,

Lake Sunapee Short Term Rental Association

Lisa and Peter Hoekstra, Founding Directors

www.LSSTRA.org