

Meeting Minutes – July 2, 2019

Thirteen citizens convened Monday, July 2, 2019 to continue discussion relating to MBI trucking operations in Sugar Hill. The meeting is supported by the Sugar Hill Select Board and meets under their aegis. Dan Hinds proposed that Dolly McPhaul serve as the Chair of the Committee and those present unanimously supported the proposal.

Chair Dolly McPhaul called the meeting to order at 6:15 pm. It was agreed that Secretarial duties will be circulated and Betsy Fraser volunteered to take minutes for the July 2 meeting.

The group discussed that their primary objective is to have activities conducted on the Presby property, both current and potential future activities, be compliant with Sugar Hill requirements. (Betsy Fraser reported that the Sugar Hill Historical Museum has assigned members of its Board to draft a statement on the impact of heavy trucking on Sugar Hill and similar rural communities in the North Country which they plan to submit to NH DOT as part of their meetings on cargo freight transportation. The committee will follow and support their work.)

Dolly McPhaul described her progress researching documents that are available in Grafton County Superior Court in Haverhill pertaining to the Presby property on Route 117. She found documentation covering the period in 1990 in the case of Lawrence Ring versus the Sugar Hill ZBA. The documentation defines the criteria that were stipulated for the site to qualify for a “special exception” allowing “light commercial” activity. These included building a dwelling on the site; not exceeding 10 employees; not adversely affecting the scenic, uncrowded nature of the community; not adversely affecting property values; not creating a nuisance for neighbors, etc. Lynne Warren noted that the NH Office of Strategic Initiatives publishes a handbook that provides definitions of light commercial, industrial, etc. Lynne noted that the current handbook outlines criteria that must be met to obtain a variance that allows light commercial activity. These criteria appear to be similar/same as the criteria that Dolly found in the 1990 documentation.

Dolly McPhaul will continue to study the documents available through Superior Court, organize the information, and applying the criteria outlined in the document for what constitutes light commercial activity, she will prepare an analysis of current violations and violations that have occurred as the property has undergone change of use over time. Dolly has informed the lawyer retained by the Town on this matter about her work and has agreed to review findings with her. Dolly (and other interested Committee members) will also review the case with a second attorney.

The Committee agreed to conduct research to move the case forward. Ron Cole, Don Kiepert and Carleen Quinn will interview Sugar Hill and Franconia businesses to learn if their operations are being adversely impacted by the frequency of MBI trucks using Route 117 and Franconia Main Street. Carleen Quinn will summarize real estate data related to the sale of homes located on Route 117. Don Kiepert will maintain contact with Chief Mancini regarding installing noise monitoring equipment on the Kiepert property across from the MBI depot site to measure the frequency and intensity of noise generated by site activities. Don Kiepert and Dan Hinds will install a motion-activated camera on the Kiepert property that will record and date stamp vehicles using Route 117 in the vicinity of the MBI depot.

The next meeting of the Committee is Monday, July 15 at 6:00 pm in the Crapo Building. Those listed with actions were asked to be prepared to present their progress and findings. The information will be organized and submitted to the Town's attorney in advance of a meeting scheduled with her on Monday, July 22. At the meeting on July 22, Chairman McPhaul and a small designated team will interview the lawyer to learn about her progress in addressing this case and they will assess her interest and ability to mount an active, aggressive case.

The Committee operates under the aegis of the Select Board. Meeting minutes will be sent to Committee members. Regular summaries will be sent to the broader email distribution list to keep everyone informed and involved in the process.

Les Newell made a motion to adjourn the meeting, seconded by Dan Hind. Chair Dolly McPhaul adjourned the meeting at 7:35pm.