

LAKE KANASATKA WATERSHED ASSOCIATION ANNUAL MEETING

July 12, 2008

Moultonborough Public Library Community Room

OLD BUSINESS

Officers: The meeting was called to order at 9:30 am. The new President, Antonia von Gottberg, introduced herself and the other current officers. They are: Laurie Whitley, Vice President; Jane Fairchild, Secretary; Doug Whitley, Treasurer. Other introductions included: Sandra Kelly, Water Quality; Jane Fairchild, Boat Parade; and Fox Smith and MaryAnn McRae, Hospitality. Jane Fairchild was appointed to the vacant Secretary position in spring, 2008. The Hospitality Committee would like to have additional volunteers. A chairman for the 2009 Boat Parade is needed.

Secretary's Report: Jane Fairchild read the minutes of the last LKWA meeting on August 11, 2007, submitted by Barbara Lauterwasser who was Secretary at that time. A motion was made and seconded to approve the minutes as read.

Treasurer's Report: Doug Whitley presented the Treasurer's report and displayed the current financial position on screen. After dues were raised last year, for the period from July 1, 2007 to June 30, 2008, LKWA collected \$1,952 in dues, permitting us to meet our usual commitments. The Treasurer's report was approved as presented. LKWA has new hats and vests with a new logo. Orders may be taken through D. Whitley.

Water Quality: Sandra Kelly gave the water quality report. Sampling began earlier than usual this year at UNH's request so they could measure the impact of the melt of large amounts of snow this winter. The water quality report for last year indicated little change over the years and clarity has increased slightly. Cyanobacteria, reported in other area lakes, is not tested regularly as it is difficult to sample at the exact time it may be present in measurable concentrations. John Scudder stated that the signs of infestation include a bluish-green film on top of the water and no one reported seeing this. Lake users should take note of such conditions.

2008 Boat Parade: Jane Fairchild gave the report of the 2008 4th of July Boat Parade and pictures were shown onscreen. Over 30 boats participated and many people watched from the shore. While there was a great deal of water spraying from boat to boat, it has been reported that some people were throwing water balloons. This will not be permitted in future parades as leftover balloons pollute the lake and may be ingested by wildlife.

Loon Report: Mark Whary gave the loon report. Loons are nesting on the newly placed raft in the Kilnwood Cove. They went on the nest very late. Whary had a report last week that some people were coming too close and possibly harassing the sitting loon. He will investigate. It was suggested that additional signage around the nest be placed; he will ask the LPC to assist with this.

Award from Lakes Association: Chip Richards, eldest son of Member Hal Richards, introduced his father and described an award he recently received for his work in forming the NH Lakes Association and his years of service thereafter in the protection of all New Hampshire lakes.

Website: John Scudder introduced the www.kanasatka.org website which he set up nearly 10 years ago. Since he began keeping track in mid-2006, it has received 28,699 hits, so it is being well used. John showed the website on screen and described different features, including a new "message board" section where members can post interactive

messages of lake news, questions and comments. The message board is an excellent vehicle for people to share ideas and have their voices heard.

New Camp: Camp Hawkeye is now operational and has a long term lease on the Deer Hill Camp property.

CSPA: The newly revised Comprehensive Shoreline Protection Act (CSPA) went into effect on July 1, 2008. Bill Smith served as a member of the statewide committee that drafted and reviewed the complex law and administrative rules. Smith answered questions about changes to the law which include: changing the permit process from local to state control; a permit is required for changing the footprint of a building within 250 feet of the shoreline, and a permit and formula are now required for most cutting of trees and brush within 50 feet of protected shoreline, called the “waterfront buffer”. The formula requires the landowner to measure 50’ square sections of land and add up “points” based on amount of vegetation in each 50’ section. A member of the DES outreach team will be asked to attend the next meeting of LKWA for further education.

NEW BUSINESS:

Kilnwood Request for Changes to Court Order: President von Gottberg stated that Kilnwood asked last year to make changes to the 1973 court order placing certain restrictions on the growth of the Kilnwood condominiums. She and other members of LKWA met with Kilnwood representatives this spring to learn more.

Mark Whary, president of Kilnwood Association (KWA), then spoke and stated they would like to enlarge their dock which currently holds 14 boats in various configurations and is cramped. Currently boat owners rotate spaces on the dock and some boat owners cannot place their boat in the water until a space becomes available by another boat vacating. They have applied for a permit the state Department of Environmental Services (DES) to expand it to 16 power boats by adding 2 more “fingers” on the west end of the current dock.

Jane Fairchild asked about other changes to the court order that Kilnwood has proposed. Whary replied that they would also like to be able to launch boats from the beach/grassy area of their shoreline. They have recently tried to limit this activity due to the nearby loon nest so they will continue to work this out. Kilnwood would also like the ability to purchase adjacent land should it become available.

Ted Hilton (abutter) gave the history of the Kilnwood development. According to Hilton, the amount of dredging and filling of wetlands undertaken to build Kilnwood in the early 1970s would not be permitted today. In 1973, in response to litigation brought by Ted Hilton and Lake Kanasatka property owners, (which later became the Lake Kanasatka Watershed Association (LKWA)), the Carroll County Superior Court ordered several restrictions on the condominium development. These included: development limited to 29 house lots, rather than the 36 lots initially proposed; restrictions on the size and configuration of the dock; and a ban on purchase of new contiguous land tracts. All restrictions were for the purpose of limiting the growth and presence of Kilnwood on the lake. Hilton noted that since these restrictions were ordered by the court, LKWA could not change the order in any case. He does not believe anything should be changed as the solution has been effective for over 35 years.

Chip Richards stated that he is concerned that making this request to LKWA to change the court order will open up a “can of worms” and he is opposed to doing so.

George Bibbler (abutter) noted that over 3,000 yards of fill were brought in to make a road and place the homes in the area of an old marsh. Another 2,000 yards were brought in illegally to build the beach. This activity significantly altered the ecology of the cove where the Bibbler house is located and it has since been choked with lily pads.

Both abutters state that LKWA wants to be good neighbors in sharing the lake and has in fact “looked the other way” over Kilnwood’s violations of the court order over the years such as enlarging the dock in 1999 and allowing boats to launch from shore, a prohibited activity under the court order. Mr. Hilton stated that Kilnwood should also be a good neighbor and withdraw their proposal and application for the good of the lake community. If this is done, the LKWA could “look the other way” again regarding any past breaches of the court order.

Another speaker noted that there has been a history of “vitriol” between LKWA, Kilnwood property owners and the original developer Mr. Thompson who is no longer involved in Kilnwood matters. Several speakers noted that Kilnwood does not feel it is overusing the lake as only a few boats are out at any given time. Sue Scudder said she does not feel the Kilnwood request is unreasonable.

Other attendees spoke briefly of their concerns and asked questions. Rob Baker clarified that under the state regulations and the court order, 16 boats are permitted and currently only 14 are able to dock, yet the application seeks to allow 4 more slips. Whary explained that the configuration will change so each boat will have one slip as shown on the plan and application submitted, and this is for 16 boats. There will be no doubling up of boats. Only 16 boats will be docked at a time.

Ted Hilton noted that the court attempted to restrict the size of the dock, not necessarily the number of slips.

Von Gottberg noted that making changes in the current agreement could involve attorneys and possibly further court proceedings, an expense LKWA would have to absorb. She also noted concerns of some members that if LKWA agrees to the proposed changes, that may dilute the entire court order and make other parts of it unenforceable in the future.

Flo LaPorte questioned who from Kilnwood has access to the docks. When a person buys property, do they understand they will not have a full time boat slip? Whary stated that the deeds indicate each owner has a 1/29th interest in the common properties.

Whary further stated that the discussion today was for informational purposes. If the state does not approve their application for a permit, it is a “moot point”.

Laurie Whitley noted that the newsletter mailing went out to many people who are not members including everyone in the watershed and in Kilnwood. It is hoped this will help others become more informed about LKWA issues.

Other New Business:

LKWA will continue to have two meetings per year as a recent poll indicated a preference for two meetings. The preferred next date is August 16. The officers will try to book the outreach team from DES to discuss changes to the CSPA, therefore the meeting will most likely be at the Moultonborough Library.

The Marine Patrol boat has been active in checking and stopping boaters on the lake for unknown reasons.

A large turtle continues to make his way around the lake to different properties, possibly laying eggs at one cottage.

The meeting was adjourned at 11:05 am.
Respectfully Submitted,
Jane E. Fairchild, Secretary
Lake Kanasatka Watershed Association (LKWA)
August 1, 2008
Approved: August 16, 2008