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**BROAD BAY ALLIANCE ASKS FREEDOM
SELECTMEN TO EXPLAIN DECISION ON
OSSIPPEE LAKE MARINA**

****** TOWN OFFICIALS SUSPEND ZONING ENFORCEMENT
DURING THE 4th OF JULY WEEKEND CITING CONCERNS
FOR "PUBLIC HEALTH AND SAFETY" ******

July 3, 2002, Freedom, NH – Broad Bay Alliance has called on the Freedom Selectmen to explain their decision to allow Ossipee Lake Marina owner Kevin Price to use residential property for commercial purposes just weeks after the town ruled such use was illegal.

On July 1st the Selectmen voted 2-1 to approve Price's verbal request to use the shoreline parking lots and bathroom building on adjacent residential Lot 42 during the 4th of July holiday weekend despite the town's ruling that such use violates zoning. On July 3rd the Selectmen "temporarily" suspended their June 11th cease and desist order that had prohibited Price from using the property and subjected him to fines of \$250 per day for violating the order.

In their letter to Price lifting the order the Selectmen stated that their decision was "to protect the health of property owners around the lake" and was "in the interest of safety". The Marina illegally constructed the parking lots and bathrooms on residential Lot 42 between 1998 and 2000 and has operated them since then without required town approvals.

On May 28th the town's Zoning Board of Adjustment denied the Marina's application for an "after the fact" special exception to zoning to use the Lot 42 property as part of its business. In the same ruling the board also denied new buildings and other business expansions. The ZBA ruling came after five years of environmental and zoning violations on the property, more than a year of study, six sets of plans and two public hearings during which time the Marina's expansion was strongly opposed by Freedom homeowner groups, environmentalists and individual property owners.

Although the Marina initially complied with the Selectmen's June 11th order by blocking access to Lot 42, residents reported to the town that the Marina re-opened the property to accommodate approximately 50 participants in a fishing contest on June 22nd and 23rd.

In a further development Price divided the application that the ZBA rejected in May into six different applications and has re-submitted them. These include two separate applications covering the use of Lot 42, one for the bathroom building and another for the parking lots. The ZBA agreed to consider the six applications at a hearing on Tuesday, July 9th.

In making the announcement today, Alliance spokesman David Smith said, "Our members include a majority of the Marina's abutting property owners, the homeowners of North Broad Bay and YMCA Camp Nellie Huckins. None of us knows of any public health or safety issue that would justify the Selectmen suspending enforcement of the ZBA's May 28th ruling, a ruling we overwhelmingly supported".

"If the Selectmen believe the use of Lot 42 is essential to the health and safety of the lake's property owners, why didn't they present that case during the year and a half that this issue has been debated, including at two public hearings?"

"Now that the ZBA has ruled against the Marina the Selectmen have uncovered a threat to health and safety sufficient enough to suspend enforcement of the zoning ordinance. We believe the community deserves an explanation".

The Selectmen's suspension of their own legal order is the latest twist in a story that began when Ossipee Realty Corporation purchased the Marina property in 1997. Broad Bay residents immediately began notifying town officials that the new owners were violating environmental and zoning laws, including constructing and expanding buildings without building or zoning permits.

Responding to property owner complaints in January 2001 the Selectmen divided the zoning violations into two groups. One group was to be brought into compliance by July 1 of that year and a second group was to be put before the Zoning Board of Adjustment as requests for "after the fact" special exceptions.

Price applied to the ZBA in August 2001 but withdrew his application before the hearing date. In January 2002 Broad Bay property owners sent pictures to the Selectmen documenting Price's lack of compliance with the violations that were to be addressed the previous July, including having more than triple the number of allowable boats stored on the property outside of the storage buildings.

Frustrated by the lack of enforcement on the property a group of citizens formed Broad Bay Alliance in February 2002 and established an Internet website at www.broadbayalliance.org that documented the violations.

The Marina's proposed expansion has been publicly opposed by Broad Bay Alliance, North Broad Bay Association, Berry Bay Association, YMCA Camp Nellie Huckins, dozens of individual property owners, Freedom's fire chief and the Green Mountain Conservation Group. During public hearings in March and May four people spoke in favor of the Marina's plans, three of them employees of the business.

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