

Witches Woods Tax District Public Hearing

April 26, 2019

Witches Woods Tax District held a Public Hearing on April 26, 2019 at the Bungay Fire House at 7:30PM to discuss the Proposition of increasing the maximum motor size from 70HP to 75HP as it appears in the current Tax District Rules and Ordinances, Paragraph B. Lake, Boating and Swimming, Subparagraph 4.

Homeowners were notified of the Public Hearing via the Tax District website (wwlake.com), Facebook (www.facebook.com/WitchesWoodsLake), a direct mailing to homeowners, e-mails, notices posted on our bulletin boards and published in the Woodstock Villager.

President Mike Moran stated the sole purpose of the Hearing and reviewed the meeting protocol which outlined allotted time for discussion and comments after which an informal straw vote would be taken. Mike emphasized that the straw vote was to give the Board a general feeling of how the homeowners viewed the proposed change but it is not a binding vote. Mike also reviewed the change to the Town of Woodstock Ordinance that covered the Witches Woods Tax District Boating jurisdiction returning the jurisdiction back to the Witches Woods Tax District. This enables the Tax District to make changes without going through the Town of Woodstock.

The Safety Committee recommended changing the maximum horsepower to 75HP. The committee reported on concerns regarding more powerful boats creating wakes. Further, since manufactures have gone from 2 stroke engines to 4 stroke engines 70 HP engines are difficult to find. The Safety Committee surveyed local boatyards, finding that of eight engine manufactures only one currently offers a 70HP. Eight of the eight offered 75HPs. The committee also offered ideas about enforcement.

Based on the recommendations of the Witches Woods Tax District Safety Committee, on April 1, 2019 The Board of Directors voted unanimously to consider

increasing the maximum allowed motor size from 70HP to 75HP and to call a Public Hearing to discuss it with homeowners.

Discussion Comments:

- Wakes of lower powered boats struggling to get a skier up can be worse than higher power boats that can get up on a plane more quickly.
- Horsepower is not as important as the speed of the boat
- A Review of the 1967 General Statutes was read stating that the Witches Woods Lake Association has the authority to change this law. In 1979 Charlie Puffer was granted permission by Joe Campert to be grandfathered in to use his boat even though the engine exceeded the maximum motor size.
- Quiet hours had been changed about five years ago.
- Non-boat owner stated we have always had a safe lake and hopes we can keep it that way.
- Kayaks and paddleboards are not compatible with large motors.
- 25MPH is difficult to enforce.
- Increasing the horsepower should be brought up at the Annual Meeting.
- Review of definition of “Horsepower” and the differences between a 70HP and 90HP and the impact of boat weights.
- This is not a lake it’s a pond. It has areas of shallows. Larger motors create more dangerous turns.
- Bigger wakes occur between 14-18 MPH and creates more erosion.
- Heavier boats may be creating larger wakes.
- If someone wants to do fast sports, then they should find a bigger lake.
- Decisions are not necessarily based on statistics.
- We have a quiet lake, and that is good.
- 4 stroke boats are quieter and there is not much traffic with boats traveling fast.
- Safety and erosion concerns should not be minimized.
- Enforcement is difficult.
- This is a pond and its all about balance.
- Manufactures have changed, and boats have changed and when you get a boatload of people you will get wakes and erosion.

- There is more activity now.
- Concerns with April Board minutes being posted late. Why did the Board stop at recommending 75HP?
- How is our insurance affected?
- Homebuyers have a responsibility to know the rules of the lake when you buy a house.
- The Safety Committee agreed that 90HP was not appropriate for this lake. They agreed that 70HP motors are not readily available any longer that 75HP would be an acceptable minimum change. Several felt that some confusion of the rules and enforcement may lend itself towards grandfathering the boats that are here now and there should be a strict application of the board moving forward. Among the committee there were differences of opinion.
- Grandfathering is an enforcement issue and non-compliant boats would not fall under the definition of grandfathering since they were not compliant to begin with.
- Has there ever been discussion about horsepower difference between horsepower for pontoon boats and power boats?
- Did the Safety Committee recommend that the people who knew the rules and decided to break the rules should be grandfathered?
- Glen had an informal discussion with someone from the DEEP who told him that we need to consider the size of the lake and the depth when determining the size of horsepower. The Board will decide whether to pursue this.
- Safety and insurance are paramount.

After the discussion closed a straw vote was taken. A total of 43 votes were cast. 23 voted Yes to raise the maximum motor size to 75. 1 was undecided. 19 voted no to raising the max to 75. Of the 19, 11 voted no because they wanted to lower the max, 1 no vote without an explanation and 7 voted no because they wanted a max higher than 75.

The Hearing closed and homeowners were thanked for attending.

After the Public Hearing the Board met and voted unanimously to increase the maximum motor size from 70HP to 75HP, effective immediately.