



State of New Hampshire

DEPARTMENT OF SAFETY
OFFICE OF THE COMMISSIONER

33 HAZEN DR. CONCORD, NH 03305

603/271-2791

JOHN J. BARTHELMES
COMMISSIONER

November 29, 2010

In the Matter of)
))
Barber's Pole,)
Lake Winnepesaukee, Tuftonboro, N.H.)
))
Motion to Reopen Hearing RSA 541:3)
))

Re: Appellants Motion to Reopen pursuant to RSA 541:3

APPELLANTS

1. Mr. Edward F. Eagan
2. Mr. Stephen E. Clark
3. Mr. Bob Flannery
4. Mr. Chris Hazel
5. Mr. Scott Verdonck
6. Mr. and Ms. Walt and Lynda Johnson
7. Mr. C. Jeff Huberty
8. Mr. Steve Buzzotta
9. Mr. Thomas Marden
10. Mr. Richard Stone
11. Mr. Richard M. Casale

ORIGINAL PETITIONERS

Represented by counsel
Roger F. Murray, III, Esq.

After review of my October 18, 2010 Decision and Order I find that no response has been submitted by Roger F. Murray, III, Esq., as Counsel representing the Original Petitioners. Therefore, the Findings of Fact, Decision and Order remain.

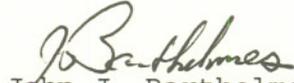
V. DECISION

Petitioners have not established the mandatory criteria compulsory within RSA 270:12,I; therefore, the July 30, 2010 Decision and Order issued requesting the establishment of a No Wake Zone in Barber's Pole is vacated.

VI. APPEAL

RSA 541:6. Within thirty days after the application for a rehearing is denied, or, if the application is granted, then within thirty days after the decision on such rehearing, the applicant may appeal by petition to the Supreme Court.

Very truly yours,


John J. Barthelmes
Commissioner

JJB/

Via US Mail or Email
Copy sent to Appellants
Original Petitioners' Counsel
Town of Tufonboro
Director of Safety Services
File