



# TOWN OF NEW LONDON, NEW HAMPSHIRE

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## BOARD OF SELECTMEN MEETING MINUTES April 28, 2009

### PRESENT:

Larry Ballin Chair, Board of Selectmen  
Mark Kaplan, Selectman  
Tina Helm, Selectman  
Chad Denning, Recreation Director  
Jay Lyon, Fire Chief

### Also Present:

Bill Andrews  
Marilyn Andrews  
Amy Augustine  
Bill Berger  
Jeanine Berger  
R. Peter Bianchi  
Brenda Balenger  
Chris Bottinger  
Alexa Carlin  
Savannah Carlin  
Priscilla Carpenter  
Pat Coogan  
Brad Cook  
Pat Coogan  
Chris Derman  
Joe DiClerico  
Bill Dowd  
Gladys Dowd  
Donna Ferries  
John Ferries  
Carol Foss  
Bobbie Hambley  
Jack Hambley  
Laurie Jacquis

Ron Koron  
Vicki Koron  
David MacMillin  
Molly MacNaughton  
Tom McCormick  
Mike Meller  
Bev Payne  
David Payne  
Debra Perkins  
John Rogers  
Michelle Rogers  
Robert H. Scott  
Tom Scully  
Jack Sheehan  
Pat Sheehan  
Elizabeth Shelly  
Gerald Shelly  
or Harry Snow  
Bud Snow  
Dan Snyder  
Ellie Snyder  
Marylee Verdi  
John Wilson  
Kittie Wilson

Chair Ballin called the meeting to order at 4:00 p.m.

Fire Department Update: Chair Ballin asked Fire Chief Jay Lyon to speak about the fire danger; April 28, 2009 was a Class 5 fire danger day. There is to be no outside burning. Burn permits are a must, and they apply to chimaeeras as well. Burning brush requires a permit, must be 75' away from house and no more than 5" in diameter, and have a hose nearby.

Whipple Memorial Town Hall: Chair Ballin stated that the Whipple Hall renovation project is coming along nicely, and is on time and within budget.

Lake Sunapee Rowing Club: Chair Ballin stated that it had been brought to the Selectmen's attention very late last week that there was a Warrant Article from 1986 passed by the Town of New London Town Meeting regarding the use and the times available for the use of public beaches. He had copies of the warrant article for anyone who had not seen it. The key part of it that the Selectmen were focusing on at today's meeting was Article 38, under Public Beaches, #2, "The public beaches of the Town of New London are closed to use between the hours of 9:00 p.m. and 10:00 a.m. and during such other hours as may be posted in a public emergency." He stated that the Board of Selectmen were not aware of this Article 38 in 1986 and spent a lot of time over the weekend reviewing and thinking about it.

Chair Ballin made a motion: due to the restrictive nature with regards to the allowed hours of operation of our public beaches set forth in Warrant Article 38 of the Warrant of the Town of New London, dated February 21, 1986, that the Board of Selectmen deny the application for use of Bucklin Beach presented by the Lake Sunapee Rowing Club. Mark Kaplan seconded the motion. Chair Ballin asked if there was any discussion and Tina Helm stated that she was very frustrated after all the hours spent dedicated to this issue. Having just been made aware of this by-law they obviously had no choice, but she wanted to thank the Rowing Club, in particular Marylee Verdi and Brenda Balenger, as she feels they have taken the high road, been professional, and that they have tried to be collaborative and tried to work with the Town to make the plan work. Ms. Helm said that eventually she would like to revisit this whole situation, but not for a while. She stated that she believes they all need to step back, simmer down a little, and regain a sense of reason.

Tina Helm went on to say that her suggestion and offer at the April 20 Board of Selectmen's meeting to work on a Phase 2 of a beach front usage policy for the moment is withdrawn. She said that she had hoped they would end up with a fair and win-win resolution, but as she sees it, they have now ended up with a lose-lose resolution. She stated that after all the lengthy discussion, nobody should feel that there is a winner here, because there is not. Most notably, the citizens of the Town who are being served poorly by this decision. Their enjoyment and recreation for the moment are being lost and that makes her very sad.

Chair Ballin stated that there was collateral damage here. He said that they were now in discussion with the Hospital as to how they can proceed with the triathlon and a lot of summer programs were going to have to be changed. He also said there were going to be a lot of \$10 hits on people seen swimming, especially in Elkins, where there is no fencing or restrictions. He said that they would follow the letter of the law as best they could. With no further discussion, he asked for a vote on the motion. The **MOTION** was passed **UNANIMOUSLY**.

John Wilson asked if there was any chance of a reconsideration vote and Chair Ballin assured him that there would not be. Marylee Verdi said that she wanted to thank everyone for coming together and talking. She said that the only thing the Rowing Club really wanted to do was provide programming. If they had any idea that there would have been antagonism, frustration, and anger, they would not have approached the Town. In particular she thanked the Board of Selectmen for all the time and energy that they put in for a really inconsequential thing, and thanked Chad Denning and Jessie Levine for helping her learn about the Town and how vested all of them were in the government of the community.

Debra Perkins suggested the possibility of using the Wild Goose site, which has a beach area, and contacting the State for permission to use the site located in Newbury. The site is owned by the citizens of New Hampshire and she believes it is administered by New Hampshire Fish and Game. The property is approximately three acres with a 40 foot (+/-) sand beach. Much had been written about the Town of

Newbury and the Lake Sunapee Protective Association wanting the development of this property in the most gentle of ways. Newbury has conferred that the launching and retrieving of power boats at the site will lead to dangerous road entrance(s) on Route 103. The Lake Association is afraid that the site is not large enough for extensive boat trailer parking, for which a grove of trees will need to be cut down as well as paving the motor boat launch. The LSPA is in favor of allowing only human launched boats at the site and the Lake Sunapee Rowing Club has shown great spirit, willingness, and tireless energy to further the goals of the club. She had spoken with Jane Fichter, Executive Director of the Lake Sunapee Protective Association, who feels that the Town and Lake Association would be some of the strongest advocates toward gaining a foothold at the Wild Goose site. With so much enthusiasm generated for the Rowing Club, it seems that such a site of several acres would present an opportunity for growth and activity. She offered a copy of her statement for the record and it was accepted.

Kittie Wilson stated that she thought it was a win-win situation for the townspeople and for the environment. She went on to say that they are 100% behind the zoning regulations. She said that the Rowing Club had obtained huge publicity through this and that it was an inappropriate choice and she was not sure why they were lead down this path, but the Club had lots of possibilities.

Chair Ballin thanked everyone for coming and then moved on to the next item on the agenda (giving everyone time to vacate).

Chair Ballin stated that the Citizens Advisory Committee meeting on May 2 was all set for the refreshments, with Linda ordering coffee and Michael Doheny bringing food.

Meeting Minutes: Chair Ballin stated that there were a substantial number of errors in the April 20 minutes and suggested that the Board postpone the approval of these minutes until Jessie Levine could go through them and make the necessary corrections. He stated that the content of them was correct, but if the Board did not have any objections, he would like to postpone approval.

Economic Development Committee: Chair Ballin stated that the working group met last week at Gary Markoff's house and will attend the next Board of Selectmen's meeting with a proposal and a charter, which Michael Doheny will present. He said that they have started compiling a list of people's names that they hope are interested and as soon as that group gets an official charge from the Board, then the group can go out and start working on that. There are good opportunities to market New London, especially since the Hospital is moving out of the Stahlman building, letting people know that there is some good hardwired space available for a low-tech/ high-tech firm to use and enjoy the Town.

Propane Quote: Chair Ballin stated that he has a propane quote which Gary Markoff had suggested be obtained because now is the optimum time to lock in a price. Carol Fraley had put together a 2009/2010 heating season comparison spreadsheet of costs for both Irving and Dead River. Ayer & Goss, a company in Henniker, had also been contacted, but would not return the Town's phone calls. Dead River not only gave the Town a price, but gave the Town a dialogue which he wanted the Board to give their opinion on. He went on to say the Irving price was \$1.32 and Dead River was \$1.22. The Irving total cost would be \$35,528.57 compared to \$30,395.82 that Dead River quoted for the fiscal year. Mark Kaplan moved that the Board approve the Dead River proposal for 2009/2010 in order to lock in the current prices before they changed. Tina Helm seconded the motion.

The **MOTION** was **APPROVED UNANIMOUSLY**.

UPCOMING MEETINGS: Chair Ballin stated that there would be a sewer meeting on Thursday, April 30, at the Sunapee Town offices, 5:30 p.m.

Chair Ballin stated at this point that that was all he had for an agenda today and asked if anyone who had stayed wished to comment. Dan Snyder commented that he was trying to lock in a good price as well for propane and Chair Ballin offered him a copy of the spreadsheet with the quote from Dead River, as that was public information.

Peter Bianchi asked if there had been any comparison of oil prices as a second option and Chair Ballin stated that he was not aware of any, but would possibly have it on the agenda next week.

With no further business and no other comments, Tina Helm moved to adjourn the meeting and Mark Kaplan seconded the motion. The meeting was adjourned at 5:00 p.m.

Application for Building Permits:

- Dale & Jeanne Conly, 1801 Little Sunapee Rd (Map & Lot 043-021-000) After the Fact replace plastic porch windows w/glass – Permit #09-017 – Approved.
- Janice Baron, 331 Bunker Road (Map & Lot 062-019-000) excavation behind house to remove soil spill – Permit #09-018 – Approved.
- Peter & Kathy Bloch, 26 Otterville Rd. (Map & Lot 056-014-000) 8x15 storage shed – Permit #09-019 – Approved.
- Martha Banerjee, 135 Lamson Lane, (Map & Lot 049-018-000) close in lean-to – Permit #09-020 – Approved.
- William & Nina Kozain, 55 Page Road (Map & Lot 117-021-000) mud room, bathroom and ramp addition – Permit #09-021 – Approved.
- George & Richard Darrah Trust, 784 Pleasant St, (Map & Lot 049-002-000) repair, remove, replace stairs, deck and door – Permit #09-022 – Approved.

Application for Temporary Sign Permit:

- Kearsarge Chorale, Concert sign for May 3, 2009 @ 4:00 PM at First Baptist Church – Approved.
- League of Women Voters, Learn about Local Foods, sign for May 7, 2009 @ Tracy Library @ 7:00 PM – Approved.

Application for use of Whipple Hall:

- New London Barn Players, Intern rehearsals, June 14-August 23, 2009, weekdays 1:00 – 6:00 Saturdays 9:00-6:00, Sundays 1:00-3:30 – Approved.
- Sunapee Region Board of Realtors, April 23, 2009, 12:00-4:00 (after the fact) -- Approved.
- Kearsarge Community Center, 331 Main St. 1<sup>st</sup> Annual Granite State Story Telling Festival, October 17, 2009 9:00 am – 5:00 pm – Approved.

Application for use of Sydney Crook Conf. Room:

- Colby Real Estate Inc., Ben Cushing, buyer seminar – May 16, 2009, 8:00 am – 5:30 pm – Approved.

Application for use of Town Common:

- Kearsarge Community Center, 331 Main St. 1<sup>st</sup> Annual Granite State Story Telling Festival, October 17, 2009 9:00 am – 5:00 pm – Approved

Application for Current Use:

- Lynch, Christopher & Maria, Mountain Rd. (Map & Lot 049-042-000)

Permanent Application for Property Tax Credit/Exemption:

Other:

- Disbursement & payroll voucher week of 4-27-09 - Approved.
- State of NH, DOT, NH route 11 & 114 Work Zone Agreement – Approved.
- Sewer Betterment, Edmunds Road, Property Tax 1<sup>st</sup> Levy – in the amount of \$6,600.00 -- Approved
- Appointment card for Emma Crane, Planning Board member – Approved.
- Contract & Alternate W9 Form for OHRV & Snowmobile Agent designation – Approved.
- Warrant Yield Tax Levy - in the amount of \$721.00

Respectfully submitted,

Camille Holmes, Recording Secretary