

**BOARD OF SELECTMEN  
MEETING MINUTES**

**April 4, 2005**

**PRESENT:**

Mark Kaplan, Chair, Board of Selectmen  
Ruth I. Clough, Selectman  
Douglas W. Lyon, Selectman  
Jessie Levine, Town Administrator

**OTHERS PRESENT:**

Robert and DJ Lavoie, New London residents  
Lawrence Rupp, New London resident  
Debbie Cross, Intertown Record  
Carolyn Dube, Argus Champion

Chair Kaplan called the meeting to order at 8:00 AM.

Balsam Acres: Chair Kaplan acknowledged receipt of a hand-delivered letter from Lawrence Rupp, resident of Balsam Acres. Mr. Lyon asked Mr. Rupp if he wanted to add anything to his letter, and Mr. Rupp said that he had nothing to add at this time. Mr. Lyon said that he had observed the conditions on Balsam Acres yesterday [Sunday, April 3], and he is not sure that anything would be gained by further discussing it here. He added that the Board of Selectmen is preparing a letter that lays out the facts and history behind this situation. Mr. Lyon said that the Selectmen had received an e-mail from the Gibsons about the flooding over the weekend, and the Selectmen had not heard back in response to their request to inspect the Gibsons' property. Mr. Rupp said that the Gibsons sump pump had been overwhelmed this weekend, and it had never been flooded out before. Ms. Clough said that she and John Clough had walked in that area on Saturday night at about 6:00, and noted a substantial flow of water through the culvert. Mr. Rupp said that he and Doug Lyon had walked the area on Sunday; the rain had stopped and there was a huge flow of water that was all coming underground at the bottom of the hill. Mr. Lyon said that he had taken photos of the water coming out of the pipe, and gave copies to Mr. Rupp. He said that the quality of the photos was poor. Mr. Rupp said that he had taken photos as well, and they were not yet developed. Ms. Levine said that she had inspected the culvert and the Balsam Acres neighborhood this morning, and noted flow coming out of the culvert. Mr. Lyon stated that obviously this has to be addressed, and is glad that a time [May 3] has been scheduled to do that. Ms. Clough asked Mr. Rupp for copies of the photos when they were developed. Mr. Rupp departed at 8:10 AM.

Citizen's Advisory Committee: Chair Kaplan recapped Saturday morning's discussion at the Citizen's Advisory Committee (CAC) meeting. Mr. Lyon said that some people like the idea of term limits, and some do to. Some suggested limiting to two terms, some said three terms. All seemed to agree that the chair should rotate, but understood that the decision was up to the board or committee members. Ms. Clough said that people forget that the Selectmen do not hold puppet strings over the boards.

Meeting Minutes: Mr. Lyon moved to accept the public and non-public minutes of March 28, 2005. Seconded by Ms. Clough and passed 3-0.

Zoning Board: Ms. Levine said that there are two openings on the ZBA. Larry Ballin would like to be reappointed, but Caroline Newkirk is not seeking reappointment. Ms. Levine said that she has spoken to

Larry Ballin about asking the more regular alternates if they were interested in moving into the open seat. The Selectmen opined that there should be a mix of old and new residents on the ZBA and among the alternates, and will recommend that alternates should attend meetings even if they are not serving on the board that night. Mr. Lyon said that he would draft a volunteer appointment process, building on the one that Ms. Levine prepared in 2004, and suggested delaying any decisions until the Selectmen's next meeting on April 18. He said that the Selectmen's emphasis should be on picking qualified people, looking at how well the boards have performed. Voters in New London seem to be supportive of the conservationist bent; the Planning Board has thought along those lines and has proposed amendments accordingly. The Planning Board has tried to think about growth management. Ms. Clough thought that the Planning Board should encourage interest in the Master Plan process, and suggested that a future *Quicklink* should focus on the Master Plan. Mr. Lyon suggested that Karen Ebel, chair of the Planning Board, should come in and talk to the CAC about the Master Plan process. He said that Ms. Ebel made it clear that she wants it to be a public process with much involvement. Chair Kaplan said that the Master Plan is a key part in the administration of town.

Bob Lavoie asked if there is a regulation specifying the number of people who can serve on town boards. Ms. Levine said that there is, although she could not recall the specifics of the statutes. [NB: Per RSA 673:2, Planning Boards in towns with New London's form of government shall have five or seven members, with one member being a Selectman or administrative official. Pursuant to RSA 673:3, ZBAs must have five members. Both boards may have up to five alternates, per RSA 673:6.] Mr. Lavoie asked if the alternates had voting power, and Ms. Clough responded that they would if they took the seat of a regular member. For the most part, the Selectmen see the benefit of alternates as the opportunity for people who are interested to serve the town while finding out if it is something that they want to do. Mr. Lavoie suggested that experienced members could go into an advisory role, and the Selectmen agreed that in theory, that could be done as an alternate position. Mr. Lyon said that the role as alternate could determine one's sense of commitment, as alternates should be expected to go to every meeting for continuity. Although the alternate would not have voting power, he or she could still contribute to the discussion and would be encouraged to do so.

Appointment Interviews: Ms. Levine said that Tom Cottrill is scheduled to meet with the Selectmen this morning to interview for reappointment to the Planning Board. Laura Alexander will do the same for reappointment to the Conservation Commission, and Dan Allen will interview for a new appointment to the Conservation Commission.

Dan Allen: Dan Allen introduced himself to the Selectmen. Ms. Levine said that Dan has attended numerous Conservation Commission meetings and has been recommended by the Conservation Commission to fill Wayne Warriner's seat. Ms. Clough said that she knows a fair amount about Dan, but asked him to give a brief history. Mr. Allen said that he was inspired by Esther Currier and by the Conservation Commission's accomplishments to date. He wants to be more involved with their activities, and has experience maintaining trails for the Appalachian Mountain club. He said that his professional background is in wastewater disposal, and he has experience reading plans and interpreting their implication. He worked in water supply and pollution control (now the water division) at the State Department of Environmental Services.

Mr. Kaplan said that he likes the sound of Mr. Allen's background. Ms. Clough said that she has known Dan for a long time, and thinks that he would be an excellent choice for the Conservation Commission. Mr. Lyon made a motion to appoint Dan Allen to the Conservation Commission, seconded by Ms. Clough and approved 3-0. Ms. Levine said that Amy Rankins will contact Dan Allen to be sworn in.

Laura Alexander: Chair Kaplan welcomed Laura Alexander and said that he is happy that she is interested in reappointment to the Conservation Commission. He asked her to describe her background. Ms. Alexander stated that she teaches in the Community and Environmental Studies program at Colby-Sawyer College, and she is working towards her doctorate in environmental science at Antioch New England. She said that her role on the Conservation Commission includes doing GIS mapping. She conducted the perambulation of the Wilmot/New London town line and documented that through GIS (even finding a boundary marker that had not been located in many years). She and the students at Colby-Sawyer conducted an invasive species survey two years ago to determine where in New London there is a problem with invasive species (the answer: everywhere). They prepared an invasive species brochure for the town. Ms. Clough said it would be helpful to have brochures available for customers at Spring Ledge Farm. They also reviewed New London's streams last year and mapped them as an overlay. She looks for ways to involve the college students in their third year project. Three years ago, the students worked with the town and Lake Sunapee Protective Association on the Columbus Avenue wetlands project. They are starting to talk to the Pleasant Lake Protective Association about a project next year involving lake inventory, including the rate of development and the level of impervious surfaces.

Chair Kaplan said that he is satisfied, and Ms. Clough nominated Laura Alexander for reappointment to the Conservation Commission. The approval was unanimous, 3-0.

Tom Cottrill: Mr. Kaplan welcomed Tom Cottrill, who is seeking reappointment to the Planning Board. Ms. Clough said that Mr. Cottrill had served on the board for a long time and has been a valuable member, and asked him to review how he started and how his role has changed. Mr. Cottrill said that he started in 1996, and he thinks it has gone well. Not much has changed during that time; the board has been stable even though some people have come and gone. He has been vice chair to Karen Ebel, and is ready to step in when she decides that she doesn't want to be chair (or he would step up if the board so voted this year). Ms. Clough said that the Selectmen have considered the use of alternates for the Planning Board because people are interested in getting into the process. Mr. Cottrill said that he thinks it's a great idea, especially given that it takes a while to get up to speed. He said that new appointees are generally quiet for a while until they know what's going on and get to know the regulations. Mr. Cottrill said that as the Master Plan process begins, it will be important to have people be part of the process, and he is fully in favor of having alternates.

Mr. Cottrill said that he thinks that the most important thing is continuity and stability so that applicants know that they will be dealt with fairly and consistently, following the rules and regulations. Ms. Clough said that she hopes the Planning Board can act independently without its own political agendas; it is important to those outside the process to believe that the boards are not tilting in one direction. Mr. Cottrill said that it will probably depend on the applicant. Some applicants may think that the Planning Board is too conservative, while the abutters may not think that the Planning Board has done enough. The regulations are what they are, and the Board just has to be reasonable and not put people through it with no reason. If someone comes to the Board with one agenda or another, they may not think that the Planning Board is balanced. Ms. Clough asked if the Planning Board works hard to follow the rules and regulations, and Mr. Cottrill said that the Board makes sure that they cover everything on the list. When the drawings come before the Board, hours have been spent reviewing the details (which Mr. Cottrill used to do with former member Syd Crook).

Mr. Lyon said that people on the boards ought not to represent certain constituencies in town; he is interested in people who represent the whole town. Mr. Cottrill said that since he has been on the Planning Board, it has been a challenge to find people to serve; most people who ultimately agree are in the middle. He said that there are generally two groups: those with an agenda and those in the middle.

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Everyone on the board has been stable and dealt with everything as fairly and properly as possible. He thinks that it has been a good process.

Ms. Clough said that she is glad that Mr. Cottrill is in favor of having alternates. She nominated Mr. Cottrill for reappointment to the Planning Board, seconded by Mr. Lyon and approved 3-0.

Meeting Schedule: the Board of Selectmen added the following meetings to their schedule:

Monday, May 2, 2005 at 8:00 AM

Monday, May 9, 2005 at 8:00 AM

Monday, May 16, 2005 at 8:00 AM

Monday, May 23, 2005 at 8:00 AM

Saturday, June 4, 2005 at 7:30 AM (Citizen's Advisory Committee)

Monday, June 6, 2005 at 8:00 AM

Monday, June 13, 2005 at 8:00 AM (tentative)

Monday, June 20, 2005 at 8:00 AM

Monday, June 27, 2005 at 8:00 AM

Balsam Acres letter: Ms. Levine referred to the draft letter to Lawrence Rupp and the Gibsons regarding the drainage in Balsam Acres, and asked the Selectmen for their input. After some discussion about the letter, the Selectmen suggested that the Town hire a hydrologist to review the drainage flows and give an independent opinion. Chair Kaplan said that Richard Lee's experience and opinion are valid, but he is concerned that he is not independent enough to Mr. Rupp or Gibsons.

Ms. Levine said that the Gibsons had also requested to use the Sewer Department property to access the back of their land for logging. Ms. Clough said that she would refer the question to the Conservation Commission, and would suggest that no logging be allowed until the end of the spring. Chair Kaplan and Mr. Lyon agreed that the Conservation Commission should review the request.

With respect to the horses kept at the Gibsons' property, Mr. Lyon suggested letting the Gibsons know that they had received complaints from the neighborhood, and ask them to give more information about "how soon is soon."

### **SIGNATURES:**

#### **Building Permits:**

- Heidelberg Lodge #92, 235 Main Street (Map 84, Lot 65), application for amendment of building permit #04-094 to extend shed roof between awnings – Approved (Permit 04-094)

#### **Sign Permits:**

- NONE

#### **Other Items for Signature:**

- Disbursement and Payroll Voucher for the week of April 4, 2005
- Veteran's Credits
- Peter & Debbie Stanley, 638 Burpee Hill Road (Map 56, Lot 6), Application for Conservation Restriction Assessment for 7.0 acres – Approved
- Management Agreement with Sodexo for facilities maintenance through April 3, 2006 – Approved

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- Warrant for Yield Tax in the amount of \$361.08
- Appointment Cards for Laura Alexander (Conservation Commission, term expires 2008); Tom Cottrill (Planning Board, term expires 2008); and Dan Allen (Conservation Commission, term expires 2006)
- Application for Use of Whipple Memorial Town Hall by Citizens Group regarding middle school – Approved

There being no further business, the Board of Selectmen voted to adjourn the meeting at 10:30 AM.

Respectfully submitted,

Jessie Levine  
Town Administrator