

**BOARD OF SELECTMEN
MEETING MINUTES**

October 3, 2005

PRESENT:

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

OTHERS PRESENT:

Mark Vernon, Chair, Street Lighting Committee
Jack Harrod, Street Lighting Committee
Stefan Timbrell, Street Lighting Committee
Celeste Cook, Street Lighting Committee
Richard Little, President, Great Pines Homeowners' Association
Ben Cardinale, Great Pines resident
Sid Watt, Vice President, Great Pines Homeowners' Association
Robert Scott, South Cove resident
John Rogers, South Cove resident
David Seastrand, Police Chief
Tom Anderson, Police Officer/Detective
John Chiarella, Norsk Ski Touring Center
Carolyn Dube, Argus Champion
Debbie Cross, Intertown Record

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

Street Lighting Report: Chair Kaplan recognized Mark Vernon, chair of the Street Lighting Committee, and invited him to report on the Street Lighting Committee's work. Mr. Vernon distributed a presentation handout, noting that most of the committee members were present this morning. He said that the committee has made good progress over the last 15 months, and spent a good portion of time discussing the conversion of lights on Main Street and decorative fixtures.

Mr. Vernon said that the committee had the following objectives: 1) save money by reducing street light costs; 2) improve safety; 3) reduce light trespass; 4) improve the appearance of town; and 5) reduce energy consumption. He pointed out that the committee has not developed an outdoor lighting code. The Town currently has 150 street lights, consisting of a variety of incandescent, mercury vapor, and high pressure sodium lights. The current annual cost to the town for these lights is \$22,300. PSNH offers a conversion to low energy street lights with reduced rates, and those lights are either high pressure sodium (HPS) or metal halide (MH). All street lights must be converted in order to qualify for the lower rate. The committee discovered that PSNH only offers fixed wattage bulbs with lumens that are higher than the lumens put out by the existing bulbs. Mr. Harrod pointed out that full cutoff hoods could be installed with the new bulbs that will shield the light and direct it downward so as not to cause greater light intrusion.

Mr. Vernon said that the committee favors converting to the high pressure sodium lights (there are HPS lights in town currently at St. Andrews Church, the Historical Society, and at the Cross's field on Main

Street). The metal halide lights are more expensive but provide superior color rendering, and the committee concluded that the cost savings outweigh the color rendering.

The committee drafted guidelines to follow for placement of the street lights (or in this case to determine whether the existing lights were properly placed). The committee then inventoried the existing 150 lights by driving around town, and made recommendations to keep or remove lights based on the guidelines and input from the Police Chief and Road Agent. The committee ultimately decided to recommend the removal of 43 lights throughout town. The committee has met with PSNH representatives to review lamp alternatives, costs, and conversion logistics, and also considered replacing the existing lights with decorative street lights. There were not many options for decorative lights, and the lights were pricey. The committee is also aware of the Main Street Committee's potential project with underground utilities on Main Street, and kept that in consideration.

Mr. Vernon referred to page 5 of his handout, which summarizes the options for conversion:

	Description	Capital Cost	Payback Period
1	One-for-one conversion of all 150 lights to HPS	\$55,000	6.3 years
2	44 removals; conversion of remaining 106 lights to HPS	\$42,000	3.3 years
3	44 removals; conversion of remaining 106 to HPS with decorative fixtures	\$79,000	6.2 years
4	44 removals, including 8 on Main Street, leave remaining 27 on Main Street as-is and convert balance (79 lights) to HPS	\$35,000	2.8 years

Mr. Vernon said that after much discussion, the committee concluded that it was not ready to talk about converting lights on Main Street since the Main Street Committee's work was not complete. He said that the committee's recommendation, therefore, is option #4: to remove eight lights on Main Street and not convert the remaining Main Street lights for the time being. The remaining 79 lights in town would be converted. Option 4 requires the lowest capital cost and the shortest payback period. The downside is that PSNH wants the town's commitment that it will convert Main Street lights within one year of the rest of town, so that puts a burden on the Main Street Committee to make some decisions. Mr. Vernon said that the committee also ruled out decorative lights town-wide due to the cost. Stefan Timbrell said that it seemed premature to put decorative fixtures on Main Street without more fully investigating other options. The worst case scenario is that PSNH will give the town one year to convert, even if Main Street goes to the standard HPS fixtures. Mr. Harrod noted that the clock starts ticking once the project begins, so it is actually more than one year away.

Mr. Timbrell said that in a perfect world, the Main Street Committee would be able to find a fixture and bracket that could be attached to a pole if the utilities are buried in the future. Mr. Vernon said the committee had talked to PSNH about whether PSNH would buy back the standard fixtures if the town swapped later, and that was not an option. He added that there were not many options of decorative lights from the suppliers whose catalogs they reviewed and the committee has not received enough public feedback at this point. PSNH does not offer decorative fixtures; they are only available through private suppliers. PSNH will not maintain the decorative fixtures, which are more expensive to begin with. The town would have to maintain and replace broken fixtures.

Mr. Vernon said he is not sure how to get PSNH the assurance that the town will convert the remaining lights within the year. Ms. Levine suggested that one way would be to budget for the entire conversion and commit the funds to be spent on the lighting. Mr. Lyon asked what the sense of the committee was about decorative fixtures town-wide. Mr. Vernon said there are varying opinions on the committee. For some members the priority was cost savings and reduced light pollution, while for others it was having a consistent decorative appearance throughout town. Most members liked the idea of the decorative fixtures until they saw the price – about \$450 apiece, not including poles.

Mr. Lyon said that all of the options appear to have a positive payback, and Mr. Harrod added that savings continue even after the payback period, since the Town will continue to receive reduced electric rates. Mr. Lyon agreed, saying in 10-15 years the town will see a huge savings, with or without decorative fixtures. Ms. Levine said that the cost of decorative fixtures would have been easier to swallow had the committee liked the options. However, even the fixture that the members chose wasn't great. Mr. Timbrell said that option 4 strikes a good balance of replacing the lights throughout town with a consistent PSNH fixture and leaving Main Street for more attention later. Ms. Clough suggested visiting Springfield, Vermont, which has nice light fixtures. Mr. Vernon agreed that more investigation could take place to identify nicer fixtures.

Chair Kaplan asked Ms. Levine to ask other towns whether they have decorative fixtures and how they obtained them. Mr. Vernon said he is hopeful that PSNH will offer fixtures in the future, as well as offering street light timers (currently their lights operate by light sensors). Chair Kaplan commended the committee for doing a "heck of a job" and "illuminating the Board of Selectmen." He asked where the issue would go from here.

Mr. Vernon said that the committee will report to interested members of the public and seek their input at a presentation on Tuesday, October 18 at 7:00 PM. Then, they will ask PSNH for a final estimate to be included in the town budget. Then, there will likely be a presentation to the Budget Committee. Ms. Levine said that if Town Meeting approves the capital costs, PSNH would do the conversion in the spring or summer. Ms. Levine said there are two options for the capital costs: 1) PSNH could cover the cost and we would repay the capital costs plus 5% through our monthly electric bills (in other words, our annual electric costs would stay the same until we had paid back the loan from PSNH); or 2) the Town could pay the capital costs outright and receive an immediate reduction in electric rates, and recover the capital costs through reduced rates. The only difference between the two approaches is the 5% interest paid to PSNH. Chair Kaplan said that if PSNH receives favorable treatment from the federal government by offering this conversion program, then the benefits should accrue to the town.

Mr. Vernon said that during the conversion, PSNH will ask the town to provide traffic control for the work crews. Ms. Levine said that would be coordinated with the Police Department when they had a better idea of the project dates.

Mr. Vernon gave the Selectmen a copy of the street light inventory, and the Selectmen thanked the committee for their time this morning. The Street Lighting Committee departed at 8:35 AM.

Great Pines: At 8:35 AM, Chair Kaplan recognized residents of Great Pines and South Cove Road. Dick Little identified himself as the president of the Great Pines Homeowners' Association, and read aloud a letter to the Selectmen signed by Mr. Little and Robert Scott from South Cove Road, as follows:

Dear Selectmen,

On Newport Road in New London, a speed limit of 50 MPH endangers motorists entering and exiting Spruce Lane (Great Pines subdivision) and South Cove Road.

A speed limit of 30 MPH is posted at Rte 114 and Newport Road at the beginning of a business district. The next posted speed limit (in .8 miles) is 50 MPH, 75 feet before Spruce Lane. The 50 MPH sign is in view at a point approximately 300 yards back, opposite the Fenwood entrance.

Obviously the 50 MPH sign predated the Spruce Lane and South Cove subdivisions that have 22 and 8 homes respectively.

What happens presently is that motorists, having the 50 MPH sign in view, *accelerate* as they descend the hill from the post office at the same time residents and other motorists are *decelerating* to enter Spruce Lane and South Cove Road – a dangerous situation, especially in the winter. There is only one travel lane, no turning lane, and it is a double-line no-passing zone.

This situation was brought to the attention of the Planning Board and Board of Selectmen at the time that the Great Pines subdivision was going through the acceptance process. Included in the opinions voiced by the Selectmen at one of the Great Pines public meetings was, "Let's wait until Great Pines is built up." Great Pines now has 18 of the ultimate 22 houses occupied, 3 more will come on line by December 1, 2005 and the last is scheduled for occupancy in February 2006.

We seek the support of the Selectmen in three initiatives:

- 1) Lowering of the 50 MPH speed limit.
- 2) Widening the "throat" of Spruce Lane at its intersection with Newport Road.
- 3) Adjusting the angle of intersection of Spruce Lane with Newport Road from the present (as built) acute angle to the right angle shown on the plan.

Sincerely,

Richard Little, President, Great Pines Owners Association

Robert Scott, South Cove Road resident

Chair Kaplan asked Police Chief Seastrand for his opinion on the speed limit request. Chief Seastrand said he is in support of moving the speed limit sign to the west of Great Pines and South Cove Road, which would lower the speed limit to 30 MPH at those entrances. He has no opinion as to the widening of the opening of Spruce Lane. He is opposed to lowering the limit on the whole road but agrees that it would be a good idea to lower the limit in that immediate area. He said he has no statistical data regarding accidents, but he raised concerns at the time that Great Pines was going in about the impact from the sunrise heading east into town. He added that additional enforcement of the speed in that area will also help.

Mr. Little said it is his understanding that the speed limit changes when the speed limit sign is in view, so he suggested moving the sign to a location that it cannot be seen from the entrances to Great Pines or South Cove Road. Chief Seastrand said most people are already going 40-42 MPH at the post office in anticipation of the 50 MPH sign at Great Pines, so in his opinion a reduction to 40 MPH at Great Pines is not bad. He is concerned about moving the sign so far west that it's in the "flats" and ignored altogether. He said that a combination of enforcement and re-education should help drivers get accustomed to the change. Chair Kaplan asked if lowering the speed limit was a state function. Chief Seastrand said that it is, but the state will ask for a recommendation from the Board of Selectmen. Ben Cardinale said he had met with Alan Hanscom of the state Department of Transportation, and Mr. Hanscom was okay with the change as long as the police could enforce it. Chief Seastrand suggested that widening the entrance to Great Pines would make it easier to turn, and Mr. Cardinale said that with the heavy use of the parking

area at the Philbrick-Cricenti Bog, he would think that safety would dictate a lower speed limit in that area. Ms. Levine said that Mr. Hanscom had mentioned that the state would conduct a speed survey, and she asked Mr. Cardinale if he had more information. Mr. Cardinale said he believes the state will conduct a survey from Exit 12 to the post office.

Mr. Rogers identified himself as a 7.5 year resident of South Cove Road, and commented that no one wants to slow down for vehicles turning off Newport Road. He was thankful that Officer Matt McClay had recently tagged a person who had been tailgating and crossed the double-yellow line. He added that South Cove Road is a dirt road and there is no turnout area off Newport Road. The dirt from South Cove often spills onto Newport Road, making the turn a little more difficult. He and Robert Scott asked the Selectmen to widen the apron on South Cove to assist in turning from Newport Road.

Mr. Lyon asked how the location of the speed limit signs would be determined. Ms. Levine suggested that Chief Seastrand and Richard Lee measure the road and make a recommendation. She thought that the Manual on Uniform Traffic Control Devices (MUTCD) may have some bearing on sign locations. Chief Seastrand suggested shortening the distance between the warning for the reduced 30 MPH speed limit and the speed limit sign itself. He said this is very effective on the downhill leading into Sunapee. Robert Scott said he had been in contact with seven of the eight homeowners in South Cove and all seven are in support of this change. Mr. Little asked if the town would assist in educating the public, and Ms. Levine said that she would publicize the change widely. Chief Seastrand said he would use the Town's electronic signboard to announce the change as well.

Mr. Lyon said he would love to explore the idea of wider entrance aprons to facilitate the turns. Mr. Little said that representatives of Great Pines met with Jessie Levine and staff a few weeks ago to discuss this request and others. Ms. Levine said that Great Pines was advised to discuss the road improvements with the state, and Mr. Little said that Great Pines wanted the recommendation from the Selectmen prior to approaching the state. Mr. Cardinale asked if the speed limit request could be accomplished without the apron improvements, and the Selectmen advised that they could be accomplished separately. In fact, the reduction in speed limit may eliminate the need for turning aprons.

Chief Seastrand said that once the state approves the speed limit change, it should only take them 24-48 hours to move the signs. It may take three weeks or so following the letter from the Selectmen to get approval.

The Board of Selectmen agreed to send a letter requesting the speed limit change and apron improvements, and will copy those present on the letter. The Great Pines & South Cove residents departed at 9:00 AM.

Water Precinct: Ms. Clough said that Jim Cricenti had contacted her to find a time when the Water Precinct Commissioners and Board of Selectmen could meet to update each other on projects and items of interest. She said that the Precinct's next monthly meeting is on November 7 at 7:00 PM, and all of the Selectmen were available that evening and plan to attend.

School Board: Ms. Levine referred to e-mail correspondence with John O'Connor to identify a time when school board members could meet with the Selectmen. The Selectmen are available on October 10 at 7:00 PM or October 27 in the afternoon. Ms. Levine will communicate those dates to John O'Connor.

Citizen's Advisory Committee: Ms. Clough reported that the CAC meeting on September 24 went well and that Senator Odell entertained a lot of discussion about the cost of education and the distribution of school funding. He was very articulate about the danger of leaving kids behind. Mr. Lyon said that Senator Odell had estimated that New London has \$2-3 million in property value per student, while

Claremont has something in the hundreds. Nonetheless, Ms. Clough said that Senator Odell was pessimistic about the chances of changing the tax structure.

Planning Board Update: Ms. Clough reported that Jonathan Feins had met with the Planning Board on September 27 to discuss his proposed subdivision in Sutton. The access for the subdivision is via Stonehouse Road, which starts in New London before it enters Sutton. Ms. Clough said the subdivision of 190 acres was originally going to be a minor subdivision and, due to the cost of the required road improvements in Sutton and New London, is now intended to be about 22 lots. This may increase further depending on other costs. About 1000 feet of the road is in New London and it does not meet current subdivision regulations, so it would have to be widened unless the Planning Board granted a waiver. Ms. Levine said that drainage improvements and paving would also have to occur in New London.

Ms. Clough said that the Granger subcommittee has sent requests for proposals (RFPs) to eight hydrogeological engineering firms, which are due on October 14. The subcommittee will review the proposals in the hopes of recommending three firms to the Planning Board.

Quicklink: Ms. Levine distributed a draft copy of the *Quicklink* newsletter for the Selectmen's review.

Meeting Minutes: Mr. Lyon moved to approve the minutes of September 19, 2005. Second Ms. Clough and approved 3-0.

Budget Update: Mr. Lyon reported that the Budget Committee will meet on Wednesday to review requests from the Department Heads and discuss whether any questions remain and whether additional meetings or subcommittee meetings with Department Heads should be held.

First Baptist Church: Ms. Levine referred to correspondence from the New Hampshire Division of Historical Resources regarding the First Baptist Church's application to the National Register of Historical Places. The Board of Selectmen asked Ms. Levine to find out whether it would be helpful for the Town to send a letter of support.

John Chiarella, Norsk: At 9:50 AM the Board of Selectmen was joined by John Chiarella, owner of Norsk Ski Touring Center. Chair Kaplan welcomed Mr. Chiarella and gave him the floor. Mr. Chiarella said he was upset over what has transpired over the past two weeks, and agreed with the time line contained in Ms. Levine's letter. He said that he has one clarification, and that is that the Town of Sunapee has not required Norsk to go through the site plan review process prior to opening at Dexter's Inn, but is requiring a special exception which will be heard by the ZBA on October 13. He said that as owner of Norsk in New London, he made changes to the trails and to the professionalism of the business, ran successful events, and attracted tourists to this area. He said that when an agreement is made with a new entity, he would like to be apprised of the stipulations. He would like both the implied and explicit agreements to be carried forward and would like to be kept apprised and updated of any use of the trails.

Mr. Lyon said that the Selectmen feel the same way, and asked if Norsk had a plan to come back to New London and where he stood in the process. Mr. Chiarella said he had talked to the Selectmen in the spring about a conceptual plan that turned out to be so unwieldy that it was more complex than staying at the Lake Sunapee Country Club. He said that he did not have the time or the money to spend on developing that plan. He loves running Norsk and wants to keep it in New London, so his plan is to retreat to Dexter's for the year and run a couple of special event weekends on the trails in New London. He would not abandon Dexter's but would keep it set up for them to run in the future. In New London his plan was to use the trails for special events so people would remember that the trails were there and he could raise the money to come back and complete his plan. He said that because of the entanglements and what has transpired, it is falling like a house of cards. What is in his future? He said that is a great question; a month ago he would have liked to be having his first meeting and doing trail work. He had

hoped to have his options open but cannot because of the entanglements. He said he thinks he has operated with transparency.

Ms. Clough said it sounds like Mr. Chiarella does not know whether it's in his plans to come back to New London. Mr. Chiarella said he would love to solve his problems with this and deal with the situation in a way that does not jeopardize Norsk. He said that due to personal concerns it is late to be building a ski touring center. Ms. Clough asked, "Even in Sunapee?" and Mr. Chiarella replied yes; he likes to hit the ground running by September 1 and still has a lot of work.

Chair Kaplan said that Mr. Chiarella used the word "apprise" and asked if the Town were to make arrangements with another entity, whether Mr. Chiarella would have any legal recourse. Ms. Levine said that in her opinion, the Town does not have a legal obligation to anyone with respect to the trails on town land. The agreement with Norsk only relates to the parking at the Shepard Pit and is not exclusive. The Selectmen are the managers of town property. Mr. Chiarella said that he has sought legal counsel but this is not the forum for that.

Ms. Levine said that she is concerned that Mr. Chiarella wants to be kept informed of the use of the trails and of parking, and she understands that and will do better. However, it sounds like he does not want to use the trails this winter but also does not want to allow others to use the trails. It is almost as if he were asking for a right of first refusal. She agreed that there could be better communication, but said that it is a difficult path for the town to negotiate because he cannot say whether he's going to use the trails but wants to know if anyone else will.

Mr. Chiarella said that he is not a lawyer. The trails have been used for 29 years and there are now encumbrances and that's just the way it is. The Selectmen have the right to make decisions for the town and how to use town land. Chair Kaplan said that the Shepard Pit is town property and it is the Selectmen's responsibility to oversee it.

Ms. Clough said that it sounded like it was Mr. Chiarella's assumption that he was going to use the trails for two events this winter and hoped to come back after this year. Ms. Levine said that she understood both, and added that the Selectmen had approved the use of the trails and parking for special events this winter. Ms. Clough said she thought that Mr. Chiarella was moving everything to Dexter's, including the special events. Mr. Lyon said that was also his understanding based on Mr. Chiarella's e-mails and newspaper announcements. Mr. Chiarella said a phone call would have made it more tenable. In his e-mail he said he was giving up an active search but if an individual had come forward he would keep Norsk in New London. He said the way Norsk has been run over the past five years speaks for itself.

Ms. Clough said that the town is sorry that he has left New London. People enjoyed Norsk. Mr. Lyon said if he comes back, the Selectmen would be happy to make arrangements to facilitate it, as they have in the past.

Mr. Chiarella departed at 10:05 AM.

There being no further public business, Chair Kaplan moved to go into non-public session to discuss litigation matters and a personnel matter pursuant to RSA 91:A-3 II (e) and (a). The Selectmen were joined in non-public session by Peter Stanley, Zoning Administrator. Upon returning from non-public session, the Board of Selectmen continued the public portion of their meeting.

Zoning Board: The Selectmen asked Ms. Levine to send ZBA members copies of the booklets from the 2005 Law Lecture series, and also to include in the letter that ZBA members will be asked to attend annual training sessions as a condition of reappointment. The Selectmen also thought that a presentation by the Town's attorney would be useful.

Building Permits:

- Jane Muller Irrevocable Trust, 138 Herrick Cove Lane (Map 091, Lot 020) permit to erect carport – Approved (Permit 05-117)
- Philip F. Miller, 67 Burpee Hill Road (Map 082, Lot 015), permit to remove screened room – Approved (Permit 05-118)
- Emmett & Victoria Scanlon, 235 Forest Acres Road (Map105, Lot 021), permit to build walkout deck and connecting deck walkway to screened porch stairs – Approved (Permit 05-119)
- Daniel E. Saxby, 66 Sparrowhawk Road (Map 065, Lot 021), permit to build dormers front and back of garage porch – Approved (Permit 05-120)
- Michael & Anita Gelcius, Fairway Lane (Map 124, Lot 010), permit to construct modular home – Approved – (Permit 05-084)
- Harriet S. Hart, 75 Hilltop Place (Map 144, Lot 001-075), permit to enlarge existing small den room – Approved (Permit 05-121)
- Peter & Deborah Stanley, 25 Stanley Farm Road (Map 070, Lot 021), permit to add 8' x 15' screen porch, and a window to the rear of structure – Approved (Permit 05-123)
- Glen & Jodi Bonewald, 1153 County Road (Map 104, Lot 001), permit to install in-ground swimming pool with concrete 4' patio around pool and a 4' high fence completely surrounding the pool – Approved (Permit 05-124)
- Scott & Carolyn Ellison, 21 Gould Road (Map 084, Lot 081), permit to turn garage under house into family room, add full bath, two new windows, replace front door on house and move out wall – Approve (Permit 05-125)
- William C. Cate, 715 Route 103A (Map 103, Lot 002), permit to remove debris from house fire, demolition of remaining damaged structure and stabilization of impacted area – Approved (Permit 05-126)
- Philip and Elaine Goldberg, 305 Forest Acres Road (Map 118, Lot 016), permit to demolish existing house and rebuild two story home with addition of two car garage – DENIED (Permit 05-127)
- Margaret & Robert Andrews, 31 Red Brook Road, (Map 074, Lot 005), permit to expand kitchen, mud room, three-car garage and demolish existing freestanding garage – Approved (Permit 05-128)

Sign Permit Applications:

- NONE

Other Items for Signature:

- Payroll & Disbursement Voucher for the week of October 3, 2005 – Approved
- Application for use of the Sydney L. Crook Conference Room by the NL Recreation Department (Ladies Bridge) for Mondays 12:15 p.m. – 5:30 p.m. starting on January 6, 2006 –September 25, 2006 – Approved
- Application for use of the Town Office Sydney L. Crook Conference Room by New London Bandstand Committee for Wednesday, October 5, 2005 from 5 p.m. – 7 p.m. – Approved

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- Application for use of the Whipple Town Hall by KARMA to discuss the Middle School for Thursday, October 6, 2005 from 6 p.m. to 9 p.m.- Approved
- 2005 Department of Revenue Administration Parcel Count Request (2787 parcels) – Approved

There being no further business, the meeting adjourned at 11:30 AM.

Respectfully submitted,

Jessie Levine
Town Administrator