

**BOARD OF SELECTMEN  
MEETING MINUTES**

**May 22, 2006**

**PRESENT:**

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

**ALSO PRESENT:**

Donald F. Bent, PhD, Health Officer  
DJ Lavoie, New London resident  
Peter Stanley, Zoning Administrator  
Carolyn Dube, Argus Champion  
Brock Rutter, Intertown Record

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

Meeting Minutes: The Board of Selectmen reviewed the minutes of May 15, 2006. Mr. Kaplan moved to approved, second Ms. Clough and approved 3-0.

Health Officer Update: Chair Lyon welcomed Dr. Bent to the meeting.

- Mosquitoes: Dr. Bent and the consultant, Mike Morrison, do not yet know what the effect of the storms on the mosquito population will be. They are still receiving requests from people who want to make sure their property is inspected and treated if necessary.
- All Hazards Region: Dr. Bent summarized the State's Bureau of Emergency Management's push to plan for a pandemic, using the contacts and committees formed during the smallpox planning two years ago. Dr. Bent has attended three meetings in the last two months, and people from this area have expressed their preference for a smaller district (rather than extending all the way to Claremont). At the last meeting, the Sullivan County administrator was present and suggested that Sullivan County would be a logical All Hazards Region (AHR), which makes it also logical to have the Kearsarge Regional School District be its own region. Sunapee would also like to attach itself to a different region.

Dr. Bent read aloud a letter from the Sullivan County administrator offering to be the fiscal agent and provide assistance with the preparedness plan, and extending the invitation to Newbury, New London, Sutton and Wilmot. Until he received a copy of this letter, Dr. Bent did not know that Sullivan County would invite us to join. Ms. Clough asked if New London had a choice between a larger or smaller region, and Dr. Bent said that it did. Ms. Levine asked if funds are distributed per capita, and Dr. Bent confirmed that they are distributed per capita, per town, and distributed to the region, therefore there has to be a regional fiscal officer (Dr. Bent had asked the New London Finance Officer, Carol Fraley, if she would be willing to take that role, and she was agreeable). There would be a 5% management fee paid to the fiscal agent.

Chair Lyon summarized that the Board of Selectmen have to first make a decision as to which AHR they want to be a party to, and asked Dr. Bent if he is making a recommendation of using KRSD as a determinant over Sullivan County. Dr. Bent said that it is complicated due to Sunapee, Goshen, and possibly Grantham making sense to join this AHR, but also that Warner and Bradford had joined Hopkinton, which in turn joined Concord.

Ms. Clough asked if Dr. Bent planned to send his draft letter to the towns listed in his draft, which Dr. Bent confirmed. Mr. Kaplan asked if there is competition for towns, and Dr. Bent said that there would be more money appropriated to a larger group, but also more administrative costs.

Chair Lyon said that from the Selectmen's standpoint, the decision should be based on the most manageable group as opposed to the largest group. Dr. Bent said that Valley Regional (Claremont) and New London Hospitals were both very active in the small pox planning but Valley Regional has not had a contact recently. Sean Lyon has represented New London Hospital.

Chair Lyon said that the next step is getting out this letter, which Dr. Bent agreed he would like to do. Ms. Clough said it makes sense to have the school district, which is used to working together. Dr. Bent said it also has buildings and transportation systems in place. Ms. Clough said having a core group centered around New London Hospital and this region makes sense. Chair Lyon added that having a group that includes the school district makes sense because we would include the schoolchildren in any action taken. Dr. Bent said that Thomas Brennan, superintendent of schools, also agreed with the logic. Dr. Bent said Sunapee also has a lot in common with our district and it would make sense to include them.

Mr. Kaplan asked if it is possible for New London as a town to have its own district. Dr. Bent said that he does not think there is any legal reason against it, but he does not think it would be approved because it is not the direction that the feds are encouraging. Mr. Kaplan asked what would happen if no towns responded, would it be possible for New London to go on its own? Dr. Bent repeated that he thought it would be possible but he's not confident it would be approved. If other towns went elsewhere, he would think we would be under pressure to join elsewhere. Ms. Clough asked if this is voluntary for the towns, and Dr. Bent said that it is essentially voluntary.

The Selectmen discussed the Memorandum of Understanding and will wait until it knows whether any towns respond to the invitation letter. Dr. Bent said we will not react to Sullivan County's invitation at this point. The Selectmen discussed the previously-existing small pox response region.

The Selectmen thanked Dr. Bent for his attention to this project.

Voellman Lot Line Adjustment (Map 105, Lot 11): Ms. Levine said she had asked Peter Stanley to attend the meeting to explain the Voellman request for a lot line adjustment, exchanging a portion of the Voellman property for a portion of Town property along Messer Pond. Mr. Stanley showed a map of the Town's property on Messer Pond and how the Conservation Commission's trail crossed the Voellmans' property. The current request started because the Voellmans applied to the State for approval to install a dock, and the dock location does not meet requirements for setbacks. The Voellmans proposed a land-swap with the Town, which would give the Town a small piece of waterfront land in exchange for a triangle of land for the Voellmans.

The Selectmen reviewed the conceptual plan proposed by the Voellmans and discussed the proposal. Ms. Levine said that under the current proposal, it looks like the Town would give up more than it is proposed to receive. Mr. Stanley proposal gives the Voellmans higher ground and more ability to locate their dock, and gives the Town a small piece of access to Messer Pond at the end of the Conservation Commission's trail.

Mr. Kaplan said that he does not want to give up the entire piece of land, which goes to the corner of the Town-owned property. It does not look like an even swap, and Mr. Stanley confirmed that it is not an even exchange of land. Chair Lyon asked what the current use of the trail and pond access is, and Mr. Stanley said that people are not using the trail much; the pond access allows them to step on a rock and look at the pond. Mr. Stanley said it is public land and a Town trail, but there is nothing that currently encourages people to use the trail.

Chair Lyon clarified that this was being brought to the Selectmen for information and that ultimately it would have to be brought to Town Meeting. Ms. Clough said she would also take the Selectmen's recommendation back to the Planning Board. Chair Lyon asked who would negotiate for the Town, and Ms. Levine said it would be a combination of her and the Conservation Commission, with Planning Board involvement as well. The Voellmans will meet with the Department Heads on Tuesday afternoon.

Milfoil Requests: Ms. Levine referred to written requests from Little Sunapee Protective Association and the Pleasant Lake Protective Association for milfoil grant funds. Little Sunapee has asked for \$5,000, down from \$6,000 due to an increased grant from the lake association, and PLPA has asked for \$7,000 again this year. Both protective associations submitted their requests to the Board of Selectmen, and, per the Town Meeting requirement, the Conservation Commission has reviewed the requests. The Conservation Commission believes that both requests are worth funding, although they noted that they could not authorize a dollar amount without knowing if additional funds would be requested by other lakes. Ms. Levine said that she anticipates a request from the Lake Sunapee Protective Association and possibly the Messer Pond Protective Association, and that there should be enough funding for all projects.

Mr. Kaplan asked which lake had more boating activity. Ms. Levine referred to the letters, which summarized the number of boats inspected at each lake. Little Sunapee counted 937 boats while the lake hosts were on duty, and Pleasant Lake had 978 boats. Pleasant Lake has longer hours of lake hosting.

Chair Lyon said that these requests are standard and he would support the requests as supporting the protective associations' efforts to prevent milfoil. Ms. Clough and Mr. Kaplan agreed, and both grant requests were approved.

Clark Lookout Dedication: Chair Lyon referred to the invitation regarding the dedication of Clark Lookout, the gift from Sydney L. Crook to the Town of New London. The Town has celebrated Mr. Crook's generosity in a couple of different ways, and encourages people to attend the dedication on June 17 at 10:00 AM. Chair Lyon said the effort really came from the Ausbon Sargent Land Preservation Trust and the Crook family.

Patrick Henry Award: Ms. Levine said that she had met with Jack and Barbara Akin regarding their request on behalf of the Granite State Chapter of the Military Order of the World Wars to place a plaque showing the recipients of the Patrick Henry Award for patriotic achievements and dedication. The plaque consists of an approximately 2' x 3' walnut board with individual plates for each recipient (the first plate is from 1990). The Board of Selectmen approved placing the plaque on the back wall or entry way of Whipple Memorial Hall.

Public Works Update: Ms. Levine said that Richard Lee had met with engineer Ray Korber on Friday to review the High Pine Lane pump station. Among other problems, the generator does not generate power and has not since at least March 2005, and there are two submersible pumps, purchased by the Sewer Commission in 1999, that are sitting on the floor of the pump station that need to be installed. Mr. Korber will provide a quote for engineering for this work. Ms. Levine said that Richard Lee has received a quote from Aquarion for training, but Aquarion is not willing to contract for a short-term, such as six months. Mr. Lyon said it may make sense to do a longer training program once an employee has been hired who is

dedicated to sewer. Aquarion's proposal also includes an operational review of each the pump stations and preparation of standards of procedure (SOPs).

Chair Lyon said there was discussion at the Sewer Commission to wait on the remainder of the Aquarion proposal. Ms. Levine said the discussion will be finalized at the Sewer Commission meeting on May 30. Chair Lyon said that Richard Lee has also had staff clean the New London plant, which has seen significant improvement already. Ms. Clough said that due to Ed Rushbrook's work, the relationship with Sunapee seems to have improved. Ms. Clough asked if Rushbrook kept Sunapee informed about proposed work on the New London system, and Ms. Levine said that he works independently for each commission and the commissions share the information he provides.

Fiber Project Update: Ms. Levine briefly updated the Selectmen on the activities of the regional fiber consortium.

Non-Public: Ms. Levine said that there are two non-public items pursuant to RSA 91-A:3 (a) personnel and (e) litigation. Chair Lyon moved to go into non-public session. Roll call vote: Lyon – yes; Clough – yes; Kaplan – yes. Upon returning from non-public session, the Board of Selectmen voted to seal the minutes. No decisions were made in non-public session.

Peter Stanley returned to the Selectmen's meeting. Peter Stanley explained concern with a building permit application from Richard Dulude, Dark Water, LLC, regarding property on Lake Sunapee formerly owned by Lincoln Gordon. The proposed building complies with the zoning ordinance; however, the proposed interior driveway on the property does not comply with the steep slopes ordinance. The Board of Selectmen discussed the permit application and said they will approve the building permit but will notify the owner that construction of the driveway would violate the Town's ordinances and would result in a stop work order and enforcement action. The Board of Selectmen encourages the Planning Board to amend the driveway permit regulations to require permits for interior driveway construction as well as where the driveway meets the town road.

The Selectmen then discussed a potential zoning violation with Mr. Stanley. Mr. Stanley walked through the chronology of an illegal business that has constructed buildings without permits and does not meet the home business regulations of the New London Zoning Ordinance. The Board of Selectmen asked Ms. Levine to send a letter requiring him to submit after-the-fact building permits and to apply to the Planning Board for a site plan review. The Planning Board will likely refer him again to the Zoning Board of Adjustment to bring the property into compliance. The Selectmen recognize that livelihoods depend on the operation of the business and want to be reasonable in its enforcement of this action.

The Selectmen also discussed whether the Planning Board should consider amending the home business regulations to allow for the size of underlying property.

Budget Committee Update: Mr. Kaplan reported on the Budget Committee meeting of May 17, 2006.

Reschedule June 19: Ms. Levine said that she would like to attend an Employment Law seminar on Monday, June 19, and asked the Board of Selectmen if the meeting could be moved to June 12, 2006 at 8:00 AM. The Board of Selectmen agreed to the change.

**Building Permits:**

- Richard and Jean Dulude, Dark Water, LLC, 1134 Lake Avenue (Map 054, Lot 004), permit to construct garage and dining room addition, renovate existing house – Approved (Permit 06-049); proposed driveway construction does not meet town zoning regulations

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- Fred and Linda Peterson, 173 Quail Run (Map 108, Lot 005), permit to renovate and lower existing deck, create a new 12' x 22' deck away from existing deck – Approved (Permit 06-050)
- Peter and Julie Machen, 160 Sargent Road (Map 086, Lot 009), permit to add a screened porch below the existing deck and sunroom. Porch is to stay within the existing footprint of the structure and will be a three season porch – Approved (Permit 06-051)
- Gavin Campbell Holdings, LLC, 71 Pleasant Street (Map 084, Lot 078), permit to demolish existing deck, build 60' entranceway, repair and replace windows and doors, repair and replace stoop and retaining wall, partition interior, add new roof, reside north and west walls, and replace garage door – Approved (Permit 06-052)

**Sign Permit Applications:**

- Temporary Sign Permit Application for the New London Garden Club Antique Show for a 2' x 3' sandwich board sign to be placed at the Information Booth on Saturday, July 22, 2006 – Approved
- Temporary Sign Permit Application for Kearsarge Community Presbyterian Church Annual Yard Sale for a 6 foot square sandwich board sign to be placed at the Information Booth on Saturday, May 27, 2006 from 8:00 A.M. – 2:00 P.M. – Approved

**Other Items for Signature:**

- Disbursement and Payroll Voucher for the week of May 22, 2006 – Approved
- Warrant Yield Tax Levy for the State of New Hampshire – Approved
- Application for Raffle Permit by Friends of New London Hospital for New London Hospital Days on Friday, August 4, 2006 - Approved
- Applications for Highway Safety Grants for the Town of New London – Approved
- Application for Use of Whipple Memorial Town Hall by the New London Democratic Committee on Tuesday, June 13, 2006 from 7:00 P.M. – 9:30 P.M. – Approved
- Abatement Recommendations:
  - Robert Lavoie, 160 Barrett Road, (Map 084, Lot 035)

There being no further business, the Board of Selectmen adjourned the meeting at 10:00 AM.

Respectfully submitted,

Jessie W. Levine  
Town Administrator