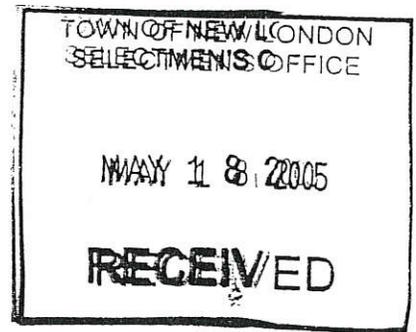


Management Co., Inc.

TM 084-081-000
Goold Road
084-081-000 now
(part of 084-079-00)



P.O. Box 565 Keene, New Hampshire 03431-0565
603-352-9105 • Fax 603-352-0705

May 17, 2005

Via telefacsimile 526-9494 & first class mail

Board of Selectmen
PO Box 240
New London, NH 03257-0240

Re: Water Accumulation at Bittersweet Apartments,
92 Pleasant Street, New London, NH

Dear Sirs and Madam:

This office manages an elderly housing project at 92 Pleasant Street in New London called "Bittersweet Apartments," and I must request your assistance with rectifying a water accumulation problem at Bittersweet.

There is a serious water accumulation problem at the property which creates an unhealthy situation for the elderly residents at Bittersweet. When I contacted the New London Zoning Administrator, Mr. Peter Stanley, he indicated that the matter had been referred to the NH Department of Environmental Services two years ago but that there had been no follow-up by the State to date.

According to Mr. Stanley, the acts of the adjacent landowners filling in their own wetlands created a flooding problem elsewhere.

Since the health of elderly people are involved, would you please take care of this problem as soon as possible.

Sincerely,


Emile J. Legere



Town of New London

Selectmen's Office

Jessie W. Levine
Town Administrator

P.O. Box 240
375 Main Street
New London, NH 03257

June 7, 2005

Mr. William Thomas
Compliance Inspector
DES Wetlands Bureau
PO Box 95
Concord, NH 03302-0095

Re: Wetlands Bureau Complaint File #2003-01014, 21 Gould Road (Map 84, Lot 81)
Wetlands Bureau Complaint File #2000-02107, King Hill Road (Map 131, Lot 8)

Dear Mr. Thomas:

At their meeting of May 23, 2005, the New London Board of Selectmen reviewed a letter from Emile Legere (copy enclosed) regarding the periodic flooding of his property in New London. Mr. Legere's property, an elderly housing project at 92 Pleasant Street, abuts the property that is the subject of the above complaint file.

Inasmuch as this complaint was referred to the DES Wetlands Bureau over two years ago, the Selectmen are concerned and somewhat dismayed at the lack of response by DES. The Selectmen are prepared to act on this matter with the authority of local zoning enforcement. However, as a complaint is simply a complaint and not a finding of fact, the Selectmen would like DES verification that there has indeed been a violation. In the interim, Mr. Legere's property, and property value, are being adversely affected by the diversion of water.

In addition, it has been almost five years since the Town of New London filed a complaint regarding a wetland violation on King Hill Road (Wetlands Bureau Complaint File #2000-02107). To date, four different inspectors from the DES Wetlands Bureau have reviewed this complaint, and the only concise action taken to date was the filing of a Cease and Desist Order by the Selectmen at the time the violation was discovered.

Now the Town is concerned that the property owner involved in the King Hill Road violation may have filled a wetland at a location off of Otterville Road (Tax Map 42, Lot 30), which was reported to you on May 31, 2005. We have not yet heard back from you with respect to this complaint, and do not have a DES file number yet.

The Board of Selectmen realizes that your office has a tremendous workload and is understaffed as a result of the state budget crisis. However, it is unacceptable that a municipality in New Hampshire should be provided so little support in its attempts to enforce both state and local wetlands laws and regulations. These laws were passed to protect New Hampshire's valuable natural resources, yet the public will never take the law seriously if it can be ignored and violated with little or no consequence. Furthermore, prosecuting and resolving a violation years after the offense has taken place adds to the complexity of issues and lessens the likelihood for a successful outcome.

(603) 526-4821 (telephone)

(603) 526-9494 (fax)

e-mail: townadministrator@adelphia.net

Mr. William Thomas

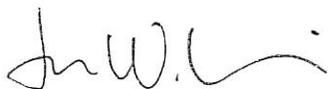
June 7, 2005

Page 2

We understand that you are not responsible for the shortage of staff and funding, and hope that you will share this letter with those at DES or in Governor Lynch's administration who would give consideration to the allocation of resources. In the meantime, we look forward to working with you on the above-mentioned violations, including an inspection of the properties in New London.

Please feel free to contact me if you have any questions. Thanks very much.

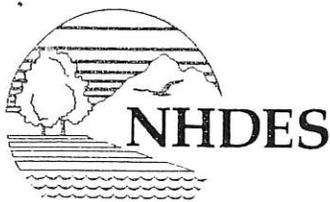
Sincerely,

A handwritten signature in cursive script, appearing to read "J.W. Levine".

Jessie W. Levine
Town Administrator

Enclosure

cc: Board of Selectmen
Emile Legere
Scott and Carolyn Ellison
Harry M. Snow III



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095

(603) 271-2147 FAX (603) 271-6588
May 30, 2003

cc PROS, Keller file


Scott & Carolyn Ellison
26 Gould Rd
New London, NH 03257

084-81

TOWN OF NEW LONDON
SELECTMAN'S OFFICE
JUN 4 2003
RECEIVED

RE: Wetlands Bureau Complaint File #2003-01014, 21 Gould Rd, New London

Dear Mr. & Mrs. Ellison:

The Department of Environmental Services (DES) has received a complaint alleging that you have filled in a jurisdictional wetland without a permit from DES. This letter is to notify you of this complaint, and to provide you with an opportunity to respond.

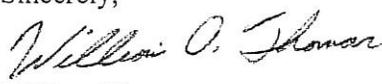
If work has been done in jurisdiction without a permit, you are requested to voluntarily refrain from carrying out any additional work in jurisdiction, except for siltation and erosion control installation.

Pursuant to RSA 482-A, a wetlands permit is required to be obtained from DES, and posted on site, in order to excavate, remove, dredge, fill, or construct any structure in or on any bank, flat, marsh, bog, or swamp, in and adjacent to waters of the state. We find no record of a wetlands permit being issued under your name for the work described above, but realize that a permit may have been obtained under another name, by a corporate identity, or that the complainant may have mistaken the identity of the person doing the work.

If there is a violation, DES has the authority to take enforcement action against any person who conducts work within its jurisdiction without a wetlands permit. Enforcement action may include restoration or imposition of an administrative fine.

This case has been added to our scheduled inspection list. This file has been tentatively assigned to me, and I shall contact you prior to the field investigation. You may also review the DES Wetlands Bureau website at: <http://www.des.state.nh.us/wetlands>.

Please respond to this notice of complaint by providing your comments in writing to the aforementioned file number within 20 days of the date of this letter. Please provide a copy of any permits, plans, or other information that you may have. If you have any questions please feel free to contact me at (603) 271-4066 or by e-mail at wthomas@des.state.nh.us.

Sincerely,

William Thomas
Compliance Inspector
DES Wetlands Bureau

cc: New London Conservation Commission
New London Board of Selectmen

MEMORANDUM

TO: File: Map 84, Lot 81, 21 Gould and Map 73, Lot 91, 92 Pleasant

FROM: Peter S. Stanley, Zoning Administrator

DATE: 5/16/05

RE: Complaint about wetland filling

On Friday morning May 13, 2005 I received a message from Emile Legere, who is the owner of Bittersweet - through a variety of holding companies - complaining about the increase in the volume of water at the rear of his property. This abuts the area of wetland filled by Scott Ellison from the period 2001 - 2002. I have advised his office of the fact that a complaint was filed by the Town Of New London, with DES (Wetlands Bureau Complaint File #2003-10140) two years ago with no action to date. He may be writing to the BOS to complain, and will be following through with DES.