

**TOWN OF NEW BOSTON
NEW BOSTON PLANNING BOARD
Minutes of 2013 Meetings**

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January 22, 2013

The meeting was called to order at 7:00 p.m. by Planning Board Chairman Stu Lewin. Present were regular members Mark Suennen and Don Duhaime, alternate member David Litwinovich and Ex-Officio Dwight Lovejoy. Also present were Planning Coordinator Nic Strong, Planning Board Assistant Shannon Silver and Recording Clerk Valerie Diaz.

Present in the audience for part of the meeting was Eric Fey.

The Chairman seated David Litwinovich as a full voting member in Peter Hogan's absence.

Public Hearing on the changes on the proposed Amendments to the Subdivision and Non-Residential Site Plan Review Regulations.

The Chairman indicated that no members of the public were present and that public notices for the hearing had been posted in all of the normal places.

The Chairman noted that the proposed amendments had been reviewed by the Board at the last meeting and because there were no members of the public present he was not going to read through each proposed amendment.

The Chairman asked for comments and/or questions on proposed amendments #1 through #8; there were no comments or questions.

The Chairman stated that a letter had been received from Town Counsel with regard to proposed amendment #9, Section VIII, Performance and Maintenance Securities. He asked if the letter was privileged correspondence. The Coordinator answered that all correspondence from Town Counsel was privileged.

Mark Suennen **MOVED** to release from Town Counsel dated January 9, 2013, re: Proposed 2013 Subdivision Regulation Amendments. Don Duhaime seconded the motion and it **PASSED** unanimously.

The Chairman stated that it was his understanding that Town Counsel's recommendation was to [delete first three lines in sub-paragraph A as well as the two words before the comma]. The Coordinator confirmed that the Chairman's understanding was accurate.

The Chairman asked if Town Counsel's recommended [language] would be added at the end of the section. The Coordinator answered yes.

The Chairman asked for comments and/or questions with regard to incorporating the recommendations from Town Counsel. The Coordinator pointed out that Town Counsel's recommendations were not changing proposed amendment #9 and were merely clarifying the section.

The Chairman asked for comments and/or questions relative to proposed amendment #10; there were no comments or questions.

The Chairman closed the public portion of the hearing. He asked for final comments and/or questions from the Board; there were no comments or questions.

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Mark Suennen **MOVED** to adopt proposed amendments #1 through #8, and #10 as written and proposed amendment #9 as amended. Don Duhaime seconded the motion and it **PASSED** unanimously.

The Chairman stated that the public hearing notices for the proposed amendments to the Non-Residential Site Plan Review Regulations had been posted in the normal places. He noted that because there were no members of the public present he was not going to read through each of the proposed amendments.

The Chairman asked for comments and/or questions with regard to proposed amendment # 1 and #2. He referred to proposed amendment #2 and asked for the proposed size of parallel parking spaces. The Coordinator answered that the proposed size of parallel parking spaces was 9' x 22'.

The Chairman closed the public hearing and asked for any other questions or comments; there were no further questions or comments.

Mark Suennen **MOVED** to adopt proposed amendments #1 as written and proposed amendment #2 as modified. Don Duhaime seconded the motion and it **PASSED** unanimously.

**MISCELLANEOUS BUSINESS AND CORRESPONDENCE FOR THE MEETING OF
JANUARY 22, 2013.**

1. Approval of the December 18, 2012, minutes distributed by email.

David Litwinovich **MOVED** to approve the minutes of December 18, 2012, as written. Don Duhaime seconded the motion and it **PASSED** unanimously.

2. Distribution of the January 8, 2013, minutes distributed by email, for approval with or with changes at the meeting of February 12, 2013.

The Chairman acknowledged receipt of the above-referenced matter; no discussion occurred.

4. Letter copy dated January 11, 2013, from David J. Preece, AICP, Executive Director, SNHPC, to Dwight Lovejoy, Chairman, Board of Selectmen, re: Update of the State of New Hampshire's Ten-Year Transportation Improvement Program FY 2015-FY 2024, for the Board's information.

The Chairman asked Dwight Lovejoy if updates would be submitted. Dwight Lovejoy answered that he did not believe any updates would be submitted.

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5. Announcement for the General John Stark Scenic Byway Council 4th Annual Meeting, for the Board's information.

The Chairman acknowledged receipt of the above-referenced matter; no discussion occurred.

6. Construction Services Report dated June, July August, September and October 2012, and January 2013, from Northpoint Engineering, LLC, for Twin Bridge Estates, Phase II (Wright Drive), for the Board's information.

The Chairman acknowledged receipt of the above-referenced matter; no discussion occurred.

7. Construction Services Report dated September, October, November and December 2012, and January 2013, from Northpoint Engineering, LLC, for SIB Trust, (Indian Falls/Susan Road Conn), for the Board's information.

The Chairman acknowledged receipt of the above-referenced matter; no discussion occurred.

8. Construction Services Reports dated June 2012, from Northpoint Engineering, LLC, for Forest View II, (McCurdy & Susan Roads), for the Board's information.

The Chairman asked the Coordinator to remind him to ask the Town Engineer why it took more than six months to submit the Construction Services Reports.

9. Email received January 19, 2013, from James Bath, to New Boston Planning Board, re: update on Shaky Pond Development, for the Board's information.

The Chairman acknowledged receipt of the above-referenced matter; no discussion occurred.

The Board took a ten minute recess prior to the start of the next meeting.

FEY, ERIC W.

Public Hearing/NRSPR/Ski Services Shop Home Business

Location: 55 Hooper Hill Road

Tax/Map Lot #11/12

Residential-Agricultural "R-A" District

Present in the audience was Eric Fey.

The Chairman read the public hearing notice. He noted that the application form had been submitted and signed. He added that there were no outstanding fees. He stated that the

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applicant had been informed that permits for signs were required from the Building Department. He indicated that a site walk had taken place on January 19, 2013. The Chairman asked the Board if they had anything to add with regard to the site walk; there was no discussion.

The Chairman stated that because the revised plans had been submitted there were no conditions precedent to be completed. He continued that there would also be no conditions subsequent because all items that were on the plan had been completed.

The Chairman asked for comments and/or questions from the Board. Mark Suennen commented that there were no expectations of traffic out of the ordinary for a [residential home at the site.]

The Chairman asked for comments and/or questions from the applicant. Eric Fey asked if he would need to come before the Board again if he decided to put up a sign. The Chairman answered that it was necessary to come before the Board and that he would need to obtain a sign permit through the Building Department.

Mark Suennen **MOVED** to accept the application as complete and approve the Non-Residential Site Plan for Eric Fey to operate a Ski Service Shop at 55 Hooper Hill Road, Tax Map/Lot #11/12, Residential-Agricultural "R-A" District", with no conditions. Don Duhaime seconded the motion and it PASSED unanimously.

The Board took a ten minute recess prior to the next Miscellaneous Business item.

**MISCELLANEOUS BUSINESS AND CORRESPONDENCE FOR THE MEETING OF
JANUARY 22, 2013, Cont.**

- 3a. Email correspondence with draft deed attachment, re: Twin Bridge Land Management Open Space Land for the Board's review and discussion.
- 3b. Letter dated January 17, 2013, from Nic Strong, Planning Coordinator to Tris Gordon and Bob Huettner, Twin Bridge Land Management, LLC, re: Open Space Land, for the Board's information.

The Chairman addressed items 3a and 3b together as they were related.

The Chairman stated that it appeared that the Board of Selectmen [had said yes] and a final copy of the draft deed had been provided to the Board].

The Chairman asked if the draft deed would be going to Town Counsel for legal review. The Coordinator answered that it had already been sent to Town Counsel. The Chairman asked if Town Counsel had provided any comments. Dwight Lovejoy answered that he was unsure.

The Chairman explained that a vote was needed from the Board with regard to approving the [draft deed] conditioned upon the deed language approved by Town Counsel.

The Chairman asked for comments and/or questions. Mark Suennen stated that during the last discussion with [the Conservation Commission, the Open Space Committee and the applicant] it had been decided that the cost of [the gate] would not come out of the Town's General Fund. He questioned if the cost of the gate not coming out of the Town's General Fund

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would hold true if the language was not in the deed. Don Duhaime pointed out that the Conservation Commission had agreed to provide the funds for the gate. The Coordinator stated that [at the time Rodney Towne and Burr Tupper were not particularly concerned about how the gate would be funded. She did not believe that a condition could be enforceable as it was not the Planning Board's decision to make.]

Mark Suennen **MOVED** to recognize and accept that the NH State Forest Service has decided not to accept the open space associated with the Twin Bridge Estate Subdivision, Phase II and accept the change in ownership of the open space land, subject to the completion of the deed in accordance with Town Counsel's comments and the Board of Selectmen's final signatures of that deed. Don Duhaime seconded the motion and it **PASSED** unanimously.

Mark Suennen **MOVED** to adjourn at 7:51 p.m. Don Duhaime seconded the motion and it **PASSED** unanimously.

Respectfully Submitted,
Valerie Diaz, Recording Clerk

Minutes Approved:
02/26/2013