

**TOWN OF NEW BOSTON
NEW BOSTON PLANNING BOARD
Minutes of 2014**

May 13, 2014

1 The meeting was called to order at 6:30 p.m. by Planning Board Chairman Peter Hogan.
2 Present were regular members Mark Suennen, Don Duhaime and David Litwinovich, alternate
3 member Joe Constance, and ex-officio Christine Quirk. Also present were Planning Coordinator
4 Nic Strong, Planning Board Assistant Shannon Silver and Recording Clerk Valerie Diaz.

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6 Present in the audience for all or part of the meeting were Road Agent Dick Perusse,
7 Selectman Dwight Lovejoy, Brian Salas, and Linda McIntyre.

8
9 **Proposal by PSNH to remove trees on designated Scenic Roads**

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11 Present in the audience were Road Agent Dick Perusse, Selectman Dwight Lovejoy, and
12 Linda McIntyre.

13 The Chairman asked Brian Salas if he had marked the additional trees for removal
14 following the meeting of April 8, 2014. Brian Salas answered that he had marked additional
15 trees for removal and advised that residents along the scenic roads had been notified of the trees
16 marked for removal via US mail. He noted that a lot of residents wanted trees removed and
17 advised that he had received permission from property owners to remove all of the proposed
18 trees marked for removal on his list. He noted that he was waiting for a response from a property
19 owner who was currently in England.

20 Joe Constance asked if PSNH would remove additional trees that had been marked by
21 property owners. Brian Salas indicated that some of the trees that had been marked by property
22 owners were not located near power lines; however, he stated that he would be willing to work
23 with the Town if they wished for him to take the trees and removal was simple. Christine Quirk
24 asked if the Town would be responsible to pay for the removal of trees that were not interfering
25 with power lines. Brian Salas answered that he would be responsible for the removal of trees
26 that were not located near power lines unless the Town wished to take responsibility for them.
27 He added that ultimately the property owner was responsible for the trees. The Chairman did not
28 believe the Town wished to take responsibility for the trees. Christine Quirk agreed with the
29 Chairman and stated that she was not in favor of removing trees that were not interfering with
30 power lines because the trees were located along scenic roads. She added that the trees should be
31 removed if they were dead or there was a problem. Mark Suennen added that trees should also
32 be removed if the Road Agent suggested that they be removed. Christine Quirk agreed with
33 Mark Suennen. The Chairman asked the Road Agent if he was aware of the location of the trees
34 that were marked for removal and were not located near power lines. The Road Agent answered
35 yes and confirmed that there were no power lines in the location where at least six trees had been
36 marked by the property owner. Linda McIntyre of 48 Thornton Road advised that she had
37 marked the trees in question for removal and explained that she had specifically asked at the last
38 meeting if trees could be marked for removal even if they were not near power lines. She
39 continued that she had been told that the trees could be removed. The Road Agent noted that
40 some of the trees that the McIntyres marked were indeed dead and/or diseased. He added that
41 there was a tree located at the corner of the McIntyre's driveway that could be considered a
42 hazard. He stated that if PSNH did not agree to remove the tree he would be willing to work
43 something out with the property owners for its removal. The Chairman asked if the Road Agent

**TOWN OF NEW BOSTON
NEW BOSTON PLANNING BOARD
Minutes of 2014**

May 13, 2014

1 **PSNH HEARING, cont.**

2
3 was aware of the cost to the Highway Department associated with removing the tree versus
4 PSNH's cost for removing the tree. The Road Agent advised that he would have to hire a
5 subcontractor for the tree removal. The Chairman asked if the Road Agent would compare the
6 cost for the subcontractor to remove the tree with PSNH's cost to remove the tree. The Road
7 Agent answered yes. Brian Salas pointed out that PSNH would not charge the Town or the
8 property owner for the removal of the tree. The Chairman commented that he had believed that
9 PSNH would charge for the removal of the trees that were not located near power lines.
10 Christine Quirk also believed that PSNH would charge for the removal of trees not located near
11 power lines. Brian Salas clarified that PSNH was willing to take the top off the trees and leave
12 the Town to finish the job with their equipment. He commented that there were only six trees
13 marked for removal in a location without power lines and it was not a big deal.

14 The Chairman asked for comments and/or questions from the Board. Joe Constance
15 indicated that he was concerned with trees located in drainage canals along Thornton Road.
16 Mark Suennen commented that he had not seen any trees marked for removal that did not need to
17 be removed.

18
19 Mark Suennen **MOVED** to allow PSNH to work directly with the Road Agent to identify
20 any additional trees that may need to be removed at the request of a property owner or the
21 Road Agent. Christine Quirk seconded the motion and it **PASSED** unanimously.

22
23 Brian Salas advised that he planned to remove trees that posed immediate hazards that
24 had been identified on his list. He noted that one of the trees marked for removal had fallen and
25 landed on a power line while he was patrolling. He added that he would remove the additional
26 trees at a later time and would work with the Road Agent. He asked if he needed a police detail
27 for work performed on every road in Town. The Chairman answered that he was unsure. The
28 Road Agent noted that a flagger should be sufficient. Brian Salas asked if there was a Town
29 Ordinance that addressed this matter. The Road Agent answered no. He suggested that police
30 detail be used on the State roads in Town but did not believe it was necessary on Town roads as
31 long as proper signage was posted.

32 Linda McIntyre asked when tree removal would begin. Brian Salas advised that work
33 would begin within a couple weeks if it was approved this evening for trees that posed an
34 immediate hazard. He believed that removal of the remaining trees would begin as soon as a
35 crew was available. Mark Suennen asked if PSNH intended to trim, cut or remove on roads in
36 Town that were not classified as scenic roads. Brian Salas answered yes and advised that
37 trimming, cutting and/or removal would take place on most roads in Town. He explained that
38 PSNH would go through a permission process with the property owners but would not need to
39 meet with the Planning Board.

40
41 Mark Suennen **MOVED** to accept the proposal from Public Service of New Hampshire for
42 the removal and trimming of trees as discussed at the April 8, 2014, and May 13, 2014,
43 hearings and shown on the tree list dated 2014, and ribboned subsequent to that list on the

**TOWN OF NEW BOSTON
NEW BOSTON PLANNING BOARD
Minutes of 2014**

May 13, 2014

1 **PSNH HEARING, cont.**

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3 following designated scenic roads: Clark Hill, Colburn, Hooper Hill, Riverdale, Scobie &
4 Thornton. Also to allow PSNH to work directly with the Road Agent to identify trees to
5 remove at the request of the property owner or Road Agent. Christine Quirk seconded the
6 motion and it PASSED unanimously.
7

8 **Discussion, re: Zoning Ordinance questions, specifically: Open Space and Home**
9 **Businesses**

10
11 Present in the audience was Selectman Dwight Lovejoy.

12 The Chairman indicated that there would be a discussion with regard to wetlands and
13 home businesses. The Coordinator clarified that the discussion would be with regard to open
14 space and home businesses. She explained that the agenda had erroneously listed wetlands;
15 however, all of the information the Board received was relative to open space. She further
16 explained that as this was a discussion and not a public hearing the discussion could take place.

17 The Chairman suggested that the Board begin the discussion with open space. David
18 Litwinovich stated that it had been mentioned on multiple occasions that the way the open space
19 section of the Zoning Ordinance was currently written was not working to encourage open space
20 subdivisions. He commented that the fundamentalist part of him believed that if something was
21 not working it needed to be changed to make it work or it should be removed. The Chairman
22 asked who had said that the section was not working. David Litwinovich answered that it had
23 been mentioned in a memo from the Open Space Committee. Don Duhaime pointed out that the
24 Open Space Committee had written the open space section of the Zoning Ordinance. The
25 Coordinator clarified that the open space section of the Zoning Ordinance had been amended in
26 2006 through an audit completed by the SNHPC. She explained that the section had not been
27 driven by the Open Space Committee.

28 The Chairman asked what subdivisions were Open Space Subdivisions in Town. Don
29 Duhaime noted that Christian Farms was an Open Space Subdivision and Mark Suennen stated
30 that the Twin Bridge Subdivision was also an Open Space Subdivision. The Planning Board
31 Assistant clarified that half of the Twin Bridge Subdivision was an Open Space Subdivision.
32 Mark Suennen noted that the back ridge of the Twin Bridge Subdivision was the open space
33 portion of the subdivision. Don Duhaime commented that the applicant had come to the Board
34 and showed a nice "U" shaped subdivision but complained about the costs and subsequently the
35 Board catered to the developer and a long cul-de-sac was built. The Chairman indicated that the
36 reason the open space was not utilized was because the developer was not willing to tone down
37 their density. Don Duhaime believed that a through road should have been built and reiterated
38 that the Board catered to the developer on this development. The Chairman noted that there was
39 a problem with connection to Lull Road. Don Duhaime commented that the issue was not the
40 Board's problem. Mark Suennen stated that the long cul-de-sac subdivision included an open
41 space plan. He continued that the big, sweeping lot around the backside of the ridge was the
42 open space lot that was part of the development. Don Duhaime pointed out that back lots were
43 not allowed in open space developments. Mark Suennen stated that it was his understanding that

**TOWN OF NEW BOSTON
NEW BOSTON PLANNING BOARD
Minutes of 2014**

May 13, 2014

1 OPEN SPACE & HOME BUSINESS DISCUSSION, cont.

2
3 none of the 1.5 acre lots in the Open Space Subdivision were back lots. He noted that the other
4 half of the subdivision was a conventional subdivision and had been permitted to include back
5 lots. He reiterated that the open space portion of the subdivision was a true open space
6 development that met the Zoning Ordinance's standards for open space.

7 Joe Constance asked David Litwinovich what he met by his statement that the current
8 open space portion of the Zoning Ordinance did not do enough to encourage open space
9 development and therefore, it should be removed. David Litwinovich clarified that it was not his
10 opinion that it should be eliminated but was instead his opinion that if the section was ineffective
11 it should be changed. The Chairman added that there was no sense in having ten pages in a book
12 that were useless and suggested that they should get ten pages that work. Don Duhaime
13 suggested that the incentives be changed and did not believe that a 5% bonus was an effective
14 enhancement. The Chairman stated that the Board needed to determine incentives that would
15 encourage the use of open space developments. Joe Constance asked if there was another model
16 that could be looked with regard to enhancements instead of current list that had been provided
17 by the SNHPC. The Chairman suggested that the Board review the enhancements of towns that
18 had open space developments. Mark Suennen further suggested that restrictions in ordinary
19 subdivisions be viewed as well, i.e., cul-de-sacs only permitted in Open Space Subdivisions. He
20 stated that if ordinary development was restricted more then the options of the developer would
21 be to not develop or to develop an open space concept. He commented that it was clear that the
22 current incentives were not encouraging open space development. He believed that developers
23 wanted to develop their land in a way that minimized their infrastructure creation. The Chairman
24 agreed and noted that by minimizing infrastructure the developers minimized their expenses.
25 Mark Suennen stated that he was not advocating for or against the restriction he previously
26 mentioned, i.e., cul-de-sacs only permitted in Open Space Subdivisions, and had only mentioned
27 it for discussion purposes. The Chairman believed that a developer would receive more money
28 for a house on a cul-de-sac as it was more desirable than a house on a through road. He
29 continued that this gave the Board the ability to put a whole lot of restrictions on them in order to
30 get a whole lot of what the Board wanted, i.e., good/useable open space as opposed to swamp
31 land. He stated that parties who maintain the open space had complained in the past about land
32 that was used as open space that was garbage and could not be built on. He added that this had
33 not happened in the recently as the Board had cracked down on this matter. He commented that
34 he was an advocate of open space being owned by all the lot owners of the subdivision as they
35 would be required to pay taxes on the land.

36 The Chairman stated that because New Boston was a small town, incentives like town
37 run sewers could not be offered. He did not believe that density should be increased as it could
38 make the lot sizes smaller and smaller lots could not handle the well/septic loads. He indicated
39 that the only infrastructure that the town could offer a developer was a cul-de-sac and cul-de-sac
40 extensions. He noted that density was decreased along cul-de-sacs and if the developer did not
41 agree to decrease the density they would not be approved for an extension. Don Duhaime
42 pointed out that open space subdivisions were permitted to have 1 acre lots and, therefore, the
43 density would increase along cul-de-sacs in open space developments. The Chairman stated that

**TOWN OF NEW BOSTON
NEW BOSTON PLANNING BOARD
Minutes of 2014**

May 13, 2014

1 OPEN SPACE & HOME BUSINESS DISCUSSION, cont.

2
3 the Board could make a condition that 1 acre lots would only be allowed on connective roads in
4 the open space subdivision. Mark Suennen advised that as the regulations were currently written
5 1 acre lots were allowed on cul-de-sacs in open space subdivisions. The Chairman agreed with
6 Mark Suennen but pointed out that the cul-de-sacs were not permitted to be longer than 1,000'.
7 He continued that if a developer wanted an extension of a cul-de-sac in an open space
8 development they would need to reduce their density as well as install underground utilities.
9 Don Duhaime commented that he did not have a problem approving a cul-de-sac that was 1,500'
10 long but he would require that the applicant give the Town the right-of-way to abutting parcels
11 so that other lots would be able to connect the roads at some point. The Chairman agreed with
12 Don Duhaime.

13 Mark Suennen stated that either the Conservation Commission or the Open Space
14 Committee had sent the Board a list of priority areas in Town that they were interested in getting
15 open space on or near. He suggested that the Board codify that they were interested in open
16 space developments that were connected and/or adjacent to those areas in Town.

17 Don Duhaime wanted a requirement to be made that a developer was responsible for
18 creating a walking path in the open space in order for the abutters to be able to use it. He noted
19 that this was addressed under enhancements and advised that a developer was currently given a
20 5% enhancement in an open space development if they created something to the open space area.
21 He believed that the open space could be a great place for abutters to take a walk after dinner or
22 for a place kids could play. Christine Quirk questioned who would be responsible for
23 maintaining the path. Don Duhaime answered that currently the people of the home owners'
24 association were required to maintain the path. Christine Quirk indicated that the Board of
25 Selectmen received complaints about trash on Class VI roads because no one took care of
26 anything. The Chairman believed that this could be the detriment to open space. He explained
27 that it could be difficult to sell property in open space developments if there were requirements
28 that required home owners to maintain their open space, i.e., parking area, disposal of trash, etc.
29 Don Duhaime pointed out that there would not be a parking area as the open space was only for
30 the abutters. The Chairman stated that it would end up being private to the home owners'
31 association. Don Duhaime indicated that it would be dependent on how the developer laid out
32 the plan. He believed that the Christian Farms Subdivision had a home owners association and
33 added that no one used the land. The Chairman asked what the Town wanted the open space for
34 if no one using it. He stated that parking needed to be provided for open space areas that were
35 open to the public. He further stated that some form of trash removal needed to be provided and
36 believed that it created a burden for everyone. Mark Suennen commented that stewardship could
37 not be forced on somebody. The Chairman stated that the people living adjacent to or near the
38 open space would find the places to walk and make their own trails. Christine Quirk agreed.

39 Joe Constance asked for David Litwinovich's thoughts on incentives and restrictions.
40 David Litwinovich indicated that he was wet behind the ears with this matter. He went on to say
41 that it was troubling to hear that the Town did not have a lot to offer with regard to meaningful
42 incentives. The Chairman asked Don Duhaime what the City of Manchester would offer as
43 incentives. Don Duhaime answered that the City of Manchester did not give away anything.

**TOWN OF NEW BOSTON
NEW BOSTON PLANNING BOARD
Minutes of 2014**

May 13, 2014

1 OPEN SPACE & HOME BUSINESS DISCUSSION, cont.

2
3 The Chairman asked the Board if tax breaks should be considered as an incentive. Christine
4 Quirk asked if research had been completed with regard to incentives offered by surrounding
5 towns. The Chairman answered yes and asked the Coordinator if any successful incentives had
6 been found. The Coordinator answered that successful incentives had not been determined
7 during the last review of the surrounding towns. Joe Constance recommended that the
8 disincentives should also be determined. Mark Suennen stated that the Town currently offered a
9 5% increase of density as incentive. He explained that if a subdivision had 20 homes, an
10 enormous development by New Boston standards, and increased their density by 5% that would
11 mean that there would only be an increase of 1 home. He did not believe it was practical to offer
12 density. He suggested that the Planning Department research non-density related incentives used
13 by surrounding towns. Joe Constance added that the surrounding towns that should be
14 researched should not offer public sewer or water. The Board agreed that the Town of Mont
15 Vernon, the Town of Dunbarton and the Town of Francestown should be reviewed.

16 Mark Suennen referenced additional criteria for open space enhancements and stated that
17 this was an area where the Board could encourage open space. He suggested that the Board ask
18 developers what things of value could be offered to them in exchange for an open space
19 subdivision in desired locations. He also noted environmental sensitivity and indicated that input
20 was needed from the Conservation Commission relative to important and sensitive habits in
21 Town. He stated that the Board should be careful about sprinkling public open space in areas
22 that were adjacent to existing public open spaces or have some group that was willing to take on
23 the stewardship of the public open space, i.e., the Mill Pond and Town Forests.

24 Mark Suennen believed that the Board should consider the financial impact of creating
25 open space. He stated that the open space area would be taken off the tax rolls unless it was
26 owned by the home owners' association. The Chairman agreed and stated that the matter was
27 dependent on the intended use. He continued that there would be never ending questions of
28 liability and maintenance if the intended use was to allow the public to use the land but it was
29 owned by the homeowners association. Don Duhaime commented that he did not understand
30 why some Board members were hung up on a walking path through the woods in a
31 neighborhood. He asked why some members believed the open space would become filthy and
32 dirty. The Chairman answered that the state of the open space was dependent on who knew
33 about it. Don Duhaime noted that it would be private property. The Chairman indicated that he
34 did not have a problem if the open space was intended to be used by the subdivision. Christine
35 Quirk did not believe that it was necessary to have a designated path for kids to go and play in
36 the woods. Mark Suennen stated that it should be up to the property owners of the subdivision
37 if they wanted to create a recreational area within the open space and he did not think that the
38 Board should require the developer to create the recreational space as it could be a disincentive.

39 The Coordinator asked for a date to schedule the follow-up discussion on this matter.
40 The Chairman requested that the discussion be scheduled when the data from other towns was
41 available.

42 The Chairman moved on to the discussion of home businesses. He stated that there were
43 a couple of things he found in the home business section of the Zoning Ordinance that had not

**TOWN OF NEW BOSTON
NEW BOSTON PLANNING BOARD
Minutes of 2014**

May 13, 2014

1 OPEN SPACE & HOME BUSINESS DISCUSSION, cont.

2
3 yet caused any problem but could in the future. He referenced Section 319 and read the
4 following, “Any home business shall be permitted as an accessory use if it complies with the
5 requirements of this section, as determined by the Planning Board”. He went on to review the
6 home business criteria. He stated that he was unsure of what was meant by the following
7 requirement that “a home business or expanded home business shall not have an adverse effect
8 on the environment or the surrounding properties in excess of that which exceeds normal
9 residential use in the neighborhood of the proposed business, as a result of such things as, but not
10 limited to, noise, vibration, odor, heat, glare, smoke, dust, lights, soil pollution, water or air
11 pollution, electrical or electronic interference of any kind beyond the property”. Mark Suennen
12 stated that the section prohibited someone from running a butchery, tannery or charcoal business
13 in their home. Joe Constance commented that this section could be confusing to applicants with
14 regard to what was too much. The Chairman agreed and questioned if the noise listed in the
15 requirement was being compared to residential noise. Mark Suennen noted that each application
16 needed to be reviewed on a case-by-case basis.

17 Mark Suennen asked if home occupations were only allowed in an Open Space
18 Subdivision. The Coordinator answered yes. Mark Suennen commented that the requirement
19 did not make sense to him. The Chairman and Coordinator explained that home occupations
20 were only allowed in open space subdivisions to be less of an impact to a development where the
21 houses were closer together. It was noted that the uses were limited to office and computer
22 based businesses only and did not allow customers. Mark Suennen asked if a home occupation
23 was a reduced version of a home business. The Chairman answered yes.

24 The Chairman read the following requirement, “Traffic shall not be generated by such
25 activity in greater volumes than would normally be expected in the neighborhood” and noted that
26 he was not sure what was meant by the requirement. Mark Suennen advised that a single family
27 residence generated ten trips per day on average. He used an example of an application being
28 submitted a home business that required nightly Avon meetings. He continued that 20 people
29 would go to the residence every evening to attend the meetings. He stated that the meetings
30 would generate an amount of traffic that would be inordinately high for the neighborhood. The
31 Chairman agreed and noted that it was high due to the concentration at a given time. He went on
32 to say that if the 20 people had appointments spread throughout the day then the additional trips
33 would not be greater volume than what was expected in the neighborhood. Mark Suennen
34 agreed with the Chairman.

35 The Chairman thought that the traffic section was vague and always needed a discussion.

36 Mark Suennen asked for confirmation that the Town did not offer a home business
37 application. The Coordinator clarified that applicants applying for a home business used a site
38 plan application. Mark Suennen asked if it was necessary to go through the entire Non-
39 Residential Site Plan Review, (NRSPR), process for every home business application. The
40 Chairman answered no. The Coordinator explained that there were criteria that needed to be met
41 to submit a minor site plan and those requirements could be found in the NRSPR Regulations.

42 The Chairman continued to review the home business criteria.

43 Mark Suennen asked Joe Constance and David Litwinovich if they believed that the

**TOWN OF NEW BOSTON
NEW BOSTON PLANNING BOARD
Minutes of 2014**

May 13, 2014

OPEN SPACE & HOME BUSINESS DISCUSSION, cont.

home business section was achieving the best results, was easy to understand or was confusing. David Litwinovich indicated that nothing in the section jumped out at him as being problematic.

Mark Suennen was of the opinion that nothing in the home business section of the Zoning Ordinance needed to be changed. He added that the Board should continue to look at applications on a case-by-case basis. Joe Constance agreed with Mark Suennen.

Don Duhaime referenced Section 319.4 of the Zoning Ordinance and asked if anyone felt that the requirement that allowed six non-related people to working in for a home business exceeded the criteria of a home business. Mark Suennen pointed out that the six employees may not work on the same day at the same time. The Coordinator pointed out that the definition of an expanded home business did not include servicing the public onsite and was intended to provide for business activities related to telephone, postal and/or computer work. She noted that an expanded home business was different than a home business as it did not allow for customers. Mark Suennen stated that a call center could fit the criteria of an expanded home business.

The consensus of the Board was to leave the home business section as it was currently written.

**MISCELLANEOUS BUSINESS AND CORRESPONDENCE FOR THE MEETING OF
MAY 13, 2014.**

1. Approval of the April 8, 2014, minutes, with or without changes. (distributed by email)

David Litwinovich **MOVED** to approve the minutes of April 8, 2014, as written. Don Duhaime seconded the motion and it **PASSED** unanimously.

2. Approval of the April 22, 2014, minutes, with or without changes. (distributed by email)

David Litwinovich **MOVED** to approve the minutes of April 8, 2014, as written. Don Duhaime seconded the motion and it **PASSED** unanimously.

3. Endorsement of a Lot Line Adjustment Plan for Glover Construction, Inc., Tax Map/Lot #'s 5/16-21 & 5/16-22, Christian Farm Drive, by the Planning Board Chairman & Secretary.

The Chairman advised that the plan would be signed at the close of the meeting.

4. Endorsement of a Notice of Decision Cover Sheet, Glover Construction, Inc., Tax Map/Lot #'s 5/16-21 & 5/16-22, Christian Farm Drive, by the Planning Board Chairman.

The Chairman advised that he would execute the above-referenced document at the close of the meeting.

**TOWN OF NEW BOSTON
NEW BOSTON PLANNING BOARD
Minutes of 2014**

May 13, 2014

MISCELLANEOUS BUSINESS, cont.

- 1
2
3 5. Letter received May 5, 2014, from David R. Harpe, to New Boston Zoning Board, re: 29
4 Ridgeview Lane, Tax Map/Lot #11/58, Home Business inquiry, for the Board's review
5 and discussion.
6

7 The Chairman asked a member of the audience if he was David Harpe. The member of
8 the audience identified himself as Mark Rickerson and noted that he was going to be moving to
9 259 Clark Hill Road. He indicated that he was present for the PSNH hearing but believed he
10 may have missed it. Mark Suennen confirmed that the PSNH hearing had taken place earlier in
11 the evening. Mark Rickerson asked if the Board was aware of when the tree removal would
12 begin. The Chairman advised that PSNH intended on starting the removal sometime before the
13 fall. Christine Quirk noted that removal of trees that presented an immediate hazard would begin
14 within the next two to three weeks.
15

16 The Chairman asked if Mr. Harpe needed a more formal approval from the government
17 to facilitate gun sales from his home. The Planning Board Assistant indicated that a
18 representative from the ATF would contact the Planning Department to verify approval.
19

20 The Chairman noted that Mr. Harpe indicated in the above-referenced letter that he
21 intended on having customers visit the property and he was, therefore, required to prepare a site
22 plan for approval by the Planning Board. The Chairman noted that Mr. Harpe had advised that
23 he would not have any signage, however, he believed the Board would require signage to prevent
24 customers from visiting the neighboring properties accidentally.
25

26 The Board agreed to have a letter sent to Mr. Harpe that advised he needed to apply for a
27 Non-Residential Site Plan Review.
28

- 29 6. Copy of Selectmen Consent Agenda item, dated May 5, 2014, re: Harold Strong as New
30 Boston representative to the Southern NH Planning Commission, for the Board's
31 information.
32

33 The Chairman acknowledged the above-referenced matter; no discussion occurred.
34

- 35 7. Copy of Selectmen Consent Agenda item, dated May 5, 2014, re: Joseph Constance as
36 New Boston alternate representative to the Southern NH Planning Commission, for the
37 Board's information.
38

39 The Chairman acknowledged the above-referenced matter; no discussion
40 occurred.
41

- 42 8. Letter copy dated April 25, 2014, from David W. Pierce, Vice Chair, General John Stark
43 Scenic Byway Council, to New Boston Board of Selectmen, re: identifying members to
sit on the General John Stark Scenic Byway Council, for the Board's information.

**TOWN OF NEW BOSTON
NEW BOSTON PLANNING BOARD
Minutes of 2014**

May 13, 2014

MISCELLANEOUS BUSINESS, cont.

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

9. ANNOUNCEMENT: All Boards' Meeting, Monday, June 9, 2014, 7:00 PM at the New Boston Central School, for the School Board to look at and discuss the outcome of the demographic study, town growth, building lots and possible school addition, etc.

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

10. Distribution of cul-de-sac information for discussion at the May 27, 2014, meeting.

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

11. Letter with plan attachment received May 12, 2014, from Twin Bridge Land Management, to New Boston Planning Department, re: Tax Map/Lot #3/5-17, re-grading of area in building restriction zone for the Board's review and discussion.

Mark Suennen believed the above-referenced matter should be scheduled for a public hearing as a change to an approved plan was being requested.

The Chairman asked for the applicant's justification for requesting the change to the approved grading. The Coordinator explained that a knob of dirt existed on the property that the applicant believed would direct water in the wrong direction onto the abutting lot.

Mark Suennen withdrew his previous statement that the matter should be scheduled for a public hearing and asked if this matter had been discussed with the Town Engineer. The Coordinator answered no. Mark Suennen believed that the request should be presented to the Town Engineer and if he believed it needed to be discussed by the Planning Board, a public hearing should be scheduled. The Coordinator stated that a formal recommendation had not been made by the Town Engineer as the matter had not been reviewed in terms of looking at the lot and judging how this would affect drainage because the applicant had not submitted a plan that showed the proposed changes. She continued that the Town Engineer's initial thought was that nothing should be done without some discussion from the Planning Board as a request was being made for work to be completed in the building restriction zone. She advised that the Board could decide how to handle the matter.

Mark Suennen asked if the Town Engineer had seen the sketch that was before the Board. The Coordinator answered that the Town Engineer had not seen it but was aware of it. The Chairman asked how much of the knob of dirt was going to be removed. The Coordinator answered that she was unsure and noted that the above-referenced letter was all that had been submitted. The Chairman indicated that he wanted a lot more information than what had been submitted.

It was the consensus of the Board that a public hearing be scheduled to discuss the matter. The Chairman stated that he wanted to know the proposed elevation changes and whether the dirt would be spread or removed. He noted that a site walk may be necessary. He

**TOWN OF NEW BOSTON
NEW BOSTON PLANNING BOARD
Minutes of 2014**

May 13, 2014

1 stated that a lot of discussion had taken place over this matter during the subdivision so there
2 should be minutes that reflected the discussion of the Building Restriction Zone.
3

4 12. Email received May 12, 2014, from Vincent Iacozzi, Thibeault Corporation, to Shannon
5 Silver, Planning Board Assistant, re: request to extend conditions subsequent deadline
6 from May 13, 2014, to August 13, 2014, for the CUP on Tax Map/Lot #6/40-2, River
7 Road, for the Board's action.
8

9 The Chairman asked if there were any issues the Board should be aware of with regard to
10 the above-referenced request. The Coordinator answered no and advised that the State wetlands
11 permit expired in May of 2016. She noted that two previous extensions had been granted and
12 noted that there was no reason not to extend the deadline again.

13 The Chairman suggested that the deadline for the conditions subsequent be extended by
14 one year. Mark Suennen asked what was left to be completed. The Planning Board Assistant
15 answered that the wetland crossing still needed to be installed. She added that currently
16 Thibeault Corporation was in negotiations to sell the property.
17

18 Mark Suennen **MOVED** to extend the conditions subsequent deadline for the CUP on
19 Tax/Map Lot #6/40-2, River Road, to June 10, 2015. David Litwinovich
20 seconded the motion. **AYE** – Peter Hogan, David Litwinovich, Mark Suennen and
21 Christine Quirk. **ABSTAINED** – Don Duhaime. The motion **PASSED**.
22

23 Mark Suennen **MOVED** to adjourn at 8:18 p.m. Don Duhaime seconded the motion and
24 it **PASSED** unanimously.
25

26
27 Respectfully submitted,
28 Valerie Diaz, Recording Clerk

Minutes Approved:
06.10.2014