

TOWN OF NEW BOSTON
NEW BOSTON PLANNING BOARD
Minutes of 2016
February 9, 2016

1
2 The meeting was called to order a 6:30 p.m. by Planning Board Chairman Peter Hogan.
3 Present were regular members Mark Suennen, David Litwinovich and Ed Carroll. Also present
4 were Planning Consultant Mark Fougere, Planning Coordinator Shannon Silver and Planning
5 Assistant/Recording Clerk Valerie Diaz.

6
7 Present in the audience for all of part of the meeting were Ray Shea, LLS, David and
8 Candy Woodbury, Rob Starace, Tony Hall and Ian McSweeney.

9
10 The Chairman introduced the new Planning Consultant, Mark Fougere, to the Board and
11 audience.

12
13 **ROBERT STARACE HOMES, LLC**
14 Submission of Application/Public Hearing/Major Subdivision/8 Lots
15 Location: Joe English & McCurdy Roads
16 Tax Map/Lot # 11/112
17 Residential-Agricultural "R-A" District

18
19 Present in the audience were Ray Shea, LLS, David and Candy Woodbury, Rob Starace,
20 and Tony Hall.

21 The Chairman read the public hearing notice.

22 Ray Shea, LLS, stated that two public hearings as well as a site walk had taken place with
23 regard to the above-captioned proposed subdivision. He indicated that the lot lines for the two
24 proposed house lots on McCurdy Road had been brought forward, towards McCurdy Road, and
25 that he had created a 10.7-acre conservation easement at the back of the property. He noted that
26 the back lot continued to be a suitable house lot.

27 Ray Shea, LLS, advised that he had met with the Road Agent at the site to view proposed
28 driveways for Tax Map/Lot #'s 11/112-2, 6 and 7; the Road Agent was fine with proposed
29 driveways for Tax Map/Lot #11/112-2 and 6. He stated in an effort to achieve better sight
30 distance to the east of the proposed driveway for Tax Map/Lot #11/112-7 he was proposing to
31 cutback a portion of the embankment, bring it to a 1:1 slope and utilize riprap in the area. He
32 noted that the proposal would also provide the Highway Department with a shoulder in that area
33 of the roadway. He advised that the Road Agent approved of the changes to the driveway.

34 Ray Shea, LLS, identified the proposed location for a cistern on the plan; a flat area
35 contained within proposed Tax Map/Lot #11/112-5. He reviewed the cistern plan and advised
36 that four Mitchie Corporation concrete cistern tanks would be connected. He noted that the
37 proposed driveway for Tax Map/Lot #11/112-4 needed to be moved up about 50' to
38 accommodate the cistern location; he provided a revised driveway permit application that had
39 been reviewed by the Road Agent. He added that he had met with the Fire Wards and they had
40 requested that the Mitchie Corporation provide a 50-year guarantee for the cistern tanks.

41 Mark Suennen asked who would be managing the proposed conservation easement. Ray
42 Shea, LLS, answered that a decision had not been made, however, he intended on speaking with
43 the Conservation Commission and the owners of the existing easement that abutted the property.

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ROBERT STARACE HOMES, LLC, cont.

David Litwinovich asked for confirmation that the existing stonewall on proposed Tax Map/Lot #11/112-7 would be not disturbed when the embankment was cutback. Ray Shea, LLS, confirmed that the cutting would not reach the stone wall and therefore, not disturb it.

The Chairman asked for questions and/or comments from the Board; there were no questions or comments.

The Chairman asked for questions and/comments from the public. Tony Hall of 16 McCurdy Road asked for the maximum slope ratio that could not be exceeded in the area that applicant proposed to cutback on Tax Map/Lot #11/112-7. The Chairman answered that the Regulations did not allow slopes to exceed a 1:1 ratio.

Tony Hall asked if the proposed conservation easement would result in a loss of revenue for the Town. Ray Shea, LLS, did not believe that the easement would reduce the taxes for the property. Rob Starace pointed out that the land was currently in current use and could continue to be in current use. Mark Suennen believed that there could be a net gain of revenue to the Town as the lot was being broken up into eight separate pieces, seven of which, would be taxed at the current residential use rate.

Mark Suennen **MOVED** to accept the waiver for the Environmental Impact Study for Robert Starace Homes, LLC, Location: Joe English and McCurdy Roads, Tax Map/Lot # 11/112, Residential-Agricultural "R-A" District, based on the proposed conservation easement. David Litwinovich seconded the motion and it **PASSED** unanimously.

The Coordinator advised that a bond estimate for the cistern was required prior to approval of the subdivision by the Planning Board.

Ray Shea, LLS, suggested that the installation of the cistern be considered active and substantial development or building and that the foundations for each house lot be considered substantial completion of improvements; the Board agreed with the suggestions.

Mark Suennen **MOVED** to adjourn the public hearing for Robert Starace Homes, LLC, Location: Joe English and McCurdy Roads, Tax Map/Lot # 11/112, Residential-Agricultural "R-A" District, to March 22, 2016, at 6:40 p.m; the applicant allowed the Board to extend the deadline for Board action. David Litwinovich seconded the motion and it **PASSED** unanimously.

**MISCELLANEOUS BUSINESS AND CORRESPONDENCE FOR THE MEETING OF
FEBRUARY 9, 2016.**

1. Approval of the January 12, 2016, meeting minutes with or without changes. (distributed by email).

David Litwinovich **MOVED** to approve the January 12, 2016, meeting minutes as written. Mark Suennen seconded the motion and it **PASSED** unanimously.

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1
2 **MISCELLANEOUS BUSINESS AND CORRESPONDENCE FOR THE MEETING OF**
3 **FEBRUARY 9, 2016, cont.**
4

- 5 2. Distribution of the January 26, 2016, meeting minutes, for approval at the February 23,
6 2016, meeting, with or without changes. (distributed by email)
7

8 The Chairman acknowledged receipt of the above-referenced matter; no discussion
9 occurred.
10

- 11 3. Letter received February 5, 2016, from Ruth R. Trussell, Trustee, Clark Hill Trust, to
12 Peter Hogan, Chairman, New Boston Planning Board, re: Request to transfer CUP
13 escrow account and request to extend conditions subsequent deadline of June 1, 2016, to
14 June 9, 2018, for the Board's action.
15

16 Mark Suennen **MOVED** to extend the conditions subsequent deadline for Clark Hill
17 Trust, Tax Map/Lot #8/1-12 from June 1, 2016, to June 9, 2018. David Litwinovich
18 seconded the motion and it **PASSED** unanimously.
19

20 David Litwinovich **MOVED** to approve the transfer of the CUP escrow account. Mark
21 Suennen seconded the motion and it **PASSED** unanimously.
22

- 23 4. Letter received February 3, 2016, from Thomas E. Carr, CSS/CWS, Meridian Land
24 Services, Inc., to Shannon Silver, New Boston Planning Board, re: AoT Compliance -
25 Twin Bridge Land Management, LLC, Wright Drive, for the Board's review and
26 discussion.
27

28 The Coordinator explained that the above-captioned letter addressed the last condition
29 precedent requirement that the applicant needed to fulfill prior to a compliance hearing. Mark
30 Suennen noted that the letter stated the applicant was under the maximum 5-acre exposure
31 requirement.
32

- 33 5. Letter copy with attachments received February 4, 2016, from Ed Hunter, New Boston
34 Building Inspector, to Chris Bolton, Woodridge Properties, re: Non-Residential Site Plan
35 Compliance for, Tax Map/Lot #3/66, 662 North Mast Road, New Boston, NH, for the
36 Board's information.
37

38 The Chairman acknowledged receipt of the above-referenced matter; no discussion
39 occurred.
40

- 41 **6. Read File:** Notice of OEP's 22nd Annual Spring Planning & Zoning Conference, April
42 23, 2016. Registration opens 22, 2016.
43

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

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SUSAN B. MARTIN REVOCABLE TRUST

Submission of Application/Pubic Hearing/Minor Subdivision/Lot Line Adjustment

Location: South Hill Road

Tax Map/Lot #14/1 & 14/1-1

Residential –Agricultural “R-A” District

Present in the audience was Ian McSweeney.

The Chairman read the public hearing notice.

Ian McSweeney of the Russell Foundation advised that he was present to represent the applicant, Sue Martin. He explained that the lot line adjustment would allow 5.91 acres to be added to Tax Map/Lot #14-1. He continued that the resulting lot would be 84-acres +/- and be placed under a conservation easement. He stated that the Tax Map/Lot #14-1-1 would be 6.510 acres and noted that it contained an existing house and barn.

Ian McSweeney indicated that waivers had been submitted as the primary purpose of the lot line adjustment was to conserve the land. He added that there were no plans to develop or subdivide the property being placed under a conservation easement. He stated that there would be no additional development on Tax Map/Lot #14-1-1.

Mark Suennen asked who would be taking control of the easement. Ian McSweeney answered that the Conservation Commission had voted in favor of taking the easement and will also be providing a portion of funds. He noted that a conservation easement would allow for agricultural buildings on the property.

The Chairman commented that he did not have an issue with the proposed lot line adjustment and he also did not have an issue accepting the wavier requests as long as the land was placed into a conservation easement. Ian McSweeney suggested that the approval be subject to the land being placed into conservation. Mark Fougere agreed and recommended that the Planning Department receive notice of a signed easement prior to recording the plan.

Mark Suennen **MOVED** to accept the application for Susan B. Revocable Trust, Location: South Hill Road, Tax Map/Lot #14/1 & 14/1-1, Residential –Agricultural “R-A” District, as complete. David Litwinovich seconded the motion and it **PASSED** unanimously.

Mark Suennen **MOVED** to accept the waiver requests for the Traffic, Fiscal and Environmental Impact Studies, and checklist item #s 32, 35-38, 43-46, 50, 51, 53 and 55, for Susan B. Revocable Trust, Location: South Hill Road, Tax Map/Lot #14/1 & 14/1-1, Residential –Agricultural “R-A” District, because there was one owner, there was no intention to sell and they met the spirit and intent of the Regulations. David Litwinovich seconded the motion and it **PASSED** unanimously.

Mark Suennen **MOVED** to approve the lot line adjustment for Susan B. Revocable Trust, Location: South Hill Road, Tax Map/Lot #14/1 & 14/1-1, Residential –Agricultural “R-A” District, subject to:

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2 **SUSAN B. MARTIN REVOCABLE TRUST, cont.**
3

4 **CONDITIONS PRECEDENT:**

- 5 1. Submission of a minimum of four (4) blue/blackline copies of the revised plat,
6 including all checklist corrections, notes of waivers granted and any corrections as
7 noted at this hearing.
8 2. Submission of a suitable mylar for recording at the HCRD.
9 3. Digital plat data shall be submitted per Subdivision Regulations Section IV-F.
10 4. Payment of any outstanding fees related to the subdivision application and/or the
11 recording documents with the HCRD (if necessary).
12 5. Receipt by Planning Office Staff of a signed conservation easement.
13 6. Upon completion of the conditions precedent, the final plans and mylar shall be
14 signed by the Board and forwarded for recording at the HCRD.

15 The deadline date for compliance with the conditions precedent shall be **FEBRUARY 9,**
16 **2018**, confirmation of which shall be an administrative act, not requiring further action by
17 the Board. Should compliance not be confirmed by the deadline date and a written
18 request for extension is not submitted by that date, the applicant is hereby put on notice
19 that that the Planning Board may convene a hearing under RSA 676:4-a to revoke the
20 approval. The applicants are further put on notice that this lot line adjustment approval
21 constitutes recognition that the lot configurations are in conformance with local land use
22 regulations. To complete the lot line adjustment, deeds must be transferred.
23

24 David Litwinovich seconded the motion and it **PASSED** unanimously.
25

26 **Continued discussion, re: Master Plan update**
27

28 The Chairman explained to Mark Fougere that the Board had been working on updating
29 the Master Plan in an effort to make it more relevant and readable.

30 Mark Fougere suggested that the Board incorporate simple graphs into the Master Plan to
31 display statistical data.

32 Mark Fougere indicated that he had just completed a Master Plan update for the Town of
33 Henniker and it was short, sweet and to the point.

34 Mark Suennen stated that the Board was interested in Mark Fougere's thoughts on the
35 update. The Chairman added that he wanted to make sure that the Board was moving in the right
36 direction.
37

38 Mark Suennen **MOVED** to adjourn at 7:40 p.m seconded the motion and it **PASSED**
39 unanimously.
40

41
42 Respectfully submitted,

Minutes Approved: 03/22/16

43
44 Valerie Diaz, Planning Assistant/Recording Clerk