

**TOWN OF NEW BOSTON**  
**NEW BOSTON PLANNING BOARD**  
**Minutes of 2016**  
**March 22, 2016**

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2 The meeting was called to order at 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.

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7 Present in the audience for all or part of the meeting were Ray Shea, LLS, Robert  
8 Starace, Candy and David Woodbury, Tony Hall, Bob Condon and Guy Tino.

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10 **Election of Officers**

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12 Mark Suennen **MOVED** to elect Peter Hogan as Planning Board Chairman. Joe  
13 Constance seconded the motion and it **PASSED** unanimously.

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15 David Litwinovich **MOVED** to elect Mark Suennen as Planning Board Vice Chairman.  
16 Joe Constance seconded the motion and it **PASSED** unanimously.

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18 Mark Suennen **MOVED** to elect David Litwinovich as Planning Board Secretary. Joe  
19 Constance seconded the motion and it **PASSED** unanimously.

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21 **MISCELLANEOUS BUSINESS AND CORRESPONDENCE FOR THE MEETING OF**  
22 **MARCH 22, 2016.**

- 23  
24 1. Approval of the February 9, 2016, meeting minutes with or without changes. (distributed  
25 by email)

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27 Mark Suennen referenced the Robert Starace public hearing and noted that the words “the  
28 waiver” were missing from the motion relative to waiving the Environmental Impact Study.

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30 David Litwinovich **MOVED** to approve the February 9, 2016, meeting minutes as  
31 amended. Mark Suennen seconded the motion and it **PASSED** unanimously.

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33 The Board agreed that the expedited minutes captured the discussions.

- 34  
35 2. Distribution of the February 23, 2016, meeting minutes, for approval at the April 12,  
36 2016, meeting, with or without changes. (distributed by email)

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

- 40  
41 3. Copy of letter dated March 15, 2016, from Peter R. Flynn, Town Administrator, to New  
42 Boston Postmaster, for the Board’s information.

43  
44 The Chairman acknowledged receipt of the above-referenced matter; no discussion  
45 occurred.

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2 4. **Read File:** Save the date for the 2016 New Hampshire Planners Association Spring  
3 Conference on May 6, 2016, at the Holiday Inn Downtown, Concord, NH.  
4

5 The Chairman acknowledged receipt of the above-referenced matter; no discussion  
6 occurred.  
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8 **ROBERT STARACE HOMES, LLC**  
9 Public Hearing/Major Subdivision/8 Lots  
10 Location: Joe English & McCurdy Roads  
11 Tax Map/Lot # 11/112  
12 Residential-Agricultural “R-A” District  
13

14 Present in the audience were Ray Shea, LLS, Robert Starace, Candy and David  
15 Woodbury, Tony Hall, Bob Condon and Guy Tino.

16 Ray Shea, LLS, advised that the conservation easement language had been submitted and  
17 noted that it was very similar to language that had been submitted for conservation easements  
18 that had been submitted for Indian Falls Road. He noted that he had received the State  
19 subdivision approval.

20 Ray Shea, LLS, stated that a completed cistern plan had been submitted for review;  
21 however, the applicant was now requesting to install sprinkler systems in the homes in lieu of  
22 installing a cistern. He explained that at the beginning of the project the applicant had believed a  
23 pond located near the property could be used as a fire pond and that the two homes located  
24 farthest away from the pond would have sprinkler systems installed. He continued that  
25 following a plan review the applicant was advised that the Fire Department did not view the  
26 pond as a useable water source and subsequently requested the installation of a cistern. He stated  
27 that the applicant looked into installing sprinkler systems for all eight homes and it was  
28 determined that the cost to do so would be about \$45K. He continued that it was the applicant’s  
29 experience that a cistern would cost about \$60K and based on that information he decided to  
30 move forward with the cistern. He advised that the applicant received cost estimates of \$85K  
31 and \$90K for the cistern based on the new cistern requirements as well as additional inspection  
32 cost estimates of \$12K from the Town Engineer. He explained that because the cost to install the  
33 cistern was much more than the applicant had anticipated he was now requesting to be allowed to  
34 install sprinkler systems. He pointed out that over the last few years none of the large-scale  
35 subdivisions, between 5 – 40 lots, had not been required to install cisterns.

36 Ray Shea, LLS, noted that an existing cistern located on Jessica Lane was approximately  
37 2,100 feet from the Joe English Road and McCurdy Road intersection. He added that the pond,  
38 although not viewed as a fire pond, was only 700 feet away and contained a lot of water. He  
39 believed that the request to install sprinkler systems coupled with location of the existing cistern  
40 and pond was reasonable.

41 The Chairman asked if anyone had given the applicant the indication that both a cistern  
42 and sprinkler systems would be required. Ray Shea, LLS, answered. The Chairman stated that  
43 installing sprinkler systems would be fine. Mark Suennen stated that he did not have an issue  
44 with the installation of sprinkler systems; however, he pointed out that the Fire Wards had  
45 recommended that a cistern be installed. Joe Constance asked for confirmation that the Fire

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**ROBERT STARACE HOMES, LLC, cont.**

Wards felt that the water supply in the area of Town where the subdivision was located was inadequate. The Coordinator answered that the Fire Wards were seeking larger coverage for the area.

Ray Shea, LLS, showed the location of the existing pond on a map and acknowledged that the Fire Wards did not deem it as a viable fire pond and also showed the location of the cistern on Jessica Lane. The Chairman stated that he was not prepared to accept the pond as a type of firefighting water supply. He continued that he did not believe that it was the applicant's responsibility to install a cistern and that sprinkler systems were the preferred firefighting water supply for life safety reasons. Joe Constance agreed that it was not the applicant's responsibility to install a cistern for an entire side of Town. David Litwinovich stated that he was fine with allowing sprinkler systems and commented that it would be unfair to burden the applicant with strengthening the water supply for a large area of Town.

Mark Suennen asked if the applicant could verify who would be taking the proposed conservation easement. Ray Shea, LLS, answered that no one would be taking the easement. He stated that the easement was similar to one that had been approved for Indian Falls Road and explained that the easement provided a restrictions to the property owner of the lots in question.

Mark Suennen noted that discussion had taken place regarding the relocation of a driveway to accommodate a cistern. He asked for the proposed location of the driveway without the cistern. Ray Shea, LLS, answered that the driveway could remain in the current proposed location or it could be moved to the original location. Mark Suennen asked if the applicant would be willing to dedicate the plot of land that had been proposed for the cistern to the Town of New Boston for the purpose of installing a cistern at a future time. Ray Shea, LLS, answered that the applicant did not have a problem with dedicating the land to the Town. The Chairman stated that Town Counsel should review the deed language for the dedication at the Town's expense. Ray Shea, LLS, asked if the land should be dedicated as part of the right-of-way. Mark Fougere answered yes.

The Chairman entered a letter from Don Grosso, to the Planning Board, into the record.

Tony Hall of 16 McCurdy Road asked who would be inspecting work completed for the slope along McCurdy Road. The Chairman answered that the Road Agent would inspect the completed work.

Tony Hall asked if a sprinkler system was required for the house currently under construction on Joe English Road. Rob Starace answered no. The Coordinator explained that the parent lot did not need to have sprinklers installed.

Bob Condon asked if all the lots met the suitable building envelopes. The Chairman answered yes. Bob Condon asked if the Board was satisfied that all the wetland setbacks were drawn correctly on the plan. The Chairman answered yes.

The Chairman asked for further comments and/or questions; there were no comments or questions.

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**ROBERT STARACE HOMES, LLC, cont.**

Mark Suennen **MOVED** to approve the Major Subdivision/8 Lots, by Robert Starace Homes, LLC, Joe English & McCurdy Roads, Tax Map/Lot # 11/112, subject to:

**CONDITIONS PRECEDENT:**

1. Submission of a minimum of five (5) blue/blackline copies of the revised plat, including all checklist corrections and any corrections as noted at this hearing and including the Stormwater Management Plan if separate from the subdivision plan.
2. Submission of a suitable Mylar for recording at the HCRD.
3. Submission of all legal documents, for review by Town Counsel, the cost of said review to be borne by the applicant.
4. Deed to dedicate land parcel to Town for future cistern location, for review by Town Counsel, the cost of said review to be borne by the Town.
5. Submission of legal documents required for the installation of sprinkler systems in the homes, including a Declaration of Covenants and Restrictions and sample deed language to reference same.
6. An 'Individual Stormwater Management Plan' (ISWMP) to be submitted prior to the issuance of a building permit, will be required for land disturbance or development in 'Critical Areas' (both those designated on the plan or created during development). For building permits requiring an ISWMP, Certificates of Occupancy will only be issued after receipt of a 'Stormwater Management Plan Compliance Statement' as specified in the New Boston Subdivision Regulations."
7. Deeds for each lot shall have the following statement: 'The property herein described is subject to the following condition as described in the recorded subdivision plan referenced above: A Stormwater Management Plan will be required prior to the issuance of a building permit if any land is to be disturbed in the designated or created Critical Areas.'
8. Submission of any outstanding fees related to the subdivision application or recording of documents at the HCRD.
9. Upon completion of the conditions precedent, the final plans and Mylar shall be signed by the Board and forwarded for recording at the HCRD.  
The deadline date for compliance with the conditions precedent shall be **June 22, 2016**, confirmation of which shall be an administrative act, not requiring further action by the Board. Should compliance not be confirmed by the deadline date and a written request for extension is not submitted by that date, the applicant is hereby put on notice that the Planning Board may convene a hearing under RSA 676:4-a to revoke the approval.

**ACTIVE AND SUBSTANTIAL DEVELOPMENT OR BUILDING AND  
SUBSTANTIAL COMPLETION OF IMPROVEMENTS:**

1. Within 24 months after the date of approval, the following items must be completed in order to constitute "active and substantial development or building" pursuant to RSA 674:39,I, relative to the 5-year exemption to regulation/ordinance changes:  
Construction of slope easement 150' east of lot #112-7, to be completed by **July 1, 2016**.

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1  
2 **ROBERT STARACE HOMES, LLC, cont.**  
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- 4 2. The following items must be completed in order to constitute "substantial completion of  
5 the improvements" pursuant to RSA 674:39,II, relative to final vesting:  
6 Installation of foundations for each house lot.  
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8 David Litwinovich seconded the motion and it **PASSED** unanimously.  
9

10 Mark Suennen **MOVED** to approve the driveway permit #'s 15 –19 through 15-26 for  
11 Robert Starace Homes, LLC, Location: Joe English & McCurdy Roads, Tax Map/Lot  
12 #11/112, Residential-Agricultural "R-A" District. David Litwinovich seconded the  
13 motion and it **PASSED** unanimously.  
14

15 **MISCELLANEOUS BUSINESS AND CORRESPONDENCE FOR THE MEETING OF**  
16 **March 22, 2016, Cont.**  
17

- 18 5. Email received March 21, 2016, from Guy Tino, Owner of Northeast Café, to Shannon  
19 Silver, Planning Coordinator, re: Liquor License, for the Board's review and discussion.  
20 Guy Tino to be present.  
21

22 Guy Tino advised that he was in the beginning stages of applying for a beer and wine  
23 license from the State of New Hampshire. He explained that the State required a letter from the  
24 Planning Board that acknowledged approval of the license.

25 The Coordinator explained that the license would not create an issue with the current site  
26 plan and recommended that the Code Enforcement Officer submit a letter to the State that  
27 reported that the applicant's business was operating in compliance of the Zoning Ordinance.  
28

29 Mark Suennen **MOVED** to recommend that the Code Enforcement Officer provide the  
30 necessary letter of approval from the Town of New Boston for the proposed beer and  
31 wine license. David Litwinovich seconded the motion and it **PASSED** unanimously.  
32

33 **Continued discussion, re: Master Plan update.**  
34

35 Mark Fougere confirmed that most of the recent development had taken place in the  
36 eastern area of Town; he identified the location of lot development on a tax map. He noted that  
37 113 lots had been created between 2007 and 2015.

38 Mark Fougere advised that the 2005 tax maps had not been updated in the Southern New  
39 Hampshire Planning Commission's, (SNHPC), new system. He explained that Todd Land Use  
40 Consultants updated the tax maps in an AutoCAD program and the cost to update the maps into a  
41 GIS program used by SNHPC would be about \$4,000. He added that the Town Administrator  
42 was going to look into funding for the project. He suggested that the Board adopt a provision  
43 that required applicants to submit plans in on a disk in GIS program should the funding be  
44 approved to convert maps into a GIS format.  
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**Continued discussion, re: Master Plan update, cont.**

Ed Carroll asked for suggestions with regard to managing growth on the east side of Town and he asked for suggestions relative to encouraging growth in other areas of Town. Mark Fougere asked if it was goal of the Board to encourage growth in other areas of the Town. Mark Suennen answered yes. Mark Fougere stated that when thinking about the implications of growth in an area he thought about roads and esthetics. Joe Constance wondered how the roads would hold up with an increase in traffic as a result of the increase in density. Mark Fougere stated that it would be interesting to see how long it would take to build out the approved lots on the east side of Town. Joe Constance noted that construction had not been occurring at a rapid pace. Mark Fougere stated that if the SNHPC updated the system houses could be added to the maps to show growth in density.

Mark Suennen asked if the Town would have the resources to maintain and/or update the GIS maps should the program be implemented. Mark Fougere answered that the Town could rely on the SNHPC or could hire an independent company.

Ed Carroll asked what benefits the GIS program provided to the Town. Mark Fougere answered that the GIS program provided the ability to search and gather information on lots. Mark Suennen added that the program would also provide layered information with regard to aquifers, streams, etc.

Joe Constance asked how the GIS program would be managed through the SNHPC. Mark Fougere explained that Bob Todd's office would submit an AutoCAD mapping disk to the SNHPC and subsequently the SNHPC would then redraw the maps into the GIS format. Ed Carroll asked if the SNHPC could create a proposal that would outline what services would be provided for \$4K. Mark Fougere stated that he could get more detail from SNHPC. The Planning Coordinator advised that she had spoken with the Town Administrator earlier in the day and he had reported that the funds to convert to a GIS system would not be available this year. Mark Suennen commented that it would still be good to have the SNHPC provide a scope of work in order to develop an RFP.

Mark Fougere suggested that the Board continue to review housing, population and transportation data relative to the Master Plan. He stated that he would like to reach out the SNHPC for assistance with gathering transportation data; he added that he wanted the scope of work to be covered by the annual dues. Mark Suennen stated that the SNHPC was not active with rural communities included in the region and this could be an opportunity for them to become more active. Mark Fougere advised that he would contact the director to see what funding was available.

Mark Fougere stated that impacts caused by development could be softened in response to Ed Carroll's statement that people liked things the way they were and did not want them to change. He noted that setbacks could be utilized to remedy esthetic complaints.

Mark Fougere discussed creating a second, smaller village in the eastern region of the Town that could provide convenience items. The Chairman noted that the Board had proposed this idea to developers and it was always rejected. Mark Suennen pointed out that the area was not zoned for commercial business. Mark Fougere suggested that the Board determine the best location for the commercial zone in the area and change the zoning. Mark Suennen commented that the Townspeople were very sensitive to rezoning. Mark Fougere stated that limited

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**Continued discussion, re: Master Plan update, cont.**

commercial business could be allowed, i.e., hairdresser or small convenience store, and was a lot less scary than the typical commercial businesses like McDonald's or 24 hour gas stations. Joe Constance believed that other factors such as the Town's fire regulations had created issues for commercial business owners and chased some potential businesses out of Town.

Mark Suennen suggested that the Master Plan contain concrete goals that included locations, sizes and the amount of commercial development that should be encouraged. Joe Constance agreed with Mark Suennen.

Joe Constance asked for the next step in the updating process. Mark Suennen answered that the Board needed to determine what the Town would look like in ten years. He suggested that data be reviewed to make the determination. Mark Fougere stated that he wanted to research population trends and sit down with the SNHPC to discuss transportation. Mark Suennen explained that traffic counts could be conducted in specific areas of Town.

Ed Carroll asked if Mark Fougere had reached out to committees in Town as discussed at the previous meeting. Mark Fougere indicated that he had not contacted the committees but intended on emailing Master Plan chapters to committees for their input on information that needed to be updated.

Joe Constance **MOVED** to adjourn at 8:31 p.m. Mark Suennen seconded the motion and it **PASSED** unanimously.

Respectfully submitted,

Minutes Approved: 05/10/16

Valerie Diaz, Planning Assistant/Recording Clerk