

**TOWN OF NEW BOSTON
NEW BOSTON PLANNING BOARD
Minutes of 2017**

May 23, 2017

The meeting was called to order at 6:30 p.m. by Planning Board Chairman Peter Hogan. Present were regular members David Litwinovich and Ed Carroll; and Ex-Officio Rodney Towne. Also present were Planning Coordinator, Shannon Silver and Planning Consultant, Mark Fougere.

Present in the audience for all of part of the meeting were Genevieve Pelletier, Kary Jencks, Rob Kilmer, Meredith Bunting, and Mike DePetrillo.

**MISCELLANEOUS BUSINESS AND CORRESPONDENCE FOR THE MEETING OF
MAY 23, 2017.**

1. Approval of the April 11, 2017, meeting minutes, with or without changes, distributed by email.

David Litwinovich **MOVED** to approve the April 11, 2017, meeting minutes, as written. Ed Carroll seconded the motion and it **PASSED** unanimously.

2. Approval of the April 25, 2017, meeting minutes, with or without changes, distributed by email.

Ed Carroll **MOVED** to approve the April 25, 2017, meeting minutes, as written. David Litwinovich seconded the motion and it **PASSED** unanimously.

- 3a. Endorsement of a Minor Subdivision Plan/2 Lots, Donna Dicey, TaxMap/Lot # 4/10, Francestown Road and Rustic Lane, by the Planning Board.

The Chairman stated that the above-referenced subdivision plan would be endorsed at the end of the meeting.

- 3b. Endorsement of the Notice of Decision Coversheet Minor Subdivision Plan, 2 Lots, Donna Dicey, Tax/Map Lot 4/10, Francestown Road and Rustic Lane, by the Planning Board Chairman

The Chairman stated that the above-referenced coversheet would be endorsed at the end of the meeting.

- 4a. Endorsement of the Minor Subdivision Plan/2 Lots, for Robert and Laura Todd, Location: NH Route 136 a/k/a Francestown Road & East Colburn Road, Tax Map/Lot # 4/16-1, Residential-Agricultural "R-A" District.

The Chairman stated that the above-referenced subdivision plan would be endorsed at the end of the meeting.

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MISCELLANEOUS BUSINESS AND CORRESPONDENCE, cont.

- 4b. Endorsement of a Notice of Decision Coversheet for Robert and Laura Todd, Location: NH Route 136 a/k/a Francestown Road & East Colburn Road, Tax Map/Lot # 4/16-1, Residential-Agricultural "R-A" District.

The Chairman stated that the above-referenced coversheet would be endorsed at the end of the meeting.

THE M&G PELLETIER JOINT REV TRUST

Public Hearing/NRSPR/to operate a cordwood-sawmill processing yard

Location: 212 McCollum Road

Tax Map/Lot #14/105

Residential-Agricultural "R-A" District

Present in the audience was Genevieve Pelletier.

The Chairman read the public hearing notice. He noted that a site walk had taken place and asked for comments from the board relative to the site walk. David Litwinovich indicated that the need for a secondary driveway permit had been discussed and forwarded to the Road Agent for approval.

Genevieve Pelletier advised that an idling time of 6:45 a.m. needed to be added on the site plan. The Chairman asked if adding the idling time had been agreed upon by the members of the Board that were present at the site walk. David Litwinovich answered yes.

The Chairman asked for further comments and/or questions from the Board; there were none.

David Litwinovich **MOVED** to approve the Non- Residential Site Plan, to operate a cordwood-sawmill processing yard from 212 McCollum Road, Tax Map/Lot #14/105, subject to:

CONDITIONS PRECEDENT:

1. Submission of a minimum of three (3) copies of the revised site plan that include all checklist corrections and any agreed-upon conditions from this hearing.
2. Execution of a Site Review Agreement regarding the condition(s) subsequent (if any).

The deadline for complying with the condition(s) precedent shall be **June 23, 2017**, the 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 prior to that date, the applicant is hereby put on notice that the Planning Board may convene a hearing pursuant to RSA 676:4-a to revoke the approval.

Rodney Towne seconded the motion and it **PASSED** unanimously.

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**F.N. SAGNA & K.N. JENCKS JOINT REV TRUST
FRANCOIS NOEL SAGNA & KARY JENCKS, TRUSTEES**

Submission of Application/Public Hearing/NRSPR/Kennel

Location: 96 Scobie Road

Tax Map/Lot #4/1

Residential-Agricultural "R-A" District

Present in the audience were Rob Kilmer, Kary Jencks; and abutters, Meredith Bunting and Mike DePetrillo.

The Chairman read the public hearing notice.

Rob Kilmer of Sandford Surveying and Engineering introduced himself to the Board and indicated that he was present to represent the applicants. He stated that the applicants were proposing to operate a kennel at the above-referenced property. He advised that the property consisted of 87.8 acres and was previously known as the 100 Acre Monastery owned by the Monks of Saint Anselm Abbey.

Rob Kilmer stated that the applicants were proposing to house the kennel in an existing 38' x 50', three-story barn. He explained that the first floor would be used to kennel dogs in the various rooms. He noted that the barn had its own septic system and well onsite. He continued that the existing driveway would be used to access the kennel and parking would be provided to the west side, graveled area of the barn.

Rob Kilmer advised that the New Boston Zoning Board had granted the applicants a Special Exception to operate the kennel; a note on the plan reflected the Special Exception.

Rob Kilmer stated that Earl Sandford, LLS, had met onsite with the Road Agent and he reported that the Road Agent did not have any issues with the proposal. He added that there was adequate sight distance from the left and right of the driveway. Ed Carroll asked if the Road Agent was going to send a letter that contained his opinion of the proposal. Rob Kilmer answered that he planned on calling the Road Agent tomorrow to determine whether or not he intended on sending a letter.

Rob Kilmer stated that the only proposed addition to the existing property was a 20' x 30' fenced in dog yard; he pointed out the location on the plan. He added that the Zoning Board had required the installation of a wooden or metal fence.

Rob Kilmer noted that the applicants had submitted a waiver for the requirement to provide metes and bounds for the entire parcel as a boundary plat had been completed by Bob Todd in 2000. The Chairman indicated that this matter had been discussed and the Board was ok with accepting the waiver.

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F.N. SAGNA & K.N. JENCKS JOINT REV TRUST, cont.

David Litwinovich **MOVED** to accept the application as complete for Francois Noel Sagna and Kary Jencks, NRSPR/Kennel, Location: 96 Scobie Road, Tax Map/Lot # 4/1, Residential-Agricultural "R-A" District. Rodney Towne seconded the motion and it **PASSED** unanimously.

David Litwinovich **MOVED** to accept the waiver request to not be required to complete metes and bounds, for Francois Noel Sagna and Kary Jencks, NRSPR/Kennel, Location: 96 Scobie Road, Tax Map/Lot # 4/1, Residential-Agricultural "R-A" District. Ed Carroll seconded the motion and it **PASSED** unanimously.

The Chairman asked if the Fire Department had commented on the proposal. The Planning Consultant, Mark Fougere, commented that he believed the plan had been sent to the Fire Department.

The Chairman asked what the distance was between the property and the nearest fire cistern on Scobie Road. Rob Kilmer answered that he would need to measure the distance.

The Chairman asked what the applicants had for a noise plan. Kary Jencks indicated that there were devices available that mitigated sound that would be created from barking dogs. She noted that the dogs would be supervised at all times. She noted that her barn and her residence would also create a buffer for sound. She stated that she did not intend on kenneling anymore than twenty dogs at one time and committed that she would be surprised if she even kenneled twenty dogs at one time. She continued that she was not interested in kenneling more than five dogs at one time or operating a doggy daycare.

The Chairman stated that it was ok if the dogs barked and pointed out that it was the applicants' responsibility to ensure that no one could hear the barking. He suggested that the outdoor dog area be located in an area where people could not hear the barking and asked if the proposed location was the best place in terms of sound. Kary Jencks explained that her house and barn provided a sound buffer to abutters. Rodney Towne reiterated that the dogs would not be unsupervised while they were outside. David Litwinovich pointed out that the proposed site plan contained a note that stated, "No more than one dog will be left outside unsupervised." Kary Jencks explained that note had come forward from the Zoning Board. She stated that she may leave one dog outside on the run, if she had to go inside to grab something. Rodney Towne pointed out that Ms. Jencks had stated that the dogs would always be supervised while outside and she now was saying that one dog could be left unattended outside; he asked for her intent. Kary Jencks stated that she believed the wording as it was shown on the plan was fine and noted that it was approved by the ZBA. Rodney Towne commented that he did not like the wording. He stated that if the dog yard was going to be located in the proposed location they needed to be supervised at all times. The Chairman stated the proposed location might be the best location for

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F.N. SAGNA & K.N. JENCKS JOINT REV TRUST, cont.

the property. David Litwinovich asked that a site walk be scheduled to view the proposed location for the dog yard.

Rodney Towne stated that if the applicants wanted to ever operate as a doggy day care from the site, they should add language to the site plan to allow them to do so.

The Chairman welcomed comments and questions from abutters.

Meredith Bunting of 75 Scobie Road stated that her biggest concern with the proposed kennel was noise. She noted that her property was located at a higher elevation than the applicants' property and she was concerned the noise would travel up. She suggested locating the outside run behind the existing house.

Mike DePetrillo of 46 Scobie Road stated that he and his wife did not have any issues with the proposed plan and believed that the proposed location of the dog yard might be the best location on the property.

Kary Jencks stated that she intended to plant evergreen plants around the dog yard fence both for sound buffering and esthetics. She added that she and her family lived at the property and did not want to be surrounded by noise either.

David Litwinovich asked what type of fencing the applicant intended on installing. Kary Jencks answered that she intended on installing a metal chain link fence. David Litwinovich noted that the Zoning Board had stipulated the following: "A stockade or other suitable style, esthetically pleasing wood fence which is capable of containing the dogs and provides for complete screening of the dogs from the road." The Chairman believed that a chain link fence was the best option for containing the dogs. Kary Jencks stated that she intended on screening the fence with shrubbery. The Planning Consultant, Mark Fougere, stated the Zoning Board was very specific with the stipulation. The Chairman stated that the Zoning Board should not have stipulated such a thing, as it was not their area of expertise.

A Site walk was scheduled for June 3, 2017, at 8:00 a.m.

David Litwinovich **MOVED** to adjourn the public hearing for the NRSPR/Kennel, Location: 96 Scobie Road, Tax Map/Lot # 4/1, Residential-Agricultural "R-A" District, to June 13, 2017, at 6:30 p.m. Ed Carroll seconded the motion and it **PASSED** unanimously.

Discussion with Fire Inspector, re: Fire Fighting Water Supply

The Chairman advised that the Fire Inspector would not be present for the discussion and as such the discussion was tabled to a future meeting.

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Discussion, re: Master Plan Transportation Chapter Update

Mark Fougere advised that he had completed updating the Master Plan chapter on transportation. He noted that the text had been added to graphs, as had been previously discussed.

Mark Fougere stated that he planned on sitting down with Department Managers starting Monday, in an effort to update the Master Plan Facilities chapter.

Mark Fougere stated that he had been contacted by the New Boston Energy Commission with a request to amend the Energy chapter recommendations by replacing words such as “consider” to “encourage” and “explore” to words like, “establish,” “require” and “adopt”. He explained that softer language was used in master plans because it was a policy document.

David Litwinovich **MOVED** to adjourn at 7:36 p.m. Ed Carroll seconded the motion and it **PASSED** unanimously.

Respectfully submitted,

Minutes Approved: 02/13/18

Valerie Diaz, Recording Clerk