

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

8/8/17

1  
2 The meeting was called to order at 6:30 p.m. by Planning Board Vice Chairman Mark  
3 Suennen. Present were regular Board members David Litwinovich and Ed Carroll, along with  
4 Ex-Officio Joe Constance. Also present was Planning Coordinator, Shannon Silver and Planning  
5 Board Assistant, Nadine Scholes.

6  
7 Peter Hogan was not present.

8  
9 Present in the audience for all of part of the meeting was Robert Kilmer from Sandford  
10 Engineering.

11  
12 **Continued Discussion re: MASTER PLAN UPDATE**

13  
14 Mark Suennen opened the discussion re: Master Plan progress and noted without the  
15 Planning Consultant, Mark Fougere, in attendance at the meeting; he would like the discussion  
16 for departments to be continued at the next meeting with Mark Fougere. Mark Suennen asked  
17 the Board if they had any general concerns in regards to the Master Plan they would like noted.

18  
19 Ed Carroll mentioned his concerns re: the cisterns/sprinklers/water situation and the dry  
20 areas of the Town. Planning Coordinator, Shannon Silver, responded that the discussion with the  
21 Fire Wards re: cisterns/sprinklers/water supply is an ongoing discussion with the Fire Depart-  
22 ment, Fire Inspector and the Fire Wards. She suggested the best way to address all the Board's  
23 concerns, would be to invite the Fire Wards to an upcoming Planning Board meeting to continue  
24 the discussion for water supply. Mark Suennen stated he remembered seeing a drawn out plan of  
25 all existing cisterns and proposed locations for new cisterns that were needed in the "dry areas"  
26 of Town, and he recommended this be discussed with the Fire Wards and could be added in the  
27 Fire Department's Chapter on the Master Plan. Ed Carroll suggested the Fire Department in-  
28 clude any future substantial goals/improvements without them needing to state how these pro-  
29 jects will be funded. Planning Coordinator, Shannon Silver, said that information would be part  
30 of the Master Plan and Mark Fougere should be able to gather that information. She suggested  
31 that the main concerns to be discussed at the meeting with the Fire Wards should be the unre-  
32 solved water supply/cisterns issues in the dry areas.

33  
34 Joe Constance asked Mark Suennen what he suggested as the best date to have this meet-  
35 ing with the Fire Wards. Board Members agreed on the second meeting in September. Mark  
36 Suennen asked the Board to suggest what should be discussed at the meeting on September 26,  
37 2017, to prepare an agenda for the discussion with the Fire Wards.

38  
39 Joe Constance said that after the first meeting with the Board and Eric Dubowik, re: cis-  
40 terns, he and the Fire Chief, Dan MacDonald had an extensive conversation in regards to the  
41 regulations and water supply concerns. The subject of the '5<sup>th</sup> house' was discussed in detail.  
42 Joe Constance said they were both in agreement that the 'last house built' should not be consid-  
43 ered the responsible party to install the cistern and Joe Constance expressed he would like to see  
44 this as a topic to resolve with the Fire Wards. Joe Constance said he would be sure to bring the

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1 **Master Plan Update Discussion, continued...**

2  
3 notes he had taken during his conversation with Chief MacDonald to review with the Board at  
4 the next meeting. Joe Constance also recommended dry areas in Town be discussed and what  
5 the fire department requires to fight fires in those areas.  
6

7 Mark Suennen summarized the Board's suggested topics for the agenda and what is to be  
8 discussed at the first meeting on September 26, 2017. Mark Suennen suggested opening the  
9 meeting with the Fire Ward's briefly educating the Planning Board on what is needed to fight a  
10 fire today. Next would be a review of the driest areas in Town that are a concern; and discus-  
11 sion, re: the 5<sup>th</sup> lot trigger. The Board should be prepared to present any legal counsel and/or  
12 regulations. Lastly, Mark Suennen suggested we cover what the Fire Department recommends  
13 for substantial improvements over the next 2 years and then 5 years long-term improve-  
14 ments/goals. Mark Suennen also suggested a follow up with the Fire Wards be scheduled for the  
15 2<sup>nd</sup> meeting in October. David Litwinovich suggested the agenda be given to the Fire Wards pri-  
16 or to the first meeting in September to be prepared for discussion with the Board.  
17

18 Mark Suennen turned the conversation back on the subject of the Master Plan; asked if  
19 the Board Members have any concerns/questions regarding the Community Facilities in the Mas-  
20 ter Plan.  
21

22 Joe Constance mentioned he would like to see additional information for building depre-  
23 ciation, maintenance and space concerns. Joe noted these items are very lightly touched in each  
24 departments Chapter. Joe Constance used the Transfer Station as example, and stated the fact  
25 that there is work being done at the Transfer Station currently that may have future traffic impact  
26 and possibly could have impacts on the flow of the material handling at the Transfer Station. Joe  
27 Constance suggested any current improvements; especially if there are potential fiscal impacts,  
28 be added for those departments with updates currently in progress. Joe Constance also suggested  
29 that building maintenance be covered briefly as part of the Master Plan, more along the lines of  
30 regular maintenance to withstand depreciation of buildings. Joe Constance stated he noticed  
31 there is a major lack of maintenance at certain Town facilities, specifically at the New Boston  
32 Center School and Fire Department. Ed Carroll asked Joe Constance if he believed the lack of  
33 maintenance is due to funding or the departments are too busy to concentrate on general mainte-  
34 nance. Joe Constance responded he believed it's a little of both. Mark Suennen added that  
35 maintenance issues should be directed to the Board of Selectman and not part of the Master Plan  
36 but Joe Constance stated the lack of general maintenance could potentially have impact on build-  
37 ing depreciation, which is covered in the Master Plan. Ed Carroll agreed with Joe Constance.  
38

39 David Litwinovich agreed with both Joe Constance and Ed Carroll regarding the subject  
40 of improvements being less specific but including more broad information on what the depart-  
41 ment foresees as realistic improvements over the next 10 years.  
42  
43  
44

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**Master Plan Update Discussion, cont.**

The Board will continue this discussion at the next Planning Board meeting with Mark Fougere present to note any additional information the Board has suggested to include in the Master Plan.

**Adjourned from July 11, 2017 Meeting**

**SIB TRUST (OWNER)**

**BUSSIERE, EMILE R. JR. (OWNER)**

**SANDFORD SURVEYING & ENGINEERING, INC. (APPLICANT)**

Public Hearing/Major Subdivision/Lot Line Adjustment/3 Lots

Location: Susan Road

Tax Map/Lot #'s 12/93-40 & 15/15

Residential-Agricultural "R-A" District

Bob Kilmer, from Sandford Engineering, represented his client, Emile R. Bussiere Jr., SIB Trust. Bob Kilmer started with the presentation of the proposed subdivision and the lot line adjustments. Bob Kilmer pointed out that Tax Map/Lot #15/15 is 108 acre lot and would acquire 2 lot line adjustments with Tax Map/Lot #12/93-40, also owned by SIB Trust, to create the 50' driveway access points for 2 of the 3 proposed lots. The pre-existing 50' driveway access will be to Tax Map/Lot #15/15-1 and the 2 new access points will access Tax Map/Lot #15/15 & 15/15-2. Bob Kilmer explained that Tax/Map Lot # 12/93-40 has 2.9 acres, and will be left with 2.3 acres after the lot line adjustments with a building envelope of 1.3 acres.

Bob Kilmer continued to explain the proposed subdivision of Tax Map/Lot #15/15, would create 3 buildable lots. Tax Map/Lot #(s) 15/15, 15/15-1 and 15/15-2. Tax Map/Lot #15/15-1, proposed to be 6.7 acres total, with 4.7 acres continuous upland and a suitable buildable area of 0.7 acres. Tax Map/Lot #15/15-2, proposed to be 6.1 acres total with 3.6 acres continuous upland and a suitable buildable area of 0.82 acres, leaving Tax Map/Lot #15/15 with a total of 97 acres.

Bob Kilmer noted that all 3 Driveway Permits were submitted with the application for the subdivision. Mark Suennen asked the Planning Coordinator, Shannon Silver if the permits Bob Kilmer mentioned are ready for the Board's action to endorse at the meeting tonight. The Planning Coordinator, Shannon Silver confirmed she has the permits for the Board's action tonight and had been approved by the Road Agent.

Joe Constance asked if the 97 acre lot had been considered for conservation easement. Planning Coordinator, Shannon Silver and Mark Suennen confirmed that the owner stated at the last meeting on July 11, 2017 he would be willing to restrict the 97 acre lot to no further subdivision as a note on the plan.

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3 **SANDFORD SURVEYING & ENGINEERING, INC. (APPLICANT) cont.**

4  
5 Mark Suennen asked about the drainage reports for the subdivision, Planning Coordina-  
6 tor, Shannon Silver responded that she had discussed the requirements for drainage reports with  
7 the Town Engineer, Kevin Leonard, and he confirmed a drainage report would not be required  
8 for a project of this size.

9  
10 Mark Suennen asked the Board if there are any concerns. No concerns were noted.

11  
12 Mark Suennen **MOVED** to acknowledge the receipt of the drainage reports but not re-  
13 quired for this subdivision. David Litwinovich seconded and **PASSED** unanimously.

14  
15 Mark Suennen asked Bob Kilmer to explain the 3 waiver requests. Bob Kilmer stated  
16 that this will be very low impact being a minor subdivision only creating 3 lots. The impact will  
17 be very low on the economics for the Town. Bob Kilmer also noted there would be no additional  
18 Town services required for this subdivision. Joe Constance asked if an environmental study  
19 would include the stormwater management, as he believed that to be the biggest environmental  
20 concern. Mark Suennen replied to Joe Constance on his opinion of what the environmental im-  
21 pact study covers, which is a wider range of items including wetlands, air, noise and endangered  
22 species impacts rather than stormwater. Mark Suennen continued to state the scale of this subdi-  
23 vision and only carving off two 6 acre lots from an existing large parcel isn't going to have high  
24 impacts on the items that would be covered in the environmental study. Joe Constance under-  
25 stood and Mark Suennen stated he would be willing to accept a motion to accept the waivers  
26 submitted for the 3 impact studies.

27  
28 Joe Constance **MOVED** to grant waiver requests for traffic, fiscal and environmental  
29 studies for SIB Trust (Owner), Emile R. Bussiere Jr., (Owner) Sandford Surveying and  
30 Engineering, Inc. (Applicant), Location: Susan Road, Tax Map/Lot #12/93-40 &15/15,  
31 Residential-Agricultural "R-A" District, as complete, David Litwinovich seconded the  
32 motion, Mark Suennen added to acknowledge the Board has heard and agreed with the  
33 Applicants position that the impacts are minor with this 3 lot subdivision and it is ac-  
34 ceptable and it **PASSED** unanimously.

35  
36 Mark Suennen acknowledged and confirmed with the Planning Coordinator, Shannon  
37 Silver that the fire fighting water supply was included and submitted with appropriate language  
38 for the declaration of covenants regarding the sprinkler systems.

39  
40 Mark Suennen asked Bob Kilmer about restriction of further subdivision on the 97 acre  
41 lot, Tax Map/Lot #15/15. Bob Kilmer stated it was understood that his client was willing to re-  
42 strict the 97 acre lot to no further subdivision, if this would expedite his approval. The Planning  
43 Coordinator, Shannon Silver added that this is not a requirement, it was only a  
44

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1 **SIB TRUST (OWNER)**

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3 **SANDFORD SURVEYING & ENGINEERING, INC. (APPLICANT) cont.**

4  
5 recommendation by the Board. After further discussion, the Board agreed the 97 lot would have  
6 the restriction of no further subdivision as a note on the plan and revokable only if, and when the  
7 adjacent Tracking Station was sold to a private party. The Board decided upon the following  
8 conditions; restriction of no further subdivision, unless the tracking station that abutted the parcel  
9 was bought by a private party.

10  
11 Mark Suennen **MOVED** to modify the notes on the plan, at the applicants willingness, to  
12 restrict any further subdivision of Tax Map/Lot # 15/15; subject to an allowance, only if  
13 and when, the adjacent tracking station parcel is sold to a private party. Joe Constance  
14 seconded the motion and it **PASSED** uniamously.

15  
16 Mark Suennen noted that the active and substantial improvements were previously dis-  
17 cussed and agreed upon with the Applicant at the July 11, 2017, meeting as follows;

18  
19 **ACTIVE AND SUBSTANTIAL DEVELOPMENT OR BUILDING AND SUBSTANTIAL**  
20 **COMPLETION OF IMPROVEMENTS**

- 21  
22 1. Within 24 months after the date of approval, the following items must be completed in  
23 order to constitute "active and substantial development or building" pursuant to RSA  
24 674:39,I, relative to the 5-year exemption to regulation/ordinance changes:  
25 Trees will be removed.  
26  
27 2. The following items must be completed in order to constitute “substantial completion of  
28 the improvements” pursuant to RSA 674:39,II, relative to final vesting:  
29 Aprons for driveways will be paved.  
30

31 A site walk was completed on July 14, 2017, field notes were provided to the Board for  
32 review and discussion. Mark Suennen had noted from the site walk, and should be included in  
33 the conditions precedent; the Applicant shall set bounds in accordance for the new lot lines. The  
34 Board encouraged the reuse of the existing bounds.

35  
36 David Litwinovich noted the Road Agent has reviewed and approved the driveway per-  
37 mits for the 3 lots on Susan Road, Tax Map/Lot # 15/15, 15/15-1 and 15/15-2.

38  
39 David Litwinovich **MOVED** to approve the driveway permits for SIB Trust, Emile R.  
40 Bussiere Jr., for the proposed subdivision, located on Susan Road, Tax Map/Lot #'s  
41 15/15, 15/15-1 and 15/15-2 in the Residential- Agricultural “R-A” District. Ed Carroll  
42 seconded the motion and it **PASSED** unanimously.

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1 **SIB TRUST (OWNER)**

2 **BUSSIERE, EMILE R. JR. (OWNER)**

3 **SANDFORD SURVEYING & ENGINEERING, INC. (APPLICANT) cont.**

4  
5 Mark Suennen read the conditions precedent below and asked Bob Kilmer what time  
6 frame would be needed to adhere these conditions. Bob Kilmer requested 60 days for the dead-  
7 line.

8  
9 **CONDITIONS PRECEDENT:**

- 10 1. Submission of a minimum of five (5) blue/blackline copies of the revised plat, includ-  
11 ing all checklist corrections and any corrections as noted at this hearing; to include a  
12 note that states no future subdivision of Tax Map/Lot # 15/15, subject to allowance if  
13 and when adjacent Tracking Station parcel is sold to a private party.
- 14 2. Submission of a suitable mylar for recording at the HCRD;
- 15 3. An 'Individual Stormwater Management Plan' (ISWMP) to be submitted prior to the  
16 issuance of a building permit, will be required for land disturbance or development in  
17 'Critical Areas' (both those designated on the plan or created during development).  
18 For building permits requiring an ISWMP, Certificates of Occupancy will only be  
19 issued after receipt of a 'Stormwater Management Plan Adherence Statement' as  
20 specified in the New Boston Subdivision Regulations."
- 21 4. Deeds for each lot shall have the following statement: 'The property herein described  
22 is subject to the following condition as described in the recorded subdivision plan  
23 referenced above: A Stormwater Management Plan will be required prior to the  
24 issuance of a building permit if any land is to be disturbed in the designated or created  
25 Critical Areas.
- 26 5. Submission of any outstanding fees related to the subdivision application or recording  
27 of documents at the HCRD.
- 28 6. Upon completion of the conditions precedent, the final plans and mylar shall be  
29 signed by the Board and forwarded for recording at the HCRD.

30 The deadline date for compliance with the conditions precedent shall be **October 8, 2017**, con-  
31 firmation of which shall be an administrative act, not requiring further action by the Board.  
32 Should compliance not be confirmed by the deadline date and a written request for extension is  
33 not submitted by that date, the applicant is hereby put on notice that the Planning Board may  
34 convene a hearing under RSA 676:4-a to revoke the approval.

35  
36 Joe Constance **MOVED** to approve the Major Subdivision/Lot Line Adjustment/3 Lots, by  
37 SIB Trust, Emile R. Bussiere Jr., Susan Road, Tax Map/Lot # 12/93-40 & 15/15. Ed Car-  
38 roll seconded and it **PASSED** unanimously.

39  
40 **Miscellaneous Business and correspondence for the meeting of August 8, 2017, including,**  
41 **but not limited to:**

- 42  
43 1. Approval of the June 27, 2017, meeting minutes, with or without changes. (distributed by  
44 email)

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**Miscellaneous Business and correspondence, cont.**

David Litwinovich **MOVED** to approve the June 27, 2017, meeting minutes, without changes. Ed Carroll seconded the motion and it **PASSED** unanimously.

2. Distribution of the July 11, 2017, meeting minutes, for approval at the September 12, 2017 meeting, with or without changes. (distributed by email)

3. Endorsement of a Non-Residential Site Plan, for Christopher Mullen, Tax Map/Lot #8/128, 16 Molly Stark Lane, by the Planning Board Chairman and Secretary.

4. Memo dated August 3, 2017, with attachments, from Ed Hunter, Code Enforcement Officer, to the New Boston Planning Board, re: waiver to the wetland setback for a non-foundation structure, for the Board's action.

Joe Constance **MOVED** to accept the waiver request from Ed Hunter, Code Enforcement Officer, dated August 3, 2017 for the wetland setback for a non-foundation structure on a private residential property. Ed Carroll seconded the motion and it **PASSED** unanimously.

Mark Suennen requested that the Code Enforcement Officer indicate the location of the property for any future requests submitted for the Board's action.

5. Memo dated August 3, 2017, from Ed Hunter, Code Enforcement Officer, re: Tax Map/Lot # 6/45, River Road, reclamation of Gravel Pit, for the Board's action.

Mark Suennen read the memo from Ed Hunter, Code Enforcement Officer, dated August 3, 2017. Ed Hunter, Code Enforcement Officer noted he inspected and confirmed that 80% of the lower slopes have grass growth and the area had been planted with the proper saplings. The Planning Coordinator, Shannon Silver, noted the Board's action is also required to release the security bond being held for reclamation of the Gravel pit.

Joe Constance **MOVED** to acknowledge the memo from Ed Hunter, Code Enforcement Officer, that he had inspected and confirmed the Gravel Pit has been restored to natural state and Joe Constance **MOVED** to release the security bond being held. Ed Carroll seconded the motions and **PASSED** unanimously.

6. Letter copy dated July 27, 2017, from Ed Hunter, Code Enforcement Officer, to Louis Rumore, Capital Rock & Blasting, Tax Map/Lot #6/45, 306 River Road, re: NRSR required, for the Board's information.

The Planning Coordinator, Shannon Silver, noted the owner of Capital Rock & Blasting, Louis Rumore, is aware and in process of getting his application submitted for a NRSR in the near future.

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1 **Miscellaneous Business and correspondence, cont.**

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7. Letter copy dated August 1, 2017, from Nadine Scholes, Planning Board Assistant, to Carl Levine, Tax Map/Lot # 9/76, 3 Lochwood Drive, re: operation of dog grooming home business, for the Board's information.

7a. Memo copy dated August 3, 2017, from Shannon Silver, Planning Board Coordinator, re: Start-Up of 2018-2023, Capital Improvements Plan Process, for the Board's Information.

7b. Memo copy dated August 3, 2017, from Shannon Silver, Planning Board Coordinator, re: CIP Committee Meeting Schedule for the 2018-2023, for the Board's Information.

Mark Suennen **MOVED** to reappoint David Litwinovich to continue as the Planning Board liaison on the CIP Committee. Ed Carroll seconded the motion and it **PASSED** unanimously.

Mark Suennen **MOVED** to adjourn meeting at 7:34 p.m. Joe Constance seconded the motion and it **PASSED** unanimously.

Respectfully submitted,  
Nadine Scholes, Planning Board Assistant

Minutes Approved: 10/10/17