

**TOWN OF NEW BOSTON  
NEW BOSTON PLANNING BOARD  
Minutes of 2011 Meetings**

October 11, 2011

1

1 The meeting was called to order at 6:30 p.m. by Chairman Stu Lewin. Present were  
2 regular members Mark Suennen, Peter Hogan and Don Duhaime, Alternate Member David  
3 Litwinovich, and Ex-officio Dwight Lovejoy. Also present were Planning Coordinator Nic  
4 Strong and Planning Board Assistant Shannon Silver.

5 Present in the audience for all or part of the meeting were Jillian Harris, SNHPC, David  
6 Preece, Executive Director, SNHPC, Susan Carr, Energy Commission Chair, Susan Woodward,  
7 Rick Kohler, Brian Stevens and Shiv Shrestha.

8  
9 **Public input session to discuss draft Energy Chapter for the Master Plan**

10  
11 Present in the audience were Jillian Harris, SNHPC, David Preece, Executive Director,  
12 SNHPC, Susan Carr, Energy Commission Chair, and Susan Woodward.

13 Jillian Harris, SNHPC, noted that David Preece, Executive Director, SNHPC, was present  
14 with her this evening. She advised that she would be reviewing the draft Energy Chapter for the  
15 Master Plan. She listed the following goals that had been developed during the last workshop:

- 16 • Reduce municipal energy costs by reducing energy consumption;  
17 • Increase community awareness, advise and educate residents on reducing energy costs  
18 and consumption; and,  
19 • Consider ways to decrease energy expenditures and fossil fuels consumption and  
20 associated pollution.

21 Jillian Harris referred to a pie chart entitled “Existing Conditions – New Hampshire, 2008  
22 New Hampshire Energy Expenditure Estimates” and stated that New Hampshire citizens,  
23 businesses and industries spent over \$6 billion on energy in 2008. She stated that of that money,  
24 two-thirds of it left the State immediately to pay for fossil fuels and nuclear fuels imported from  
25 overseas. She explained that the out-flow of dollars represented nearly 7% of New Hampshire’s  
26 GDP and had been identified as a major drain on the economy. She continued that investments  
27 in more efficient energy use could cost up to \$2 - \$3 billion dollars, however, savings would  
28 offset the investment in less than four years.

29 Jillian Harris, SNHPC, informed the Board that according to a 2009 study, if all state  
30 households achieved the highest level of energy efficiency those citizens could save \$309 million  
31 per year. She added that commercial and industrial buildings could save \$220 million per year.

32 Jillian Harris, SNHPC, referred the Board to the handout entitled “Existing Conditions –  
33 New Greenhouse Gas Emissions, 1990-2030”. She stated that the chart was consistent with the  
34 NH Climate Action Plan’s goal of reducing greenhouse emissions by 80% by 2050. She stated  
35 that the graph addressed a "business as usual scenario" and that noted changes in current trends.  
36 She stated that the projections listed were mid-range estimates. She advised that emissions for  
37 New Hampshire in 1990 were 14.7 MMT of carbon dioxide. She continued that to achieve the  
38 80% reduction goal the emissions would need to fall to 2.94 MMT of carbon dioxide by 2050.

39 Jillian Harris, SNHPC, referred the Board to a table entitled “Table 1 – 2009 -2011  
40 Annual Utility Use and Energy Density”. She noted that the information contained within the  
41 table was specific to New Boston. She explained that the table had been created from the  
42 assessment reports that had been completed for New Boston municipal buildings. She stated the  
43 Wason Building had the highest energy use per square foot, followed by the Town Hall. She

**TOWN OF NEW BOSTON  
NEW BOSTON PLANNING BOARD  
Minutes of 2011 Meetings**

October 11, 2011

2

1 **ENERGY CHAPTER DISCUSSION, cont.**

2  
3 added that the Wason Building and Town Hall had the most opportunity for energy reduction.

4 Jillian Harris, SNHPC, referred the Board to the handout entitled “New Boston Municipal  
5 Building Assessment Recommendations” and noted that a number of the assessed buildings had  
6 similar recommendations for energy savings. She suggested that the Town consider combining  
7 the projects over several of the buildings to get better pricing. She listed the following  
8 recommendations:

- 9 1. Building Envelope – air seal and top off insulation.
- 10 • Recommended for: Town Hall, Wason Building, New Boston Central Fire Station  
11 and Highway Garage.
  - 12 2. Heating System Efficiency – install boiler reset controls, programmable thermostats,  
13 insulate hot water pipes.
    - 14 • Recommended for: Town Hall, Wason Building, New Boston Central Fire  
15 Station, and Police Station.  - 16 3. Convert to more efficient domestic hot water production.
    - 17 • Recommended for: Police Station, Highway Garage and Transfer Station.

18 Jillian Harris, SNHPC, referred the Board to the handout entitled, “New Boston Energy  
19 Recommendations”. She listed the following recommendations:

- 20  
21 1. Reduce municipal energy costs by reducing energy consumption.
- 22 a. Prioritize energy efficiency recommendations from the April 29, 2011, and  
23 August 11, 2011, ETAP Technical memorandums developed for the building  
24 assessments done on the Town Hall, Wason Building, Central Fire Station, Police  
25 Station, Highway Garage and Transfer Station.
  - 26 b. Track energy use in municipal buildings using the inventory tool or a similar  
27 tracking tool.
  - 28 c. Require quarterly reporting on energy use in municipal buildings to the BOS,  
29 Town Administrator and/or Finance Committee.
  - 30 d. Appoint a responsible party for energy management in town facilities and who  
31 will be responsible for exploring and applying for grants or funding that will help  
32 the town to implement the prioritized energy efficiency projects and  
33 recommendations.
  - 34 e. Consider establishing a green building and vehicle ordinance for municipal  
35 buildings and vehicles which gives preference to alternative fuel and hybrid  
36 vehicles and requires new construction or major renovations for town buildings to  
37 meet US Green Building Council LEED standards when possible without  
38 increasing the budget for a given project.
  - 39 f. Encourage department heads to consider energy efficiency projects and  
40 possibilities for cost savings as well as coordination on projects between  
41 departments which will increase energy efficiency for town facilities.
  - 42 g. Explore single energy performance contract with neighboring communities.
- 43

**TOWN OF NEW BOSTON  
NEW BOSTON PLANNING BOARD  
Minutes of 2011 Meetings**

October 11, 2011

3

1 **ENERGY CHAPTER DISCUSSION, cont.**

2  
3 Peter Hogan asked for an explanation of “exploring single performance contract with  
4 neighboring communities”. Jillian Harris, SNHPC, explained that it was an agreement made  
5 with neighboring communities that pool funds together to purchase energy properties or  
6 suppliers which enables the price for the Town to be lowered and provides the energy supplier  
7 with a bulk of energy business.

8 Susan Carr, Energy Commission Chair, commented that New Boston, Dunbarton and  
9 Goffstown had considered this on one occasion in the past but the price had not been better at  
10 that time.

11 Jillian Harris, SNHPC, continued listing the “New Boston Energy Recommendations”:

- 12  
13 2. Increase community awareness, advise and educate residents on reducing energy costs  
14 and consumption.
- 15 a. Publicize energy savings measures the town is taking for municipal buildings and  
16 progress on reducing municipal energy costs.
  - 17 b. Create a page for the New Boston Energy Commission on the Town website and  
18 post energy efficiency tips (provided by the NBEC) on the homepage  
19 periodically.
  - 20 c. Continue to publish energy efficiency tips in the local newspaper through the  
21 NBEC.
  - 22 d. Continue to work with the NBEC to hold free sustainability workshops/seminars  
23 and to hold events with a sustainability focus.
- 24

25 The Chairman referred to recommendation 2, d, and asked who would continue to work  
26 the NBEC. Jillian Harris, SNHPC, answered that the Town would continue to work with the  
27 NBEC. The Chairman commented that listing the “Town” would not work and asked who  
28 specifically could be listed. Jillian Harris, SNHPC, answered that it would be the person from  
29 Recommendation 1d. above. She added that the next step in this process would be to create an  
30 Action Plan and a responsible party would be listed for each of the recommendations.

31 Jillian Harris, SNHPC, continued listing the “New Boston Energy Recommendations”:

- 32  
33 3. Consider ways to decrease energy expenditures, fossil fuel consumption and associated  
34 pollution.
- 35 a. Appoint a BOS representative to the NBEC to work with and coordinate on  
36 energy efficiency projects in the Town of New Boston.
  - 37 b. Consider innovative land use planning techniques such as: i) Energy efficient  
38 development planning principles upheld and implemented in subdivision  
39 regulations and site plan review, zoning ordinances and building codes; and ii)  
40 Village Plan alternative.
  - 41 c. Consider implementing elements of complete streets design guidelines and  
42 conduct an evaluation to determine the best roads/areas to implement these  
43 elements.

**TOWN OF NEW BOSTON  
NEW BOSTON PLANNING BOARD  
Minutes of 2011 Meetings**

October 11, 2011

4

1 **ENERGY CHAPTER DISCUSSION, cont.**

- 2
- 3 d. Consider adopting more stringent building codes than State codes to increase  
4 energy efficiency and decrease energy costs for development in town.
- 5 e. Consider ways to encourage alternative transportation methods such as  
6 ridesharing, public transportation options and expanding trails and bicycle lanes  
7 in town.

8 Jillian Harris, SNHPC, asked the Board for any questions or comments. The Chairman  
9 asked if Jillian Harris, SNHPC, could provide an example of an innovative land use planning  
10 technique relative to energy efficient development planning principles that was not already  
11 addressed in the Town's regulations. Jillian Harris, SNHPC, answered that incentives could be  
12 offered to create new energy efficient development. The Chairman asked for an example of an  
13 incentive. David Preece, Executive Director, SNHPC, stated that increased density could be an  
14 incentive for developers or increased square footage for commercial properties. He went on to  
15 say, for example, a passive solar site plan design might be given an incentive.

16 Peter Hogan asked what incentives could be given to those interested in building homes  
17 with solar power. David Preece, Executive Director, SNHPC, answered that an accelerated  
18 permit process could be utilized as an incentive. Peter Hogan pointed out that it was not always  
19 necessary to appear before the Board for building permits. David Preece, Executive Director,  
20 SNHPC, stated that SNHPC would explore appropriate incentives that could be offered. He  
21 stated that an incentive for the development of Multi-Family Housing could be to offer two  
22 additional units or a reduction of parking requirements.

23 The Chairman asked if there were other similar sized towns in New Hampshire that had  
24 implemented some the recommendations. David Preece, Executive Director, SNHPC, answered  
25 that they could find some other similar communities and provide case studies.

26 The Chairman invited comments or questions from the audience. David Preece,  
27 Executive Director, SNHPC, stated that utilizing the Village area as "Mixed-Use" in zoning  
28 would be energy efficient. Peter Hogan stated that the Board had a recent discussion relative to  
29 "Mixed-Use" zoning, noting that residential space could be made available at the New Boston  
30 Hardware location as well as Dodge's Store. He stated that the Board was not exactly sure how  
31 to get the "Mixed-Use" moving. David Preece, Executive Director, SNHPC, indicated that he  
32 could come back to discuss how to implement "Mixed-Use" zoning. Peter Hogan stated that the  
33 Coordinator had suggested creating an overlay district. David Preece, Executive Director,  
34 SNHPC, commented that an overlay district would be an option to allow "Mixed-Use" or a  
35 "regular" use.

36 Peter Hogan asked if any businesses were not utilizing efficient energy practices in this  
37 day and age. He commented that one of the biggest expenditures of owning a building was  
38 heating and cooling it. He noted that potential buyers would be concerned with the same issue.  
39 David Preece, Executive Director, SNHPC, stated that a lot of homes built in the late 90's/early  
40 2000's were not built to be energy efficient. Peter Hogan believed that the issue was with the  
41 completion of energy surveys and what incentives worked to gain compliance. David Preece,  
42 Executive Director, SNHPC, offered to come back to the Board with examples from other towns.  
43 Peter Hogan commented that he did not mind giving out an incentive but he did not want to pay

**TOWN OF NEW BOSTON  
NEW BOSTON PLANNING BOARD  
Minutes of 2011 Meetings**

October 11, 2011

5

1 **ENERGY CHAPTER DISCUSSION, cont.**

2  
3 for it personally as a taxpayer.

4 The Chairman referenced the “New Boston Energy Recommendations”, 1, and pointed  
5 out that a lot of the recommendations required someone to be doing the things listed and  
6 questioned how the SNHPC envisioned that happening. Jillian Harris, SNHPC, stated that she  
7 did not envision creating a new position for this but thought that the responsibilities could be  
8 added to the job of someone who already had something to do with municipal buildings.

9 The Chairman asked if there was a Town Building person. Dwight Lovejoy answered no.

10 The Chairman asked what was meant by “the inventory tool” in Recommendation 1b.  
11 Jillian Harris, SNHPC, answered that this was the tool used as part of the ETAP project for  
12 building assessments. She noted that the tool would no longer be available after the program  
13 ended on April 30, 2012. She also noted that it may continue to be available for a fee or the data  
14 would have to be exported into a different tool to continue the tracking.

15 Susan Carr, Energy Commission Chair, commented that the inventory tool was used to  
16 breakdown specific fuels used and timeline data. She continued that the tool was phenomenal  
17 with regard to targeting where improvements could be made.

18 David Preece, Executive Director, SNHPC, stated that he wanted to explore using the  
19 EPA Portfolio program. Susan Carr, Energy Commission Chair, noted that the Commission had  
20 utilized the EPA Portfolio during a presentation to the Selectmen.

21 The Chairman requested that a couple of reports be generated from that and delivered to  
22 the Planning Office to be placed on the next meeting’s miscellaneous agenda. Jillian Harris,  
23 SNHPC, answered that these reports could be generated.

24 The Chairman asked if only Town buildings were included in the assessments,  
25 specifically, he questioned if the library was included. Susan Carr, Energy Commission Chair,  
26 answered that the library was included and that the only building not included was the school.  
27 She noted that it was an objective of the Commission to include the school in the assessments.

28 The Chairman asked for the next step in the Energy Chapter process. Jillian Harris,  
29 SNHPC, stated that if the Board was satisfied with the draft chapter as submitted this evening  
30 she could move forward and create the Action Plan for adoption. David Preece, Executive  
31 Director, SNHPC, stated that Jillian Harris could come back with case studies, incentives and so  
32 on. The Chairman stated that he was interested in information from other towns that were  
33 similar in size to New Boston.

34 The Chairman asked for an explanation of the Action Plan. Jillian Harris, SNHPC,  
35 indicated that the recommendations would be expanded to include who was responsible for  
36 actions and when and how things would happen.

37 The Chairman asked if comments on the handout could be submitted after this evening.  
38 Jillian Harris, SNHPC, answered yes.

39 The Chairman asked for comments or questions. Mark Suennen referenced the “New  
40 Boston Energy Recommendations”, 1g., and asked for an explanation of a single performance  
41 contract with neighboring communities. Jillian Harris, SNHPC, answered, that it was a way for  
42 a group of municipalities to come together and make bulk fuel purchases thereby driving down  
43 the cost. David Preece, Executive Director, SNHPC, stated that it was similar to an energy co-

**TOWN OF NEW BOSTON  
NEW BOSTON PLANNING BOARD  
Minutes of 2011 Meetings**

October 11, 2011

6

1 **ENERGY CHAPTER DISCUSSION, cont.**

2  
3 op.

4 Mark Suennen asked if the SNHPC knew what percentage of emissions had been reduced  
5 from 1990 to present. Jillian Harris, SNHPC, referred Mark Suennen to the greenhouse gas  
6 emissions chart included in the handout packet. Mark Suennen's understanding of the chart was  
7 that emissions had been on a continuous uptrend. Jillian Harris, SNHPC, answered yes. Mark  
8 Suennen pointed out an inconsistency with the two greenhouse emissions charts provided. Jillian  
9 Harris, SNHPC, stated that she would look into the exact numbers to see how they compared.

10 Mark Suennen referenced page 13 of the draft chapter relative to the June 2011 Technical  
11 Memo "Toward a More Walkable and Livable Manchester". He commented that all of the  
12 things listed were wonderful for the City of Manchester, an urban community with sidewalks,  
13 but were not applicable to New Boston. He noted that sidewalks did not exist in New Boston  
14 and even if they were to be installed the Town did not have the ability to maintain them. He did  
15 not believe that any reference to Manchester was appropriate for a New Boston energy plan.  
16 Jillian Harris, SNHPC, pointed out that the items Mark Suennen was referring to were  
17 suggestions for things that were part of the Complete Streets design process. She went on to say  
18 that the chapter suggested considering and evaluating these techniques. Mark Suennen stated  
19 that he did not agree with Jillian Harris, SNHPC's, comments but they would be noted. Susan  
20 Carr, Energy Commission Chair, noted that a committee had been working on making New  
21 Boston a walkable community and the language Mark Suennen referred to had been created from  
22 "New Boston Speaks". Mark Suennen stated that as a whole, the road network of New Boston  
23 was not conducive to the complete streets concept because New Boston was not an urban area.  
24 He went on to say that the complete streets concept was a great concept for the right place and  
25 New Boston was not the right place for it. Susan Carr, Energy Commission Chair, questioned if  
26 it was Mark Suennen's opinion that the complete streets concept was not applicable to any area  
27 in New Boston. Mark Suennen answered that if a Mixed-Use or Overlay District was allowed in  
28 the Village then that area may benefit from the complete streets concept. He added that Bedford  
29 Road, Route 114, Route 77 and Route 13 were not conducive to the complete streets concept.  
30 David Preece, Executive Director, SNHPC, asked if Mark Suennen had said the Village area  
31 may have the potential for this purpose. Mark Suennen answered yes and stated that it would be  
32 worth considering. The Chairman was unsure if this section fit in New Boston's Master Plan for  
33 energy if it only addressed the Village area. Jillian Harris, SNHPC, stated that the section may  
34 not be relevant to reducing municipal costs but it was relevant to reducing fossil fuel  
35 consumption. The Chairman reiterated that if it only pertained to the Village area he did not  
36 believe that the reduction would be significant. David Preece, Executive Director, SNHPC,  
37 stated that may be the case currently but in the future the Village area may expand and  
38 consideration should be given to getting people to places without using their car. Dwight  
39 Lovejoy pointed out that the Town roadways were bisected by State roadways and even if the  
40 Town wanted sidewalks it may not be possible. David Preece, Executive Director, SNHPC,  
41 indicated that there had been discussion with the Scenic Byway Committee with regard to  
42 striping Route 13 from New Boston into Goffstown to accommodate cyclists. He continued that  
43 the roadway was scenic, however, it was dangerous due to the lack of shoulder. He stated that

**TOWN OF NEW BOSTON  
NEW BOSTON PLANNING BOARD  
Minutes of 2011 Meetings**

October 11, 2011

7

1 **ENERGY CHAPTER DISCUSSION, cont.**

2  
3 striping the roadway may encourage more people to cycle. He noted that this was a long range  
4 goal and it should be considered.

5 The Chairman asked for further questions or comments; there were no further questions  
6 or comments.

7  
8 **MISCELLANEOUS BUSINESS AND CORRESPONDENCE FOR THE MEETING OF**  
9 **OCTOBER 11, 2011.**

- 10  
11 1. Approval of the September 13, 2011, minutes, distributed by email.

12  
13 Mark Suennen noted that the meeting minutes reflected that the meeting had started at  
14 6:30 p.m., when in fact Board was conducting a site walk at 6:30 p.m. on September 13, 2011.  
15 The Coordinator indicated that she would check on what time the meeting had started.

16  
17 Peter Hogan **MOVED** to approve the meeting minutes of September 13, 2011, as  
18 amended. Mark Suennen seconded the motion and it **PASSED** unanimously.

- 19  
20 2. Endorsement of Driveway Permit for HJG Strong Brothers Gravel Corporation, Tax  
21 Map/Lot #3/137, (Gravel Pit) Riverdale Road.

22  
23 The Chairman indicated that he would execute the above-referenced document at the  
24 close of the meeting.

- 25  
26 7. Letter copy with attachment received September 30, 2011, from David J. Preece, AICP,  
27 Executive Director/CEO, Southern NH Planning Commission, to Mr. Stuart Lewin,  
28 Planning Board Chairman, re: SNHPC Membership Fee for Fiscal Year 2012-2013, for  
29 the Board's information.

30  
31 The Chairman acknowledged receipt of the above-referenced matter; no discussion  
32 occurred.

- 33  
34 8. Read File: Notice of Public Hearing from the Town of Greenfield, re: Capital Income  
35 Plan Budget and to discuss conditions of a previously approved wireless  
36 telecommunication tower.

37  
38 The Chairman acknowledged receipt of the above-referenced matter; no discussion  
39 occurred.

- 40  
41 12. Distribution of the September 27, 2011, meeting minutes for approval at the next  
42 meeting, distributed by email.

43

**TOWN OF NEW BOSTON  
NEW BOSTON PLANNING BOARD  
Minutes of 2011 Meetings**

October 11, 2011

8

1 **MISCELLANEOUS BUSINESS, cont.**

2  
3 The Chairman acknowledged receipt of the above-referenced matter; no discussion  
4 occurred.

- 5  
6 13. Construction Services Report dated September 29, 2011, and October 3, & 4, 2011, from  
7 Northpoint Engineering for SIB Trust, Indian Falls/Susan Road Connection, for the  
8 Board's information.

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

- 12  
13 14. Construction Services Report dated September 19, 2011, from Northpoint Engineering,  
14 for Forest View II, for the Board's information.

15  
16 The Chairman acknowledged receipt of the above-referenced matter; no discussion  
17 occurred.

- 18  
19 10. Faxed letter received October 6, 2011, from Emile R. Bussiere Jr., Esquire, to Shannon  
20 Silver, New Boston Planning Department, re: request to extend the conditions subsequent  
21 date of November 8, 2011, for the Indian Falls/Susan Road Subdivision, Tax Map/Lot  
22 #12/88, 89 & 93-38, and for the conditional use permit on Tax Map/Lot #12/93-38, for  
23 one year, for the Board's action.

24  
25 Mark Suennen **MOVED** to extend the conditions subsequent deadline from November  
26 8, 2011, to November 8, 2012, and conditions subsequent for the CUP from November 8,  
27 2011, to November 8, 2012, for the Indian Falls Subdivision, Tax Map/Lot # 12/88,  
28 12/89 and 12/38. Don Duhaime seconded the motion and it **PASSED** unanimously.

- 29  
30 11. Letter received October 7, 2011, from George Merrill, C&G Ledges, to the New Boston  
31 Planning Board, re: request to extend the conditions subsequent deadline for phases 5 & 6  
32 of his storage buildings, Tax Map/Lot #3/63-13, Whipplewill Road from November 1,  
33 2011, for 2 years, for the Board's action.

34  
35 The Chairman wondered if the Board should grant a year at a time since it did not take  
36 very long to write the request and have the Board consider it. Peter Hogan stated that two years  
37 was fine with him. Mark Suennen pointed out that the Board had granted longer extensions for  
38 other site plans.

39  
40 Mark Suennen **MOVED** to extend the conditions subsequent deadline for George  
41 Merrill, Phases 5 & 6, Tax Map/Lot # 3/63-13, Whipplewill Road, from November 1,  
42 2011, to November 1, 2013. Don Duhaime seconded the motion and it **PASSED**  
43 unanimously.



**TOWN OF NEW BOSTON  
NEW BOSTON PLANNING BOARD  
Minutes of 2011 Meetings**

October 11, 2011

9

1 **STEVENS, BRIAN & BETH (OWNER)**

2 **TODD LAND USE CONSULTANTS, LLC (APPLICANT)**

3 Submission of Application/Public Hearing/Minor Subdivision/Lot Line Adjustment

4 Location: 165 Mont Vernon Road & 26 Hooper Hill Road

5 Tax Map/Lot #11/9-3 & 10

6 Residential-Agricultural "R-A" District

7  
8 Present in the audience were Rick Kohler and Brian Stevens.

9 The Chairman read the public hearing notice. He noted that an application form and  
10 cover sheet had been submitted on September 23, 2011. He added that there were no outstanding  
11 fees and there were no outstanding items to be submitted for a completed application.

12 Rick Kohler stated that proposed lot line adjustment was relative to the granted CUP for  
13 the installation of a driveway. He advised that a note would be added to the final plat that  
14 addressed wetland encroachments that were reflected in the permits. He noted that the applicant  
15 was awaiting final approval of the driveway design from the Road Agent.

16 Rick Kohler indicated that the applicant was seeking approval for the proposed lot line  
17 adjustment. He explained that the Stevens' owned Tax Map/Lot 11/10, which was a parcel of  
18 land that was just shy of fourteen acres. He noted that Parcel A was 3 acres, located on the  
19 northern side of Hooper Hill Road. He went on to say that the applicant proposed to make Parcel  
20 A contiguous with Tax Map/Lot #11/9-3 and create frontage on Hooper Hill Road.

21 Rick Kohler explained that Tax Map/Lot 11/10 would be reduced by 2.92 acres and in  
22 turn Parcel A would become part of Tax Map/Lot #11/9-3.

23 The Chairman asked Rick Kohler to address the issue with the septic system. Rick  
24 Kohler explained that the septic system that served the existing house on Tax Map/Lot 11/10 was  
25 located on Parcel A. He continued that upon sale of the property an easement would be required  
26 for use of the septic system or in the alternative a new septic system would be required. He  
27 pointed out that an easement for a septic system was not that unusual and noted that currently  
28 one existed between the Community Church and the Northeast Café property. The Chairman  
29 asked how such an easement would work. Rick Kohler indicated that it would be described in  
30 the easement language and noted that should the system need to be repaired and/or replaced like  
31 any septic system it would need to be done within the limits of the easement. Mark Suennen  
32 asked if a pipe was located underground that "fed" the septic system located several hundred feet  
33 away. Rick Kohler answered yes. Peter Hogan commented that the design sounded "shady".  
34 The Chairman asked when the septic system had been designed. Rick Kohler answered that it  
35 was not that long ago and had been designed by Bob Todd, LLS. Mark Suennen asked if the  
36 septic pipe went under the proposed driveway. Rick Kohler answered yes and stated that lines  
37 L4 through L10 on the subdivision plan identified the location of the septic system. He further  
38 noted that when the driveway excavation took place, the pipe would be sleeved and insulated.

39  
40 Peter Hogan **MOVED** to accept the application for a lot line adjustment for Brian & Beth  
41 Stevens, Location: 165 Mont Vernon Road & 25 Hooper Hill Road, Residential-  
42 Agricultural "R-A" District, as complete. Don Duhaime seconded the motion and it  
43 **PASSED** unanimously.

**TOWN OF NEW BOSTON  
NEW BOSTON PLANNING BOARD  
Minutes of 2011 Meetings**

October 11, 2011

10

1 **STEVENS, BRIAN & BETH, cont.**

2  
3 The Chairman noted that the deadline for Board action was December 15, 2011.

4 The Chairman asked for comments or questions from the Board relative to the submitted  
5 waiver requests for the Environmental, Traffic and Fiscal Impact Studies as well as the submitted  
6 waiver requests for the Final Plat Checklist items. Peter Hogan stated that he did not believe  
7 there was a need for the Environmental, Traffic and Fiscal Impact Studies. Mark Suennen  
8 agreed with Peter Hogan.  
9

10 Peter Hogan **MOVED** to grant the waiver requests for the Environmental, Traffic and  
11 Fiscal Impact Studies. Mark Suennen seconded the motion and it **PASSED** unanimously.  
12

13 The Chairman stated that the applicant's Final Plat Checklist waiver request included  
14 item numbers 35 -39 and 51. Mark Suennen referenced item #39 and asked if the property was  
15 within the Wetlands Conservation and Stream Corridor District. Rick Kohler answered yes.  
16 Mark Suennen asked if there was a reason why the setback distances could not be shown. Rick  
17 Kohler answered that there was no reason that the setback distances could not be shown. He  
18 added that the setback information was included on the previously submitted Dredge and Fill  
19 Permit. Rick Kohler noted that the wetlands shown on the Dredge and Fill Permit were only the  
20 wetlands that existed on Parcel A. Mark Suennen asked if Tax Map/Lot 11/10 was in the  
21 Wetlands Conservation and Stream Corridor District. Rick Kohler answered that a portion of the  
22 lot existed in the Wetlands Conservation and Stream Corridor District and explained that any  
23 wetland on a lot would make that portion of the lot included in the district. Mark Suennen  
24 pointed out that no wetlands were shown on Tax Map/Lot 11/10. Rick Kohler asked if Mark  
25 Suennen was requesting the applicant to illustrate the wetlands and setbacks where they existed  
26 on Tax Map/Lot 11/10. The Coordinator clarified that Mark Suennen was referring to the area  
27 located on the southerly side of the road. She explained that a house and driveway already  
28 existed and no new construction was being proposed. Mark Suennen stated that the discussion  
29 did pertain to septic system issues as the options that were being proposed required an easement  
30 to be recorded for the opposite property. He stated that the Board could not verify the feasibility  
31 of the alternative solution of placing the septic system on Tax Map/Lot 11/10 if they were not  
32 presented with details of what was inside the lot. Rick Kohler stated that a wetland delineation  
33 would be required for the remainder of Tax Map/Lot # 11/10. Mark Suennen asked for the cost  
34 of the wetland delineation. Rick Kohler answered that he was unable to provide cost information  
35 without doing some study of aerial photographs and recognizance work. Peter Hogan suggested  
36 that a septic design be prepared and submitted for Tax Map/Lot #11/10 in lieu of the wetland  
37 delineation. Mark Suennen stated that he misread Note 9 on the lot line adjustment plan and  
38 noted that he no longer had an issue as the note read if the land was sold "it shall have an  
39 easement". Rick Kohler clarified that if the applicant wished to list the second alternative that  
40 was contained in Note 9 then a separate design needed to be submitted. Mark Suennen agreed  
41 with Rick Kohler's clarification. Peter Hogan believed that the lot that was being created by this  
42 proposal needed to have the ability to sustain its own septic system. The Coordinator noted that  
43 it was generally accepted that if State subdivision approval was not required and the lot was over

**TOWN OF NEW BOSTON  
NEW BOSTON PLANNING BOARD  
Minutes of 2011 Meetings**

October 11, 2011

11

1 **STEVENS, BRIAN & BETH, cont.**

2  
3 five acres it was believed that a septic system could exist somewhere on the lot. Peter Hogan  
4 stated that there were two ways to make this application acceptable, either submit completed  
5 studies that would enable the Board to establish that a septic system could be placed somewhere  
6 within the 13 acres or submit a septic system design. He added that the placement of the  
7 applicant's septic system on someone else's property was an outrage. Rick Kohler asked if the  
8 Board would accept the State's requirement to show a 4K receiving area. He explained that at a  
9 minimum he would need to delineate wetlands somewhere adjacent to the house. Peter Hogan  
10 asked if Rick Kohler's suggestion would delineate wetlands within a 4 acre area rather than the  
11 entire 13 acres. Rick Kohler answered that a 4,000 s.f. area would be delineated as that was the  
12 State requirement for subdivision approval. Peter Hogan stated that he wanted language to be  
13 included that would require that a septic system be built on its own property should the existing  
14 septic system fail. Brian Stevens asked if the Board took into consideration the fact that the  
15 property owner was willing to grant the easement. The Chairman pointed out that the applicant  
16 currently owned the property but may not in ten years, therefore, leaving the future property  
17 owner with the easement. Brian Stevens stated that the buyer would know about the easement.  
18 He indicated that he was nervous about meeting his fall deadline for the project. Rick Kohler  
19 pointed out that this matter could easily be approved by the State if Parcel A had already been  
20 joined to Tax Map/Lot #11/9-3.

21 The Chairman asked Peter Hogan for confirmation that he wanted proof that a septic  
22 system could be built on Tax Map/Lot # 11/10. Peter Hogan answered that he wanted reasonable  
23 assurance that a septic system could be built. Rick Kohler stated that the most cost effective and  
24 expeditious way to provide the proof was by showing a 4,000 s.f. reserve area that would  
25 facilitate the construction of a septic system on the remainder of Tax Map/Lot # 11/10 should the  
26 septic system on Tax Map/Lot #11/9-3 fail or at such time that the owner wanted to relocate it.  
27 Peter Hogan stated that Rick Kohler's suggestion would satisfy his concerns. Brian Stevens said  
28 that was Peter Hogan's preference option but wondered if that had to be a required goal. Peter  
29 Hogan answered that it would establish that #11/10 was a lot. He added that a lot was not a  
30 buildable lot unless it had a septic system. Brian Stevens asked if there were any occasions that  
31 an easement would be acceptable. Peter Hogan answered that the applicant was not  
32 automatically entitled to an easement and explained that an easement needed to be granted by the  
33 Planning Board.

34 Rick Kohler advised that a lot over 5 acres was not subject to State subdivision review  
35 and he explained that there was an assumption that within a lot over 5 acres there would be a  
36 suitable area to facilitate a septic system. The Chairman stated that the applicant had requested  
37 waivers for items that were required so the applicant could choose between providing what  
38 appeared to be minimal proof that a septic system could be installed on Tax Map/Lot #11/10  
39 versus fulfilling all the plan items that they had requested waivers from. Peter Hogan  
40 commented that if the applicant had the information that was included in the waiver requests,  
41 i.e., topographic contours, watercourses, ponds, wetlands, natural features, acreage breakdowns,  
42 and setback distances, and provided it to the Board they might be able to review it and determine  
43 whether or not a septic system could be installed on the property. He added that the applicant

**TOWN OF NEW BOSTON  
NEW BOSTON PLANNING BOARD  
Minutes of 2011 Meetings**

October 11, 2011

12

1 **STEVENS, BRIAN & BETH, cont.**

2  
3 could also decide to show the Board where a septic system could be installed.

4 Rick Kohler stated that he did not see any path forward other than to provide a 4K  
5 receiving area and associated mapping. The Chairman noted that the waiver request could be  
6 acted on at the next scheduled hearing.

7 The Chairman asked if the Board wanted to review the proposed legal language for the  
8 septic system. Mark Suennen stated that if the 4,000 s.f. area was completed he was not  
9 concerned with the legal language contained in the note.

10 Rick Kohler stated that he believed he would have information relative to the driveway  
11 permit back from the Road Agent by the next meeting. Dwight Lovejoy asked if the existing  
12 driveway was going to be abandoned. Brian Stevens answered that it would most likely be  
13 abandoned. Dwight Lovejoy pointed out that the applicant was only allowed one driveway for  
14 the lot. Brian Stevens confirmed that the existing driveway would be abandoned.

15 Peter Hogan asked for the location of the existing wells on both lots. Rick Kohler  
16 pointed out the location of the wells on the plan.

17 The Chairman asked if anyone on the Board wished to attend a site walk. The Board  
18 agreed that a site walk was not necessary.

19 The Chairman asked for further comments or questions; there were no further comments  
20 or questions; there were no further comments or questions.

21  
22 Peter Hogan **MOVED** to adjourn the public hearing for a lot line adjustment for Brian  
23 & Beth Stevens (Owner), Robert Todd, LLS, Location: 165 Mont Vernon Road & 26  
24 Hooper Hill Road, Residential-Agricultural "R-A" District, to October 25, 2011, at 8:00  
25 p.m. Don Duhaime seconded the motion and it **PASSED** unanimously.

26  
27 **MISCELLANEOUS BUSINESS AND CORRESPONDENCE FOR THE MEETING OF**  
28 **OCTOBER 11, 2011, Cont.**

- 29  
30 4. Email received September 28, 2011, from Shiv Shrestha, to Nic Strong, Planning  
31 Coordinator, re: Forest View II – request to modify condition of "Active and Substantial  
32 Development". (Shiv Shrestha will be present)

33  
34 Present in the audience was Shiv Shrestha.

35 The Chairman asked the applicant to summarize his email of September 28, 2011, for the  
36 Board. Shiv Shrestha stated that his subdivision, Forest View II, was tied up with the Indian  
37 Falls/Susan Road subdivision. He explained that his active and substantial development  
38 conditions had to be finished within one year and these conditions included clearing, grubbing,  
39 stumping and binder coat of Phase 1. He stated that he would like the conditions to be amended  
40 so that he was only required to clear the trees, not complete any of the other road construction  
41 items. The Chairman asked for an explanation of Phase I. Shiv Shrestha noted that Phase I was  
42 a 1,000' temporary cul-de-sac off Susan Road. He noted that in 12 months time he could not  
43 build a house as his subdivision was tied up with Indian Falls Road. He stated that if Indian Falls

**TOWN OF NEW BOSTON  
NEW BOSTON PLANNING BOARD  
Minutes of 2011 Meetings**

October 11, 2011

13

1 **MISCELLANEOUS BUSINESS, cont.**

2  
3 Road did not get built, his road could sit for 10 years and go bad.

4 The Chairman asked for the one year expiration date for the clearing, stumping and  
5 binder of Phase I. Shiv Shrestha answered that he believed the expiration date was July of 2012.  
6 The Chairman asked the Coordinator if the Board could grant an extension for the completion  
7 date of the active and substantial development conditions. The Coordinator believed that an  
8 extension could be granted. She noted that the 12 months began from the date of approval and  
9 showed the Chairman the statute that allowed for an extension, RSA 674:39,IV.

10 The Chairman suggested that rather than removing some of the conditions, the Board  
11 could extend the expiration date by one year. He added that if the active and substantial  
12 development conditions could not be completed by the one year extension then the matter could  
13 be reviewed again. Peter Hogan commented that extending the date by one year was the easiest  
14 way to proceed.

15 Shiv Shrestha asked about the conditions for substantial completion of the improvements  
16 which had been established as the completion of all of the road improvements for Phase I. The  
17 Chairman asked for the date that had been set for the substantial completion of the improvements  
18 The Coordinator noted that this was the four year vesting allowed by State statute. Mark  
19 Suennen stated that the Board had complicated things at the last meeting by returning the road  
20 bond to the applicant. The Coordinator noted that the road bond had not been returned yet as it  
21 had to be done at a public hearing. She pointed out that the four year vesting timeline was State  
22 law and the Board was not able to waive it. Shiv Shrestha noted that he was depending on other  
23 people's subdivisions. He asked if the four years would change if the 12 month active and  
24 substantial timeframe was extended. The Chairman answered that the four years could not  
25 change.

26 The Chairman stated that he would rather extend the applicant's deadline for the active  
27 and substantial development conditions than change the terms of the approval. Shiv Shrestha  
28 asked for confirmation that his subdivision would not be affected by subdivision regulation  
29 changes within the next four years. The Chairman confirmed the applicant's statement provided  
30 that the active and substantial conditions were fulfilled by the right time.

31 The Chairman asked the applicant to submit a written request to extend the deadline for  
32 the active and substantial development conditions to 2013 to be acted on at a public hearing  
33 along with the request to have the bond returned. Shiv Shrestha agreed to submit the written  
34 request for those things.

35  
36 5. Email dated October 3, 2011, from Kenneth J. Kozyra, KJK Wireless, LLC, to Shannon  
37 Silver, re: site stabilization, Tax Map/Lot #6/33, Thompson Lane, for the Board's review  
38 and discussion.

39  
40 The Chairman asked if the site stabilization had been reviewed. The Coordinator  
41 answered no. David Litwinovich stated that he had stopped by the site the previous Sunday and  
42 he had noted improvement with regard to grass growth on both sides of the road/driveway. He  
43 also advised that water was not spilling onto the road.

**TOWN OF NEW BOSTON  
NEW BOSTON PLANNING BOARD  
Minutes of 2011 Meetings**

October 11, 2011

14

1 **MISCELLANEOUS BUSINESS, cont.**

2  
3 The Coordinator advised that the applicant's deadline for stabilization was October 13,  
4 2011.

5  
6 Peter Hogan **MOVED** to extend the deadline for site stabilization for two weeks to allow  
7 other Board members to view the site. Mark Suennen seconded the motion and it  
8 **PASSED** unanimously.  
9

10 The Chairman asked that Board members view the site prior to the next meeting.  
11

12 6a. Faxed letter received October 4, 2011, from Eric J. Dubowik, to Planning Board, re:  
13 Home Business Inquiry Appeal, for the Board's review and discussion.  
14

15 6b. Email received June 10, 2011, from Eric J. Dubowik, re: Home Business Inquiry.  
16

17 6c. Letter dated June 15, 2011, from Shannon Silver, Planning Board Assistant, to Eric  
18 Dubowik, re: response to June 10, 2011, email inquiry for Home Business.  
19

20 The Chairman addressed items 6a, 6b, and 6c together as they were related. He stated  
21 that the Home Business had been described to the Board previously as a mail order business.  
22 The Planning Board Assistant stated that the applicant was requesting to allow customers at the  
23 property to sign application forms to purchase firearms. The Coordinator stated that the  
24 applicant had included the following statement in his first email, "...and the firearm is stored  
25 there until the item is picked up". She noted that the Planning Department had received phone  
26 calls from the ATF, as they advised a federal license was required to sell firearms and the seller  
27 had to meet with the customer in person to fill out the required paperwork and run the  
28 background check. She continued that a letter had been sent to the applicant advising that if the  
29 site did not have signs, outdoor inventory, customers or employees a site plan was not required.  
30 She added that the applicant would need to have customers visit the site to sign the forms and as  
31 such she had asked that he address the Board with this issue.

32 Peter Hogan asked why line 3 was listed in the letter. The Coordinator answered that it  
33 was a list of criteria that met the requirements to not have to obtain a site plan. Peter Hogan  
34 disagreed with the listed criteria and stated that exterior storage was prohibited with regard to  
35 Home Businesses.

36 Peter Hogan stated that if customers would be onsite then a Home Business Site Plan  
37 Review was required. The Chairman agreed with Peter Hogan, noting that the process was not  
38 onerous.  
39

40 3a. Letter copy dated October 4, 2011, from Kevin M. Leonard, P.E., Northpoint  
41 Engineering, to New Boston Planning Board, re: Indian Falls/Susan Road Connection-  
42 Bussiere, for the Board's review and discussion.  
43

**TOWN OF NEW BOSTON  
NEW BOSTON PLANNING BOARD  
Minutes of 2011 Meetings**

October 11, 2011

15

1 **MISCELLANEOUS BUSINESS, cont.**

2  
3 3b. Email copy dated October 4, 2011, from Arthur W. Davis, GM., Thibeault Corporation of  
4 New England to Kevin Leonard, Northpoint Engineering, re: pictures of Indian  
5 Falls/Susan Road Connection – Bussiere.

6  
7 3c. Discussion, re: scheduling a site walk to view the area.  
8

9 The Chairman addressed items 3a, 3b, and 3c as they were related. The Chairman  
10 summarized that the Town Engineer believed there were things that needed to be done to  
11 stabilize the site and the applicant disagreed with the Town Engineer and had provided pictures  
12 to prove that the items had already been completed.

13 Peter Hogan asked why the Board needed to go on a site walk. He stated that the  
14 applicant should be told to do things but those things would not be done. He recommended that  
15 the Town Engineer continue contacting the applicant.

16 The Chairman asked if any Board members were interested in attending a site walk.  
17 Mark Suennen stated that the Town Engineer was certified to review the site and he was happy  
18 to leave it up to him.

19 It was the consensus of the Board that the Town Engineer should continue monitoring the  
20 site and contacting the applicant with regard to the above-referenced matters.  
21

22 9. Draft CIP Meeting Minutes of September 28, 2011, for the Board's review and  
23 discussion.  
24

25 The Chairman asked when the next CIP meeting would take place. The Coordinator  
26 answered that the next CIP meeting was scheduled for October 12, 2011.

27 The Chairman stated that he had attended the CIP Committee's first meeting and had a  
28 discussion with the CIP members. He commented that he was disappointed after reading the  
29 minutes that the CIP members had decided to continue the discussion after he had left the  
30 meeting and changed some of the things he had said rather than discussing it with him.

31 The Chairman asked for comments or questions from the Board; there were no comments  
32 or questions.  
33

34 Mark Suennen **MOVED** to adjourn the meeting at 8:25 p.m. Don Duhaime seconded the  
35 motion and it **PASSED** unanimously.  
36

37 Respectfully Submitted,  
38 Valerie Diaz, Recording Clerk

Minutes Approved:  
11/22/2011