

**TOWN OF NEW BOSTON  
NEW BOSTON PLANNING BOARD  
Minutes of 2015**

**February 10, 2015**

1 The meeting was called to order at 6:35 p.m. by Planning Board Chairman Peter Hogan.  
2 Present were regular members David Litwinovich and Mark Suennen. Also present were  
3 Planning Coordinator Nic Strong and Recording Clerk Valerie Diaz.  
4

5 Present in the audience for all or part of the meeting were Bob Todd, LLS, Laura Todd  
6 and Guy Tino.  
7

8 **Election of Secretary**  
9

10 Mark Suennen **MOVED** to nominate David Litwinovich as the Planning Board  
11 Secretary. The Chairman seconded the motion and it **PASSED** unanimously.  
12

13 **C.H. MOHAN REVOCABLE TRUST**

14 **MOHAN, CAROLYN H. TRUSTEE**

15 Submission of Application/Public Hearing/Major Subdivision/2 Lots

16 Location: 480 Mont Vernon Road

17 Tax Map/Lot #14/84

18 Residential-Agricultural "R-A" District  
19

20 The Chairman read the public hearing notice. Present in the audience were Bob Todd,  
21 LLS, Laura Todd and Guy Tino.

22 The Chairman asked if there were any comments from the site walk that the Board  
23 wanted to discuss; he commented that he did not see anything of concern.

24 Mark Suennen if the DOT had made any decisions with regard to the use of the  
25 discontinued road bed. Bob Todd, LLS, answered that he had been given verbal instruction on  
26 how to deal with the matter if the applicant chose to deal with it. He explained that the State was  
27 not concerned with it as a gentlemen's agreement had been made between the owner and the  
28 State's engineer. He added that this had been common practice during that time period.  
29

30 David Litwinovich **MOVED** to grant the waiver requests for Traffic, Fiscal and  
31 Environmental Impact Studies, for C.H. Mohan Revocable Trust, Mohan, Carolyn H.  
32 Mohan, Trustee, Location: 480 Mont Vernon Road, Tax Map/Lot #14/84, Residential-  
33 Agricultural "R-A" District. Mark Suennen seconded the motion and it **PASSED**  
34 unanimously.  
35

36 The Chairman indicated that waiver requests had been submitted for checklist item #'s  
37 35, 36, 37 and 39. Mark Suennen stated that had no issues waiving the requested items based on  
38 the his findings during the site walk. He further stated that the size of the lot was large enough to  
39 support a single family home that would not be built at this time.  
40

41 Mark Suennen **MOVED** to waive checklist item #'s 35-37 and 39, for C.H. Mohan  
42 Revocable Trust, Mohan, Carolyn H. Mohan, Trustee, Location: 480 Mont Vernon Road,  
43 Tax Map/Lot #14/84, Residential-Agricultural "R-A" District. David Litwinovich

**TOWN OF NEW BOSTON  
NEW BOSTON PLANNING BOARD  
Minutes of 2015**

**February 10, 2015**

**MOHAN REVOCABLE TRUST, cont.**

seconded the motion. **DISCUSSION:** The Chairman asked if Mark Suennen was restricting the property to only build a single family home. Mark Suennen answered no and explained that the purpose of the checklist items was to prove that the lot could be a lot of record for a single family. He noted that the property could support more than a single family home, i.e., a duplex. The Chairman stated that Mark Suennen was not restricting the property to a single family home. The motion **PASSED** unanimously.

The Chairman commented that he did not have an issue with adding proposed Note #13 to the plan to meet the required checklist item #38. Mark Suennen agreed with the Chairman and added that the property met the 1.5 acres of contiguous upland requirement.

Mark Suennen **MOVED** to accept proposed Note #13 as full compliance for checklist item #39 for the Wetlands Conservation District requirements, for C.H. Mohan Revocable Trust, Mohan, Carolyn H. Mohan, Trustee, Location: 480 Mont Vernon Road, Tax Map/Lot #14/84, Residential-Agricultural "R-A" District. David Litwinovich seconded the motion and it **PASSED** unanimously.

The Chairman asked if the DOT had provided a driveway permit. Bob Todd, LLS, answered that he had received the driveway permit yesterday; he gave the Coordinator a copy of with the permit.

The Chairman asked if there were any other matters to discuss. The Coordinator answered no. The Chairman asked for comments from abutters; there were no abutters present.

Mark Suennen **MOVED** to approve the Subdivision Plat of Land of C.H. Mohan Revocable Trust, by Thomas Mohan, Jr., Trustee, Tax Map/Lot #14/84, N.H. Route 13 a/ k/a Mont Vernon Road, for the subdivision of two lots, subject to:

**CONDITIONS PRECEDENT:**

1. Submission of a minimum of four (4) blue/blackline copies of the revised plat, including all checklist corrections, notes of waivers granted and any corrections as noted at this hearing.
2. Submission of a suitable mylar for recording at the HCRD.
3. Payment of any outstanding fees related to the subdivision application and/or the recording of documents with the HCRD (if necessary).

The deadline date for compliance with the conditions precedent shall be **March 10, 2015**, 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 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.

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

**TOWN OF NEW BOSTON  
NEW BOSTON PLANNING BOARD  
Minutes of 2015**

**February 10, 2015**

**1 Discussion with Guy Tino, Owner, Northeast Café, re: 8 Mill Street, wine storage location.**

2  
3 Present in the audience was Guy Tino.

4 The Chairman invited Guy Tino to advise the Board of the above-captioned matter. Guy  
5 Tino stated that he wanted to obtain an occupancy permit for the garage that was located next to  
6 the café to use for the sale of wine. He explained that wine manufacturers were only allowed to  
7 sell wine as retail to a store or out of the location where it was stored. He stated that if the  
8 buildings were attached as they had been in the past this would not be an issue.

9 The Chairman asked for the distance between the two buildings. Guy Tino answered that  
10 there was 8' between the two buildings. The Chairman suggested that an awning be installed to  
11 connect the two buildings. Guy Tino commented that the Chairman's suggestion would be great  
12 and asked if installing the awning would meet the requirements for attaching the buildings. The  
13 Coordinator believed there was a requirement for a roof and stated that Building Inspector should  
14 be consulted. Guy Tino indicated that he would speak with the Building Inspector.

15 The Coordinator pointed out that the Building Inspector had been concerned with the  
16 mixed-use of the property. Mark Suennen explained that the use of the restaurant was non-  
17 conforming but grandfathered and the proposal was to add a retail use in the Residential-  
18 Agricultural "R-A" District. He stated that once the buildings were connected the Board would  
19 need to acknowledge that the sales of bottles of wine out of the adjacent facility would be done  
20 as an accessory use of the restaurant.

21 Mark Suennen asked for confirmation that other products like honey had been sold out of  
22 the restaurant. Guy Tino answered yes. Mark Suennen commented that the sale of wine would  
23 be no different from the sale of honey as they were both locally made products.

24 Guy Tino advised that he would contact the Building Department.  
25

**26 Discussion, re: 2015 Planning Board Goals.**

27  
28 Mark Suennen asked why the goal "Future Fire Fighting Water Supply" continued to be  
29 on the list of goals. The Coordinator answered that the matter had not been resolved. She  
30 advised that she had sent a memo to the Fire Chief and Fire Wards following the Board's last  
31 discussion on the matter and that she had not heard back; two requests for comment had been  
32 sent. She asked the Board if they wanted her to send another memo.

33 The Chairman asked what would happen if the current policy on "Future Fire Fighting  
34 Water Supply" was left unchanged. The Coordinator explained that this was all to do with the  
35 number of lots that would require firefighting water supply to be provided for a subdivision. She  
36 noted that the Board had been told that they should be addressing this matter at the start of a  
37 subdivision and not when the fifth lot was subdivided. She noted, however, that the last time  
38 Counsel had looked at the regulation he said that it "may" be okay. Mark Suennen noted that the  
39 Board had received an opinion from Town Counsel that the Town could not make the last guy  
40 pay for the cistern.

41 David Litwinovich agreed that the matter needed to be fixed, however, it appeared to him  
42 that every option the Board had discussed had significant issues. Mark Suennen agreed with  
43 David Litwinovich.

**TOWN OF NEW BOSTON  
NEW BOSTON PLANNING BOARD  
Minutes of 2015**

**February 10, 2015**

**1 PLANNING BOARD GOALS 2015, cont.**

2  
3 Mark Suennen noted that the idea of an impact fee was another problematic one due to its  
4 administration and the fact that if the Town did not do anything within six years the money had  
5 to be returned.

6 Mark Suennen suggested that the Fire Chief research how other slow growing towns  
7 handled this matter. The Chairman and David Litwinovich agreed with Mark Suennen's  
8 recommendation.

9 The Chairman stated that Joe Constance could update the Board on the goal "List of  
10 roads for Master Plan" at another meeting.

11 The Chairman noted that the goal "Other Zoning Districts" would be pending until a  
12 review of the Master Plan was completed.

13 Mark Suennen indicated that the goal "Master Plan" was being addressed through the  
14 public input survey/questionnaire. He asked when the survey should be provided to the public  
15 and how it would be provided. David Litwinovich suggested that the survey/questionnaire be  
16 provided following the March voting. Mark Suennen suggested that the survey/questionnaire be  
17 provided at the voting. The Coordinator noted that some of the survey/questionnaires would  
18 need to be mailed as not all Town residents were registered voters.

19 Mark Suennen stated that he liked the idea of providing the survey/questionnaires on  
20 voting day along with a box for the completed survey/questionnaires. The Board decided to  
21 make a return date sometime in April.

22 The Chairman asked for a cost estimate of mailing the survey/questionnaires. The  
23 Coordinator believed that the bulk rate cost would be around \$300.00.

24 The Coordinator advised that the Planning Department had wooden return boxes that  
25 could be placed at Town Hall, Dodge's and the Whipple Free Library.

26 The Coordinator stated that she would contact Brandy Mitroff regarding advertising the  
27 survey/questionnaires in the March issue of the New Boston Bulletin as well as a reminder to  
28 complete and drop off the survey/questionnaires in the April issue of the New Boston Bulletin.

29 The Coordinator asked what color paper the Board wanted to print the  
30 survey/questionnaire on. The Chairman suggested that the color of the paper be green.

31 The Chairman indicated that the goal "Zoning Ordinance, Subdivision and NRSR  
32 Regulations" were ongoing.

33 The Board agreed to keep the goal "Workforce/Multi-Family Housing" on the list of  
34 ongoing/pending goals.

35 David Litwinovich stated that he was working on the goal "Water Resources  
36 Management Plan".

37  
38 **Continued discussion, re: Master Plan update, survey/questionnaire for public input.**

39  
40 Mark Suennen asked if anyone had any questions or issues with the latest draft of the  
41 survey/questionnaire.

42 David Litwinovich believed the document could fit on one page if the boxes on the first  
43 page were a smaller. He suggested that comments be placed on the back of the

**TOWN OF NEW BOSTON  
NEW BOSTON PLANNING BOARD  
Minutes of 2015**

**February 10, 2015**

1 **MASTER PLAN SURVEY, cont.**

2  
3 survey/questionnaire. Mark Suennen stated that he would try to get all the information on one  
4 page and forward same to the Coordinator to be distributed as discussed above.

5  
6 **Board to choose next Zoning Ordinance question for review and discussion.**

7  
8 David Litwinovich suggested that the Board discuss the following questions, "Are there  
9 any uses that you have thought of that should be added to the existing Zoning district?" and "Are  
10 there any uses that you feel are inappropriate to allow in any of the Zoning districts?" The Board  
11 agreed to discuss David Litwinovich's suggested questions.

12 David Litwinovich advised that he had already begun research on the questions by first  
13 creating a list of towns with similar populations to New Boston. He explained that though  
14 populations may have been similar he did not feel that the towns listed were like New Boston in  
15 other ways. He continued that he then cross-referenced the population list with a population  
16 density list and came up with the following towns to review; Charlestown, Henniker, Hillsboro  
17 and Loudon. The Board reviewed some of the districts for the towns previously identified.

18 David Litwinovich questioned if he should ignore the population information and look  
19 for towns that had similar commercial and agricultural districts as New Boston. Mark Suennen  
20 agreed with reviewing towns with similar commercial and agricultural districts; however, he  
21 believed that the research would require a substantial amount of work.

22 The Coordinator pointed out that zoning ordinances were based on Master Plans and as  
23 such she suggested that Master Plans goals and objectives be reviewed to get an understanding of  
24 why the districts were created and the uses allowed that were listed.

25 David Litwinovich stated that he would continue research with towns that were similar to  
26 New Boston, i.e., Dunbarton, Sandown and Deerfield.

27  
28 **Miscellaneous Business and correspondence for the meeting of February 10, 2015,**  
29 **including, but not limited to:**

- 30  
31 1. Distribution of the January 13, 2015, meeting minutes, for review and approval at the  
32 February 10, 2015, meeting. (distributed by email)

33  
34 David Litwinovich **MOVED** to approve the January 13, 2015, as written. The Chairman  
35 seconded the motion. The motion **PASSED**. AYE - David Litwinovich and Peter  
36 Hogan. ABSTAINED - Mark Suennen.

- 37  
38 2. Endorsement of a Subdivision Plan for Townes Family Trust, 2 Lots, Tax Map/Lot #13/6,  
39 2nd N.H. Turnpike and Lyndeborough Road, by the Planning Board Chairman &  
40 Secretary.

41  
42 The Coordinator noted that this plan had already been signed by the Chairman and  
43 Secretary but the next item needed to be signed by the Chairman.

**TOWN OF NEW BOSTON  
NEW BOSTON PLANNING BOARD  
Minutes of 2015**

**February 10, 2015**

**MISCELLANEOUS BUSINESS, cont.**

3. Endorsement of a Notice of Decision Cover Sheet, Townes Family Trust, 2 Lots, Tax Map/Lot #13/6, 2nd N.H. Turnpike and Lyndeborough Road, by the Planning Board Chairman.

The Chairman endorsed the above-referenced cover sheet.

4. Email dated January 15, 2015, from Joe Constance, to Shannon Silver, Planning Board Assistant, re: 2nd driveway access, Tax Map/Lot #9/65-1, Bedford Road, for the Board's information.

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

5. Invoice and Construction Services Reports dated December 9 and 12, 2014, and January 5, and 10, 2015, from Northpoint Engineering, LLC, for Forest View II, for the Board's information.

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

6a. Invoice for professional services rendered May 5, 2014, through January 4, 2015, for Shaky Pond Development, LLC, re: Correspondence with Design Engineer about cistern bond estimate, from Northpoint Engineering, LLC, for the Board's information.

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

6b. Letter with cistern warranty attachment, dated January 19, 2015, from Kevin N. Leonard, P.E., Northpoint Engineering, LLC, to Nic Strong, Planning Coordinator, re: Shaky Pond Development, LLC, for the Board's review and discussion.

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

7. Letter dated January 14, 2015, from Kevin N. Leonard, P.E., Northpoint Engineering, LLC, to Nic Strong, Planning Coordinator, re: Forest View II - Phase I - End of 2014 Construction Status Summary, for the Board's information.

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

**TOWN OF NEW BOSTON  
NEW BOSTON PLANNING BOARD  
Minutes of 2015**

**February 10, 2015**

**MISCELLANEOUS BUSINESS, cont.**

- 1  
2  
3 8. Letter received January 23, 2015, from Alexander S. Buchanan, PLLC, to Peter Hogan,  
4 Chairman, New Boston Planning Board, re: request to transfer Earth Removal Permit No:  
5 G2011-014, for the Board's action.  
6

7 The Coordinator reminded the Board that they had transferred an Earth Removal Permit  
8 to an individual who had purchased property from the Townes Family Trust in 2014. She noted  
9 that the Board could use the language from the previous conveyance for the above-referenced  
10 request.

11 Mark Suennen indicated that he was fine with the transfer. He asked if the Building  
12 Inspector would conduct annual inspections. The Coordinator answered yes.

13 The Chairman and David Litwinovich commented that they were fine with the transfer.  
14

15 Mark Suennen **MOVED** to amend Earth Removal Permit No: G2011-014 to reflect the  
16 language contained in the sample amendment shown to the Board for the revision of  
17 ownership. David Litwinovich seconded the motion and it **PASSED** unanimously.  
18

- 19 9. Construction Services Reports dated January 14, and 18, 2015, from Northpoint  
20 Engineering, LLC, for Forest View, II, for the Board's information.  
21

22 The Chairman acknowledged receipt the above-referenced matter; no discussion  
23 occurred.  
24

- 25 10. Construction Services Report dated January 15, 2015, from Northpoint Engineering,  
26 LLC, for Twin Bridge Estates, Phase II, for the Board's information.  
27

28 The Chairman acknowledged receipt the above-referenced matter; no discussion  
29 occurred.  
30

- 31 11. Letter copies dated October 16, 2014, and February 4, 2015, from Ed Hunter New Boston  
32 Code Enforcement, to Vincent Iacozzi, Thibeault Sand & Gravel, re: Former Gravel  
33 Operations, for the Board's information.  
34

35 The Chairman acknowledged receipt the above-referenced matter; no discussion  
36 occurred.  
37

- 38 12. Announcement: 21st Annual Spring Planning & Zoning Conference, May 2, 2015,  
39 Courtyard by Marriott, Grappone Conference Center, Concord NH, registration opens  
40 March 2, 2015, for the Board's information.  
41

42 The Coordinator stated that there were Planning Department funds available for Board  
43 members to attend the above-referenced conference.

**TOWN OF NEW BOSTON  
NEW BOSTON PLANNING BOARD  
Minutes of 2015**

**February 10, 2015**

1 **MISCELLANEOUS BUSINESS, cont.**

2

3 Mark Suennen **MOVED** to adjourn at 7:39 p.m. David Litwinovich seconded the motion  
4 and it **PASSED** unanimously.

5

6

7 Respectfully submitted,

8 Valerie Diaz, Recording Clerk

Minutes Approved:

2.24.15