

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

June 9, 2015

1 The meeting was called to order at 6:30 p.m. by Planning Board Vice Chairman Mark
2 Suennen. Present were regular members David Litwinovich and Ed Carroll, and ex-officio Joe
3 Constance. Also present were Planning Board Assistant Shannon Silver and Recording Clerk
4 Valerie Diaz. Peter Hogan arrived at the meeting when the Master Plan discussion was taking
5 place.

6
7 **THE GIRARD FAMILY IRREVOCABLE TRUST**

8 **ALLAN D. GIRARD, SR., TRUSTEE**

9 Public Hearing/ Non-Residential Site Plan Review/Home Business/Gift/antique shop

10 Location: 159 Parker Road

11 Residential-Agricultural "R-A" District

12
13 The Vice Chairman read the public hearing notice. He advised the applicant had
14 requested an adjournment of the hearing to June 23, 2015, at 6:30 p.m.

15 The Vice Chairman noted that a floor plan had been submitted. He stated that the final
16 decisions on the driveways and sign design had not been submitted.

17
18 Joe Constance **MOVED** to adjourn the public hearing for a Non-Residential Site Plan
19 Review, Home Business/Gift/antique shop for the Girard Family Irrevocable Trust, Allan
20 D. Girard, Sr., Trustee, to June 23, 2015, at 6:30 p.m. Ed Carroll seconded the motion
21 and it **PASSED** unanimously.

22
23 **MISCELLANEOUS BUSINESS AND CORRESPONDENCE FOR THE MEETING OF**
24 **JUNE 9, 2015.**

- 25
26 1. Approval of the May 12, 2015, meeting minutes, with or without changes. (distributed by
27 email)

28
29 Joe Constance **MOVED** to accept the May 12, 2015, meeting minutes as written. Ed
30 Carroll seconded the motion and it **PASSED** unanimously.

- 31
32 2. Approval of the May 26, 2015, meeting minutes, with or without changes. (distributed by
33 email)

34
35 David Litwinovich **MOVED** to accept the May 26, 2015, meeting minutes as written. Ed
36 Carroll seconded the motion. AYE - Mark Suennen, David Litwinovich and Ed Carroll.
37 ABSTAINED - Joe Constance. The motion **PASSED**.

- 38
39 4. Copy of Board of Selectmen Consent Agenda, re: appointing Mark Suennen as alternate
40 to serve as New Boston Representative to the Southern New Hampshire Planning
41 Commission, for the Board's information.

42
43 The Vice Chairman acknowledged receipt of the above-referenced matter; no discussion

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MISCELLANEOUS BUSINESS, cont.

occurred.

5. Copy of Board of Selectmen Consent Agenda, re: appointing Brent Armstrong as the New Boston Representative to the Southern New Hampshire Planning Commission, for the Board's information.

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

6. Copies of 2013, 2014 and 2015, Workforce Housing Purchase and Rent Limits, RSA 674:58–61, for the Board's information.

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

7. Construction Service Reports dated May 19, 2015, from Northpoint Engineering, LLC, for Twin Bridge Estates, Phase II, for the Board's information.

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

8. Construction Service Reports dated May 18, 2015, from Northpoint Engineering, LLC, for Indian Falls/Susan Road Connection - Bussiere, for the Board's information.

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

9. Letter copy from Ed Hunter, New Boston Building Inspector, to Joe Foistner, re: 104 Foxberry Drive, Finished Space, for the Board's information.

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

13. Invoice dated May 28, 2015, and Construction Services Report dated April 28, 2015, from Kevin M. Leonard, P. E., Northpoint Engineering, LLC, re: Lemay Subdivision/Fieldstone Drive, for the Board's information.

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

14. Invoice dated May 28, 2015, from Kevin M. Leonard, P.E., Northpoint Engineering,

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MISCELLANEOUS BUSINESS, cont.

LLC, for Indian Falls/Susan Road Connection - Bussiere, for the Board's information.

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

3a. Letter copy dated June 2, 2015, from Kevin Leonard, P.E., Northpoint Engineering, to Shannon Silver, Planning Board Assistant, re: Twin Bridge Estates - Phase II - Site Stabilization Onsite Meeting Summary, for the Board's review and discussion.

3b. Email copy received June 3, 2015, Kevin M. Leonard, P.E., Northpoint Engineering, re: Twin Bridge Estates - Phase II (Lot Grading & Stump Dump), for the Board's review and discussion.

The Vice Chairman addressed items 3a and 3b together as they were related.

The Vice Chairman asked for the Planning Board Assistant's overall perspective of the above-referenced meeting. The Planning Board Assistant indicated that prior to the meeting a lot of items had not been completed onsite and that at the time of the meeting a significant number of those items had been completed. She noted that the remaining outstanding items included silt fence and moving sand from its current location to the fill area. She added that a discussion with regard to the pavement and the Road Agent's opinion had taken place.

The Planning Board Assistant advised that the Town Engineer was concerned with the location of stumps that had been buried. She explained that the Town Engineer was looking to the Board for direction on how to move forward with this issue that could also be used by the Building Inspector/Code Enforcement Officer, (BI/CEO).

The Vice Chairman asked for comments and/or questions regarding the onsite meeting. Joe Constance expressed concern with the stump dump location. He asked how close the lot would be to the stump dump. The Vice Chairman explained that the stump dump was located on a lot and should not be located under a house. Joe Constance agreed with The Vice Chairman. Joe Constance asked for the size of the lots. The Vice Chairman answered that the lots were 1.5 acres or slightly less as they were located in an Open Space Subdivision. Joe Constance questioned if the lot could work as a house lot due to the size of the stump dump location and the guarantee that there will be settling in the area. The Planning Board Assistant stated that it was her understanding that the stumps were buried behind the building sites on the left side. She indicated that when the Board last discussed the stump dump locations they had determined that some sort of documentation needed to be created that identified the exact location of the stump dumps. The Vice Chairman added that the applicants had buried the stumps without prior permission and the Board wanted their exact locations identified for the future purchaser of the lot(s). He continued that the Board wanted to know the number of stumps buried as well as the length and depth of the stump dump.

The Vice Chairman stated that because the developer did not follow the plan and subsequently altered it by relocating the stump dump location the Board was requiring that a

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MISCELLANEOUS BUSINESS, cont.

detailed plan be submitted that identified the size and depth of the stump dump. He continued that the plan should be attached to the lot in some way.

Joe Constance asked if D&S had buried the stumps. The Vice Chairman answered that D&S had buried the stumps. Joe Constance offered to contact Dave Elliott and view the location tomorrow. The Vice Chairman believed that the issue was bigger than just viewing the location. He reiterated that the developer had created the stump dump without approval of the Board and an engineered plan that showed the stump dump location did not exist. He continued that a potential buyer of the lot(s) would not know by looking at the plan that there were future settlement concerns. The Planning Board Assistant stated that an as-built could be provided for the affected building sites to show where the stump dumps were located in relation to the house sites, septic systems and wells. She added that the as-builts could be required by the BI/CEO prior to the issuance of any COs. The Vice Chairman stated that he was unsure what the Board could require as the plan was approved; however, he believed that something needed to be required.

Joe Constance suggested that the developer dig test pits to determine the location of the stump dumps. David Litwinovich agreed with Joe Constance's suggestion.

The Planning Board Assistant advised that the Town Engineer was concerned that the grading for the lots might not be to plan as it had not been anticipated that the grading would be completed all at once. She noted that the Town Engineer had suggested that he or the BI/CEO complete an inspection with layout provided by the contractor or have the developer submit an as-built. She continued that the Town Engineer believed it would be less costly to the developer to move forward with the inspection rather than the submission of an as-built. The Vice Chairman thought that the choice could be left to the discretion of the developer.

The consensus of the Board was that the developer shall either provide an as-built of the final grading for each lot prior to installation of a foundation or the developer may select to have the Town Engineer complete an inspection of the grades and stabilization prior to the installation of a foundation.

David Litwinovich **MOVED** to direct the BI/COE and the Town Engineer to give the developer the option to either provide an as-built with contoured grades and stabilization plan, showing the layout of the lot or have the Town Engineer out to inspect. Joe Constance seconded the motion. **Discussion:** The Vice Chairman asked if the inspection or the as-built needed to be completed prior to the issuance of the building permit or the issuance of the CO. Joe Constance asked what was common practice with regard to this matter. The Planning Board Assistant believed that the inspection or submission of an as-built needed to be completed prior to the issuance of the CO. She did not believe that the language "prior to the installation of a foundation" was necessary. David Litwinovich **MOVED** to amend his motion to add that either option be completed prior to the issuance of a CO. Joe Constance seconded the amendment and it and the original motion **PASSED** unanimously.

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1 **MISCELLANEOUS BUSINESS, cont.**
2

3 The Vice Chairman referred to the Subdivision Regulations, Section IX-B, 10, As-Built
4 Guidelines and read the following, "As-built plans shall be submitted to the Planning Board, for
5 review by the Town Engineer after all infrastructure improvements have been completed and at
6 least the binder course of pavement has been placed, and prior to the issuance of any Certificates
7 of Occupancy within the subdivision". He understood the section to mean that the as-built was
8 specific to infrastructure and the roadway and not necessarily to lots.

9 The Vice Chairman referred to the Subdivision Regulations, Section 10, As-Built
10 Guidelines, 9, e. vii. and advised that the section required a contractor to submit an as-built that
11 included stump dump locations.

12 It was the consensus of the Board that the developer submit an as-built that identified the
13 stump dump locations prior to the issuance of COs.
14

15 Joe Constance **MOVED** to request that the BI/CEO require the submission of an as-built
16 plan that showed the location of the stump dump locations prior to the issuance of COs.
17 David Litwinovich seconded the motion and it **PASSED** unanimously.
18

19 **Continued discussion, re: Master Plan Update, Goals & Objectives**
20

21 Ed Carroll advised that he had completed research on best practices for the update of the
22 vision statement. He stated that some towns employed guiding principles and he believed that
23 would fit nicely in New Boston.

24 Ed Carroll shared that a lot of the reading he had completed suggested that the Master
25 Plan should be written in the present tense and not the future tense.

26 Ed Carroll indicated that he had made some edits to the vision statement that had been
27 distributed and provided those to the Board members. The Vice Chairman commented that he
28 liked the new format. He went on to say that he liked the language change from "...via our
29 guiding principles..." to "...our guiding principles...".

30 Ed Carroll noted that he removed the word "protect" from natural resources section and
31 replaced it with "available".

32 The Vice Chairman asked for comments and/or questions. Joe Constance referred to #1
33 and suggested that the word "the" be removed before the word "growth".

34 Joe Constance moved on to #2 and stated that the word "available" was not the
35 appropriate word to be used in the sentence. The Vice Chairman explained that he did not want
36 the word "preserve" to be used as it could create the potential for not allowing people to touch
37 natural resources. He continued that not touching natural resources was not a goal of the Town
38 or the vision for the Planning Board. He stated that he liked the idea that natural resources
39 were important but believed that the word preserved should not be used. Joe Constance
40 suggested using the language "managed carefully" in place of "available". Ed Carroll
41 suggested removing the language "should be available for everyone's enjoyment". Joe
42 Constance did not want to remove the entire subordinate clause. Ed Carroll suggested "Natural
43 resources are important for everyone's enjoyment". Joe Constance and The Vice Chairman liked

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1 MASTER PLAN DISCUSSION, cont.

2
3 Ed Carroll's suggestion. Peter Hogan questioned the use of the language "for everyone's
4 enjoyment". He asked for the purpose of protecting natural resources. Joe Constance answered
5 that the purpose of protecting the natural resources was to preserve the rural character and
6 quality of life in New Boston. Peter Hogan agreed and did not believe the protection of the
7 natural resources was for everyone's enjoyment. He suggested "Natural resources are important
8 and should be protected whenever possible". Ed Carroll stated that the word "protected" was
9 objectionable to some members of the Board. The Vice Chairman suggested "Natural resources
10 are important to maintain the rural character of New Boston". The Board agreed with The Vice
11 Chairman's suggestion.

12 Joe Constance referred to the second sentence of #3 and suggested that "they" be
13 changed to "Town government". He further suggested that the sentence read as follows, "Town
14 government will work to keep our taxes low and assure a high return on our tax dollars". Ed
15 Carroll asked if "Town government" or "Town officials" should be used. Joe Constance
16 answered that "Town officials" should be used. A brief discussion finalized this sentence as
17 "Town officials will work to keep out taxes low and yield a high return on our tax dollars."

18 Ed Carroll stated that he would make the revisions this evening and email to the
19 Coordinator and Planning Board Assistant.

20 Joe Constance requested that the semicolon be removed from #5 and be replaced with
21 the word "and".

22 The Vice Chairman asked that "New Boston is our community" replace "New Boston is
23 our home" in the last sentence of the document because the Master Plan was not just for people
24 who lived in town but also for business owners and absentee landowners.

25 The Vice Chairman asked if the Board was comfortable with the edited document
26 moving forward as the 2016 vision for the Town of New Boston. The Board agreed to move
27 forward with the edited version.

28 The Vice Chairman asked for comments regarding Ed Carroll's proposed article for
29 publication in the New Boston Bulletin. Joe Constance commented that he liked the article. He
30 stated that it was concise and had some "punch". He added that he liked the bullets. David
31 Litwinovich also like the bullets. Peter Hogan commented that the article might spark some
32 interest.

33 The Vice Chairman asked the Board to review the last meeting's updated goals and
34 objectives to verify that they were consistent with the new vision. Joe Constance suggested that
35 the Board also review goal #1 and goal #2. The Vice Chairman believed that the next step in the
36 update process was to engage the Planning Department to begin research for updating the
37 statistical information of the Master Plan.

38 David Litwinovich advised that he had already gone through the Goals and Objectives
39 and deleted those goals that had either been completed or were no longer applicable based on the
40 survey results. He indicated that the goals highlighted in green needed to be reworded, goals
41 highlighted in blue could be removed or reworded. He distributed copies of his updates to the
42 Board. The Vice Chairman asked that the Board review David Litwinovich's update for
43 discussion at the next meeting.

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1 **MISCELLANEOUS BUSINESS AND CORRESPONDENCE FOR THE MEETING OF**
2 **JUNE 9, 2015, Cont.**

- 3
4 10. Copy of Planning Board meeting minutes of August 28, 2012, re: Sprinklers & Cisterns,
5 for the Board's review and discussion.

6
7 The Planning Board Assistant explained that the above-referenced meeting minutes had
8 been provided to the Board to serve as a reminder of what had been discussed with regard to
9 sprinklers and cisterns in New Boston. She noted at the last meeting the issue of sprinklers had
10 been brought up through an applicant.

11 The Vice Chairman asked for any discussion on this matter. The Chairman asked if the
12 legislature had recently done anything with regard to sprinklers. The Vice Chairman answered
13 that the current legislature had not dealt with sprinklers in any way.

- 14
15 11a. Email request received June 5, 2015, from Ashley Arbogast, Thibeault Corporation, to
16 Shannon Silver, Planning Board Assistant, re: Conditional Use Permit Application, Tax
17 Map/Lot #6/40-2, request to extend condition subsequent deadline of June 10, 2015, to
18 April 1, 2016, for the Board's action.

- 19
20 11b. Copy of Wetlands Permit for Tax Map/Lot #6/40-2, River Road, for the Board's
21 information.

22
23 The Vice Chairman addressed items 11a and 11b together as they were related.

24 The Vice Chairman advised that the Wetlands Permit for the above-referenced matter
25 expired on May 10, 2016. He stated that extending the CUP conditions subsequent deadline to
26 April 1, 2016, would keep it within the current Wetland Permit approval and he noted that the
27 wetland permit would not be extended.

28 The Vice Chairman asked what was left to complete for the project. The Planning Board
29 Assistant advised that nothing had been completed yet.

30 The Vice Chairman noted that three extensions had been granted to date. David
31 Litwinovich did not have a problem extending the deadline as it kept the permit in line with the
32 State's deadline.

33
34 Petr Hogan **MOVED** to extend the conditions subsequent deadline of June 10, 2015, to
35 May 10, 2016, for Thibeault Corporation, Tax Map/Lot #6/40-2. David Litwinovich
36 seconded the motion and it **PASSED** unanimously.

- 37
38 12. Email received June 7, 2015, from Kirk Rinker, to Nic Strong, Planning Coordinator, re:
39 194 Parker Road, Mike Tremblay NRSPR, for the Board's action.

40
41 The Vice Chairman advised that Kirk Rinker has wood located on Mike Tremblay's
42 property and was requesting to cut the wood on Mike Tremblay's site. Peter Hogan stated that
43 Mike Tremblay was not allowed to have any employees processing wood for him. The Vice

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1 **MISCELLANEOUS BUSINESS, cont.**

2
3 Chairman agreed and added that Mike Tremblay would have to deliver Mr. Rinker's wood to
4 him. Joe Constance, David Litwinovich and Ed Carroll agreed.

5 Peter Hogan stated that the Board could not approve Mr. Rinker to operate on Mike
6 Tremblay's site because he had no standing in the application or approval process. Joe
7 Constance stated that Mr. Rinker could remove his wood from Mike Tremblay's site but he could
8 not cut it onsite because it would violate an agreement previously made. The Planning Board
9 Assistant asked for confirmation that Mr. Rinker could remove his wood from Mike Tremblay's
10 site but that he could not process it to remove it. The Board confirmed the Planning Board
11 Assistant's statement, noting that the only one allowed to process wood on that property was
12 Mike Tremblay. The Vice Chairman believed that the agreement prohibited anyone from
13 picking up wood and that any deliveries had to be made by Mike Tremblay off the premises. He
14 asked if the Board was going to make an exception to allow Mr. Rinker to pick up his own
15 personal wood. Peter Hogan agreed to allow Mr. Rinker to pick up his wood in log length if that
16 was what needed to happen. He further noted that if the wood was not Mike Tremblay's wood
17 Mr. Tremblay should have no problem with a grapple truck coming onto the property and
18 loading the wood right back up and hauling it off the site. But he was not allowed to process any
19 wood there. The Vice Chairman stated that his concern was that if, hypothetically, Mr. Rinker
20 took wood that was not his from Mr. Tremblay's property and the Planning Board had apparently
21 given permission for that to happen there could be a problem. He, therefore, stated that he would
22 caveat the approval for Mr. Rinker to remove his unprocessed wood from the property with the
23 requirement that it be with Mike Tremblay's permission. The Board agreed. Peter Hogan stated
24 that it was also a one-shot deal. The Board agreed.

25
26 Joe Constance **MOVED** to adjourn at 8:06 p.m. Ed Carroll seconded the motion and it
27 **PASSED** unanimously.

28
29
30 Respectfully submitted,
31 Valerie Diaz, Recording Clerk

Minutes Approved:
07/28/2015