

**TOWN OF NEW BOSTON  
NEW BOSTON PLANNING BOARD  
Minutes of 2016**

**January 26, 2016**

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2 The meeting was called to order a 6:30 p.m. by Planning Board Chairman Peter Hogan.  
3 Present were regular members Mark Suennen, David Litwinovich and Ed Carroll and ex-officio  
4 Dwight Lovejoy. Also present were Planning Coordinator Shannon Silver and Recording Clerk  
5 Valerie Diaz.

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7 Present in the audience for all of part of the meeting were Ray Shea, LLS, David and  
8 Candy Woodbury, Rob Starace, John Kanag and Britt Lundgren.

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10 **ROBERT STARACE HOMES, LLC**  
11 Submission of Application/Public Hearing/Major Subdivision/8 Lots  
12 Location: Joe English & McCurdy Roads  
13 Tax Map/Lot # 11/112  
14 Residential-Agricultural "R-A" District

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16 Present in the audience were Ray Shea, LLS, David and Candy Woodbury, Rob Starace,  
17 John Kanag, Britt Lundgren.

18 The Chairman read the public hearing notice. Ray Shea, LLS, indicated that a couple of  
19 adjustments had been made since the site walk in an effort to achieve better sight distance for the  
20 proposed driveways. He explained that the lot line between proposed Tax Map/Lot # 11/112-1  
21 and proposed Tax Map/Lot # 11/112-2 had been angled and moved toward Ridgeview Lane to  
22 increase the southerly sight distance. He stated that proposed Tax Map/Lot # 11/112-3 had been  
23 moved to the south of proposed Tax Map/Lot # 11/112-2 in order to increase the sight distance.  
24 He advised that driveway for proposed Tax Map/Lot # 11/112-6 had been moved away from the  
25 existing wetland and wetland buffer in order to address concerns about fill accidentally getting  
26 into those areas.

27 The Chairman noted that the Road Agent had a problem with the initially proposed  
28 driveway for proposed Tax Map/Lot # 11/112-2; he noted that he did not believe that the Road  
29 Agent had visited the site to see changes that had been made following the site walk. Ray Shea,  
30 LLS, explained that the proposed driveway location had moved down the hill.

31 The Chairman noted that the Road Agent had an issue with the site distance to the east of  
32 the proposed driveway for proposed Tax Map/Lot # 11/112-6. Ray Shea, LLS, commented that  
33 he was unsure of what the issue would be as there was a ton of sight distance for the proposed  
34 driveway.

35 The Chairman advised that the Road Agent had an issue with the driveway sight distance  
36 for proposed Tax Map/Lot # 11/112-7. He commented that he agreed with the Road Agent's  
37 opinion of the driveways for proposed Tax Map/Lot # 11/112-2 and #11/112-7. He added that  
38 the issues with the proposed driveway for proposed Tax Map/Lot # 11/112-2 would most likely  
39 be resolved with the location change that was presented this evening. He did not believe the  
40 proposed driveway for Tax Map/Lot # 11/112-7 could be fixed. Ray Shea, LLS, agreed that the  
41 proposed driveway could not be moved. Mark Suennen agreed that the proposed driveway for  
42 proposed Tax Map/Lot # 11/112-2 would work better if it was being moved closer to Ridgeview  
43 Lane. David Litwinovich agreed that there was an issue with the proposed driveway for pro-  
44 posed Tax Map/Lot # 11/112-7.

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**ROBERT STARACE HOMES, LLC, cont.**

Rob Starace asked if it would be possible to pitch the driveway for proposed Tax Map/Lot # 11/112-7 higher than the road in order to gain more sight distance. The Chairman believed that Mr. Starace's idea violated the Town's regulations. Rob Starace asked if a waiver could be granted for this issue. Mark Suennen did not believe that the Board had ever allowed a positive pitch from a driveway to a road. Ray Shea, LLS, pointed out that all driveways in question were flat and therefore, the water would not reach the road. He continued that the driveways would be raised by 3/10ths from the edge of pavement. The Chairman did not believe that the applicant's proposed solution would help alleviate the issues with the proposed driveway for proposed Tax Map/Lot # 11/112-7 but believed it could help with the site distance issues for Tax Map/Lot # 11/112-6. Ray Shea, LLS, indicated that he would speak with the Road Agent about the proposed driveways for proposed Tax Map/Lot # 11/112-6 and # 11/112-7.

Ray Shea, LLS, advised that he had revised the plan by correcting a couple of abutter name spelling errors, by adding berm details and Note #9. He explained that he had removed the note regarding sprinklers and cisterns as the matter had not been resolved with the Fire Wards. Mark Suennen noted that the applicant had shown the Board a potential cistern location during the site walk and asked for the location to be shown on the plan; Ray Shea, LLS, identified the location on the plan. The Coordinator suggested that the applicant send a letter to the Board of Fire Wards regarding their proposed sprinkler/cistern plan in order for them to discuss the matter during their meeting.

The Chairman asked for comments and questions from the audience. Candy Woodbury of 37 McCurdy Road asked for an explanation of the changes that had been made to proposed Tax Map/Lot # 11/112-2. Ray Shea, LLS, explained that the driveway had been moved further down the hill in order to have better sight distance. He added that the proposed driveway for proposed Tax Map/Lot # 11/112-3 had been moved further away from the existing knoll to create better sight distance. The Chairman noted that the Board had observed traffic during the site walk to determine the sight distance.

Candy Woodbury commented that there was a lot of history and animals in the area and believed that land that could be left open should remain open. Rob Starace pointed out that all of the house locations were 100' from the road and that 24 acres of land was largely untouched.

Mark Suennen stated that he agreed with the applicant's statement that a Fiscal Impact Study would not provide any new information to the Board. He added that he was comfortable waiving the required study.

Mark Suennen explained that a Traffic Impact Study would not provide the Board with a lot of information about Joe English Road. He stated that Joe English Road was not over capacity and adding 7 new driveways would not put it over capacity. He added that the driveway for McCurdy Road would not put that road over capacity.

Mark Suennen indicated that he was unsure if an Environmental Impact Study should be waived. Ray Shea, LLS, advised that he had searched the area on the NHB website and he did not get any hits for animals or plant species. He added that the ISWMPs would address drainage. He indicated that he was not sure what he would do for an Environmental Impact Study. Mark Suennen questioned if there was value to keeping ["something"] available as it could be

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1  
2 **ROBERT STARACE HOMES, LLC, cont.**

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4 contiguous to an existing conservation area. Ray Shea, LLS, stated that an easement could be  
5 placed over the wetland at the back of the property.

6 The Chairman asked how the potential loss of proposed Tax/Map Lot # 11/112-7 would  
7 affect the lot line configurations. Ray Shea, LLS, answered that the lot lines would not need to  
8 change. Rob Starace commented that he was not ready to give that lot up. The Chairman asked  
9 if hypothetically proposed Tax Map/Lot #11/112-7 would become part of proposed Tax Map/Lot  
10 #11/112-6. Ray Shea, LLS, answered yes. He pointed out the area of the lot that contained wet-  
11 lands and noted that it would not be developed. He continued that it could be possible to place  
12 an easement across the wetlands to ensure that the area would remain untouched. Mark Suennen  
13 clarified that he was not suggesting that the applicant provide an easement as a tradeoff for the  
14 sight distance concerns. The Chairman asked if Mark Suennen would be in favor of waiving an  
15 Environmental Impact Study if the applicant provided deeded protection. Mark Suennen an-  
16 swered that he needed more time to think about it. Ray Shea, LLS, indicated that the lot lines  
17 could be pulled up and an easement could be placed at the back of both lots.

18 Dwight Lovejoy commented that he hunted the property and that he was concerned that  
19 a lot of animals moved through the property.

20 David Litwinovich stated that he agreed that the Fiscal and Traffic Impact Studies could  
21 be waived. He stated that he liked the idea of a tradeoff of the applicant providing an easement  
22 in lieu of an Environmental Impact Study. He suggested that the Board hear from the PLC on  
23 the matter. The Chairman noted that the PLC had received notification about the subdivision as  
24 an abutter and had not provided any comment.

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26 Mark Suennen **MOVED** to waive the required Traffic and Fiscal Impact Studies for  
27 Robert Starace Homes, LLC, Location: Joe English and McCurdy Roads, Tax Map/Lot #  
28 11/112, Residential-Agricultural "R-A" District, as the applicant's justification and size  
29 of the development was in line with other waivers that the Board had granted and the  
30 waivers met the spirit and intent of the Regulations. Ed Carroll seconded the motion and  
31 it **PASSED** unanimously.

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33 Ray Shea, LLS, asked if the Board was going to waive the Environmental Impact Study.  
34 Mark Suennen indicated that he needed more time to think about the waiver.

35 The Chairman asked for comments and/or questions from the audience. Britt Lundgren  
36 of 180 Joe English Road commented that she was glad the Board was discussing the wildlife  
37 habitat corridors and how the site might function as a wildlife corridor. She advised that she had  
38 reviewed the Master Plan and noted that one of the Town's priorities was to protect wildlife cor-  
39 ridors. She stated that she had been unable to locate a list of the Town's wildlife corridors and  
40 believed that an Environmental Impact Study could determine if site was part of an important  
41 wildlife habitat corridor. She advised that the property was connected to the Tracking Station  
42 conservation land as well as land owned by the PLC. She explained that there was a large area  
43 of open space that almost reached the Piscataquog River and was heavily used by wildlife. She  
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**ROBERT STARACE HOMES, LLC, cont.**

believed that the proposed lots on McCurdy Road could contribute to fragmentation of the wildlife corridor. The Chairman did not believe the concerns raised by Ms. Lungren would be addressed through an Environmental Impact Study and would more likely be addressed through a Wildlife Impact Study. Britt Lungren disagreed with the Chairman and noted that wildlife was part of

the environment. The Chairman stated that the Environmental Impact Study provided information relative to the watershed. Britt Lungren asked if the scope of the Environmental Impact Study was defined in the Regulations. The Chairman answered that the Board could define the scope to an extent. Britt Lungren suggested that the Environmental Impact Study include a requirement that determined whether or not the site was part of a wildlife corridor.

John Kanag of 8 McCurdy Road asked who identified the wetlands on the plan. Ray, Shea, LLS, answered that a Certified Wetland Scientist, (CWS), went on site walked the wetlands, checked the vegetation and checked the soil types. John Kanag asked for the time of year the wetlands were reviewed by the CWS. Ray Shea, LLS, answered that the wetlands had been reviewed during the fall. John Kanag noted that the wetland area was wetter during the spring. Mark Suennen explained that the CWS viewed areas to determine whether or not they contained characteristics of a wetland in accordance with DES Regulations. John Kanag asked if the CWS had considered hydric soils during his review. Ray Shea, LLS, identified the location of the hydric soils on the plan. John Kanag asked who had hired the CWS. The Chairman answered that the applicant hired the CWS. John Kanag asked if there was any concern relative to a conflict of interest. Mark Suennen answered no and explained that it was standard DES practice for applicants to hire CWS.

Mark Suennen referred to Ms. Lungren's question regarding the definition of an Environmental Impact Study and read the following from the Town's Subdivision Regulations, "The purpose of an Environmental Impact Analysis is to provide the Board with the information needed to evaluate the effects of a proposed project upon the environment. The Board may require the developer to provide an environmental impact analysis when deemed necessary due to such things as the topography, location, or other unique characteristics of the development. The Environmental Impact Analysis shall consist of the following:

- a) An inventory of existing environmental conditions at the project site including air and water quality, water supply, hydrology, geology, soil type, topography, vegetation, wildlife, aquatic organisms, ecology, demography, land use, aesthetics, history and archaeology.
- b) A project description and a list of all licenses, permits or other approvals required by law or regulation.
- c) The Environmental Impact Analysis shall assess the probable impact of the project on all the inventory items and shall include a listing of adverse environmental impacts that cannot be avoided.
- d) The Environmental Impact Analysis shall also include the steps the applicant proposes to take to minimize adverse environmental impacts during construction and operation and whether there are any alternatives to any part of the project."

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**ROBERT STARACE HOMES, LLC, cont.**

David Litwinovich stated that he understood Ms. Lungren’s concerns regarding blocking wildlife corridors. He believed that the corridor would be narrowed but not blocked. He commented that requiring a full blown Environmental Impact Study would be “a little much” but he did want someone more knowledgeable to confirm that the wildlife corridor would not be blocked. The Chairman stated that he was more interested in protecting the wildlife corridor than he was interested in talking about it. He suggested that the lot lines be moved up and protect the entire area by keeping the connectivity with the PLC property and the property across the street. Mark Suennen agreed and noted that the applicant was proposing to minimize the impact.

The Chairman asked for further questions and/or comments; there were no questions or comments.

Mark Suennen **MOVED** to adjourn the public hearing for Robert Starch Homes, LLC, Location: Joe English and McCurdy Roads, Tax Map/Lot # 11/112, Residential-Agricultural “R-A” District, to February 9, 2016, at 6:30 p.m. David Litwinovich seconded the motion and it **PASSED** unanimously.

**Continued discussion, re: Master Plan update**

The Chairman stated that he was interested in hearing from the part-time planning consultant that had recently been hired by the Town as he had expertise with Master Plans. David Litwinovich agreed.

**MISCELLANEOUS BUSINESS AND CORRESPONDENCE FOR THE MEETING OF JANUARY 12, 2016.**

1. Distribution of the January 12, 2016, meeting minutes, for approval at the February 9, 2016, meeting, with or without changes. (distributed by email.)

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

2. Continued discussion, re: email correspondence between Thomas E. Carr, CSS/CWS, Meridian Land Services, Inc., and Craig Rennie, NH Department of Environmental Services, re: AoT permit from Twin Bridge Land Management, LLC, for the Board’s information.

The Coordinator explained that the one of the AoT requirements had been created for the above-referenced subdivision to protect erosion on slopes. She continued that the originally designed bench was no longer needed because the land was not higher than the slope as had been initially anticipated. She advised that there was no additional runoff and as such the applicant had requested a waiver and it was granted. She further advised that the Town Engineer did not

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**MISCELLANEOUS BUSINESS AND CORRESPONDENCE FOR THE MEETING OF  
JANUARY 12, 2016, cont.**

believe that this matter violated any Town Regulations. Mark Suennen did not believe there were any issues if the speed or volume of runoff did not change.

Mark Suennen asked that the Coordinator confirm that the applicant was meeting the requirement of the AoT permit to operate under the five acre maximum exposure; the Coordinator stated that she would confirm.

3. Southern New Hampshire Planning Commission meeting update from Mark Suennen.

Mark Suennen advised that the Southern New Hampshire Planning Commission, (SNH PC), was actively seeking a rural community that contained a large amount of the Piscataquog watershed to participate in a culvert modeling study. He advised that the kickoff meeting to discuss the study was scheduled for February 29, 2016, at the Whipple Free Library.

Mark Suennen **MOVED** to adjourn at 7:43 p.m. Ed Carroll seconded the motion and it **PASSED** unanimously.

Respectfully submitted,

Minutes Approved: 02.09.16

Valerie Diaz, Recording Clerk