

**TOWN OF NEW BOSTON  
NEW BOSTON PLANNING BOARD  
June 28, 2016**

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2 The meeting was called to order at 6:30 p.m. by Planning Board Vice Chairman Mark  
3 Suennen. Present were regular members David Litwinovich and Peter Hogan, and Ex-Officio  
4 Joe Constance. Also present were Planning Consultant Mark Fougere, Planning Coordinator  
5 Shannon Silver and Planning Assistant/Recording Clerk Valerie Diaz.

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7 Present in the audience for all or part of the meeting was Nicholas Isaia.

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9 **MCGRAIL, ALLISON**

10 Submission of Application/Public Hearing/NRSPR/relocation of photography home business

11 Location: 243 Mont Vernon Road

12 Tax Map/Lot #11/31

13 Residential-Agricultural "R-A" District

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15 Mark Suennen stated that a site walk had occurred on June 18, 2016. David Litwinovich  
16 commented that the proposed relocation of the photography home business was straightforward.

17 Mark Suennen asked if there were any outstanding fees or items. The Coordinator  
18 answered no.

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20 David Litwinovich **MOVED** to approve the NRSPR/relocation of a home business for  
21 Allison McGrail, Tax Map/Lot #11/31, Mont Vernon Road subject to:

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23 **CONDITION(S) PRECEDENT:**

- 24 1. Submission of a minimum of three (3) copies of the revised site plan that include all  
25 checklist corrections and any agreed-upon conditions from this hearing;  
26 2. Execution of a Site Review Agreement regarding the condition(s) subsequent;  
27 The deadline for complying with the condition(s) precedent shall be **August 28, 2016**, the  
28 confirmation of which shall be an administrative act, not requiring further action by the  
29 Board. Should compliance not be confirmed by the deadline date, and a written request  
30 for extension is not submitted prior to that date, an administrative NOTICE OF DENIAL  
31 shall be issued without further action of the Board being required.

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33 **CONDITION(S) SUBSEQUENT:**

- 34 1. All of the site improvements are to be completed per the approved site plan;  
35 2. The Town of New Boston Planning Department shall be notified by the applicant that  
36 All improvements have been completed, and are ready for final inspection, prior to  
37 scheduling a compliance hearing on those improvements, a minimum of three (3)  
38 weeks prior to the anticipated date of compliance hearing and the opening of the  
39 business on the site;  
40 3. Any outstanding fees related to the site plan application compliance shall be  
41 submitted prior to the compliance hearing;  
42 4. A compliance hearing shall be held to determine that the site improvements have  
43 been satisfactorily completed, prior to releasing the hold on the issuance of Permit to  
44 Operate or Certificate of Occupancy, or both.

45 The deadline for complying with the Conditions Subsequent shall be **June 28, 2018**, the  
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**MCGRAIL, ALLISON, Cont.**

confirmation of which shall be determined at a compliance hearing on same as described in item 4 above.

Mark Suennen seconded the motion and it **PASSED** unanimously.

**MISCELLANEOUS BUSINESS AND CORRESPONDENCE FOR THE MEETING OF  
JUNE 28, 2016**

1. Approval of the May 24, 2016, meeting minutes with or without changes. (distributed by email)

David Litwinovich listed the following amendments:

Page 3, Line 43 – add the word “the” before Board;

Page 4, Line 8 – eliminate the word “get”;

Page 5, Line 15 – eliminate the word “should”

Page 5, Line 16 – add the word “of” between the words “portion” and “the”.

Page 5, Line 31 – “AFT” should be changed to “ATF”.

Joe Constance **MOVED** to approve the May 24, 2016, meeting minutes as amended.

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

2. Distribution of the June 14, 2016, meeting minutes, for approval at the July 26, 2016, meeting, with or without changes. (distributed by email)

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

3. Letter received June 17, 2016, from Keith Savage, Owner Grasshoppers, and Craig Heafield, Landowner, to New Boston Planning Board, re: Request an amendment to original greenhouse approval. (Keith Savage will be present.)

Joe Constance commented that the requested amendment did not appear to have a dramatic effect on the property. The Coordinator explained that the Planning Board had approved a future greenhouse at the time the site plan was approved; however, the size of the greenhouse was larger than what was shown on the plan, i.e., 5’ wider and 6’ longer.

The Board agreed to attach the above-referenced letter along with the greenhouse plan to the site plan to reflect the actual size of the greenhouse.

Mark Suennen **MOVED** to accept a modification to the site plan for Keith Savage, Owner of Grasshoppers, Tax Map/Lot #6/22, River Road, by amending the size to the greenhouse to a 20’ x 36’ structure. Joe Constance seconded the motion and it **PASSED** unanimously.

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**MISCELLANEOUS BUSINESS AND CORRESPONDENCE FOR THE MEETING OF  
JUNE 28, 2016, Cont.**

4a. Copy of email dated June 20, 2016, from Earl Sandford, P.E., to John Neville and Kevin Leonard, P.E., re: Lorden Road at Forest View II, for the Board's information.

4b. Copy of email dated June 21, 2016, from Kevin Leonard, P.E., to Earl Sandford, P.E. and John Neville, re: Lorden Road at Forest View II, for the Board's information.

The Vice Chairman addressed items 4a and 4b together as they were related. He asked if the applicant was seeking a punch list for Phase I of his cul-de-sac because he wanted that portion to be accepted by the Board of Selectmen as a Town road. The Coordinator answered yes. She advised that she had spoken with the Town Engineer regarding this matter and had told him that the right-of-way for Lorden Road had been drafted as a single track relative to the warranty deed. She stated that the Town Engineer had asked that Earl Sandford, P.E., to contact her to discuss but she had not yet heard from him.

Mark Suennen **MOVED** to memorialize that it was the consensus of the Board not look favorably upon accepting a portion of Lorden Road and forwarding it to the Board of Selectmen for consideration. David Litwinovich seconded the motion and it **PASSED** unanimously.

**5. Thibeault Gravel Pit Tax Map/Lot #6/45**

Joe Constance asked if the Planning Department had heard anything with regard to taking a bond for a gravel pit at Tax Map/Lot #6/45. The Coordinator stated that it was her understanding that the Town Administrator was going to consult with the Building Inspector/Code Enforcement Officer.

Joe Constance advised that Ernie Thibeault had recently submitted an intent to excavate and that the Board of Selectmen wanted to know whether or not they could deny the application. The Coordinator stated that she did not have an answer on that matter but believed a permit could not be held up if the AoT permit and Town permit were current on the pit.

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

Mark Fougere noted that he had not been working on the Master Plan update as he was still working on growth management. He advised that he had received information on the number of children that resided in the more recent, larger subdivisions in Town. He stated that Carriage Road had the 36 elementary school children and 19 middle/high school children.

Mark Fougere indicated that he had recalculated the regional and local growth rates and now believed that the region was growing at a rate of 4.38% and that locally the growth rate was 5.29%.

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

Mark Fougere stated that middle school and high school enrollment rates had increased by 21.9% since 2011. He continued that tuition had increased by 28% or \$1.2 million.

Mark Fougere indicated that he had discussed growth rate information with Bill Drescher, Esq. He stated that the only capital problem was at the elementary school and it had been addressed with the installation of two portable classrooms. He shared that it was Bill Drescher, Esq.'s, opinion that a growth management ordinance would not be sustainable at this time and would most likely fail if challenged.

Joe Constance asked if Mark Fougere had come across any information that contradicted the finding from the demographic study that the school population would decline over the next five years. Mark Fougere answered that the school still believed that the elementary population would decline. Joe Constance commented that he did not agree with the study and believed that the population would continue to grow at a slow and steady rate. Mark Fougere stated that he would stay in contact with the school regarding student enrollment.

**ISAIA, NICHOLAS AND ANGELA**

Compliance Hearing/Public Hearing/NRSPR/federally licensed firearms sales home business

Location: 256 Middle Branch Road

Tax Map/Lot #2/19

Residential-Agricultural "R-A" District

Present in the audience was Nicholas Isaia.

The Chairman read the public hearing notice. Mark Suennen advised that the Building Inspector had sent a letter to the Board that reported the applicant was conforming to the written site plan.

Mark Suennen **MOVED** to confirm that that Nicholas & Angela, Tax Map/Lot #2/19, 256 Middle Branch Road, had complied with the conditions subsequent to the approval of the site plan and attached documents entitled "Brief Summary/Outline of My Business", amended May 25, 2016, to operate a federally licensed firearms sales home business from 510 s.f. of the existing house at 256 Middle Branch Road, Tax Map/Lot #2/19, and to release the hold on the Permit to Operate/Certificate of Occupancy to be issued by the Building Department. David Litwinovich seconded the motion and it **PASSED** unanimously.

**SUSAN B. MARTIN REVOCABLE TRUST**

Public Hearing/Minor Subdivision/Lot Line Adjustment – to discuss amending condition precedent #5 of the conditional approval of February 9, 2016

Location: South Hill, McCollum and Meadow Roads

Tax Map/Lot # 14/1 & 14/1-1

Residential-Agricultural "R-A" District

The Coordinator explained that the applicant had submitted a conservation easement as well as a memo that explained the above-captioned request to amend a condition precedent.

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**SUSAN B. MARTIN REVOCABLE TRUST, Cont.**

The Chairman and Joe Constance were satisfied with the information that had been submitted. Mark Suennen commented that the information provided followed along with what the applicant had previously told the Board.

Mark Suennen **MOVED** to approve amending the existing condition precedent item #5 of the February 9, 2016, conditional approval of the Minor Subdivision/Lot Line Adjustment of Susan B. Martin, Trustee, Tax Map/Lot #14-1 & 14-1, South Hill, McCollum & Meadow Roads, subject to:

**CONDITIONS PRECEDENT:**

1. Submission of a minimum of four (4) blue/blackline copies of the revised plat, including all checklist corrections and any corrections as noted at this hearing;
2. Submission of a suitable mylar for recording at the HCRD;
3. Digital plat shall be submitted per Subdivision Regulations Section IV-F;
4. Payment of any outstanding fees related to the subdivision application and/or the recording of documents with the HCRD (if necessary);
5. Receipt by Planning Office Staff of acceptable signed Draft Conservation Easement, to include a statement from owner acknowledging the Conservation Easement will be recorded within 45 days of the mylar being recorded;
6. Upon completion of the conditions precedent, the final plans and mylar shall be signed by the Board and forwarded for recording at the HCRD.

The deadline date for compliance with the conditions precedent shall be **AUGUST 27, 2016**, 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 that **the Planning Board may convene a hearing under RSA 676:4-a to revoke the approval**. This subdivision shall be deemed to be finally approved by this vote on the date the plan is signed by the Board.

Joe Constance seconded the motion and it **PASSED** unanimously.

Mark Suennen **MOVED** to adjourn at 7:09 p.m. Joe Constance seconded the motion and it **PASSED** unanimously.

Respectfully submitted,

Minutes Approved: August 23, 2016

Valerie Diaz, Planning Assistant/Recording Clerk