

**TOWN OF NEW BOSTON
NEW BOSTON PLANNING BOARD
May 9, 2017**

The meeting was called to order at 6:30 p.m. by Planning Board member Mark Suennen.

Present were Chairman Peter Hogan and regular members Mark Suennen, David Litwinovich and Ed Carroll, and ex-officio Joe Constance. Also present was Planning Consultant Mark Fougere and Planning Coordinator Shannon Silver.

Present for all or part of the meeting were Rick Sullivan, an Eversource Energy representative, Rick Kohler from Todd Land Use Consultants, Genevieve and Mario Pelletier, abutter Craig Anderson and Amy “Ross” Norwood.

Proposal by Eversource to Remove Trees On Designated Scenic Roads

An Eversource representative was present to meet with the Board to discuss its proposal to remove trees on designated scenic roads. The list of trees has been updated since he last met with the Board. There are approximately six trees to be added to the Clark Hill Road list. These are marked but owner consent has not yet been received. A line extension request came in for a customer who wants to build on Clark Hill Road. David White from Asplundh will work on getting owner consent. The work is expected to begin in June once the work in Weare is done. Eversource will give Shannon the updated list of trees to be cut.

Lynda MacIntyre of 48 Thornton Road was present and asked if Eversource would remove trees she is concerned with. The representative said they will remove a tree close to her house service wire but not the trees she noted across the street. Eversource is primarily concerned with trees near primary wires, not near low voltage wires. The trees she is requesting are also 20’ away from the wires. She is concerned that the trees are close together and will take out hers and her neighbor’s wires if they fell. The representative said any tree crew that has had electricity safety training can remove a tree as long as it is 10’ away from the wires. Ms. MacIntyre asked if Eversource would remove the tree canopy but they will not.

The representative said that during this project Eversource will cut trees affecting primary lines throughout town, not just on scenic roads. They sent out a mailer to property owners where tree trimming is planned. Their procedure is if they don’t hear back from the property owner within 45 days, which is considered consent, for tree removals Eversource leaves door hangers or will knock on the door at the affected property for signed consent. More mailers for this project are planned to be sent. Eversource frowns on Asplundh crews doing extra work while they are in the area.

Proposal by Eversource to Remove Trees On Designated Scenic Roads cont.

David Litwinovich **MOVED** to accept the proposal by Eversource Energy for removal and trimming of trees as shown on the map and associated amended tree list. Joe Constance seconded the motion and it **PASSED** unanimously.

Mark Suennen asked Eversource to send an updated list to the Planning Department for the scenic roads.

ROBERT & LAURA TODD JOINT REVOCABLE TRUST

Public Hearing/Minor Subdivision/2 Lots

Location: NH Route 136 a/k/a Francestown Road & East Colburn Road

Tax Map/Lot # 4/16-1

Residential-Agricultural "R-A" District

Rick Kohler from Todd Land Use Consultants was present on behalf of the applicant. He explained this is a proposal for subdivision of Lot 4/16-1 at the intersection of Route 136 and East Colburn Road in the R-A zoning district. The current lot is 6.22 acres. The last subdivision of this area was in 1988. There are no wetlands on the parcel. There is a small portion of the lot that falls in the steep slope overlay district but it is unlikely to affect the subdivision as it falls in the rear setback of the parcel. The property is the current site of the Todd Homestead with a residence, barn, existing well and septic. The portion to be subdivided off is the north field at East Colburn and Middle Branch Road along the parallel and 50' north of the barn to allow continued agricultural use of the property without crowding the property line. A sitewalk occurred where Rick discussed how equipment could be maneuvered on the property. After the proposed subdivision, Lot 16-1 will be 4.18 acres and Lot 16-4 will be 2.04 acres. The area of 16-4 not within the wooded area will be considered suitable for building. The owners have no plans to sell or build on the lot at this time, but are planning this subdivision for the possibility of a future retirement home with family taking over the homestead. Both proposed lots have suitable area for onsite wells and septic disposal systems. The existing driveway and proposed driveway meet the minimum sight distance requirements. The proposed driveway into the new lot is an existing gapway. Monuments on the existing property were located and monuments for the proposed property are set.

Joe Constance asked if the driveway cut is the same distance from the dividing line. Rick said it is 69'. Mark Fougere noted the minimum is 10' but the Board prefers 20'.

The applicant asked for traffic, environmental and fiscal study waivers as the proposal is a simple two lot subdivision in a rural area of town, the addition of one lot is not expected to create any nuisance relative to traffic or the environment in any way. Mark Suennen agreed as the additional lot is not being built on at this time so no significant traffic problems are anticipated and the area has a very well-draining field as described so the environmental and fiscal studies are not a concern.

Mark Suennen **MOVED** to accept the waiver requests for traffic, environmental and fiscal studies as they met the spirit and intent of the regulations for Robert and Laura Todd Joint Revocable Trust, for the property located on NH Route 136 a/k/a Francestown Road & East Colburn Road, Tax Map/Lot # 4/16-1, in the Residential-Agricultural "R-A" District. Joe Constance seconded the motion and it **PASSED** unanimously.

ROBERT & LAURA TODD JOINT REVOCABLE TRUST cont.

The Chairman asked about plans for firefighting water supply/fire suppression system. The Board considered requiring the applicant to contact the Fire Wards for fire suppression system recommendations but the Chairman withdrew this request. Mark Suennen noted that in this case the opinion of the Fire Wards is being requested but under Planning Department regulations is not required. Otherwise this subdivision could be considered the fourth lot as a previous subdivision occurred in 1988. Under current regulations, the applicant is not required to have a fire suppression system but the Board cautions them about this.

Joe Constance said the Fire Wards and Planning Board need to resolve this. The Chairman noted the next lot creates an area that requires a fire cistern according to the regulations. Mr. Kohler noted the next potential subdivision would be on the parent lot when the D&S gravel pit is recovered and the area could be developed with an area for a cistern that these lots would benefit from. The Chairman asked if the Fire Wards require a cistern in this area and Mr. Kohler said that was the Fire Wards' opinion in 1988 along with a dedication for the intersection.

The Chairman said this area needs a system for the purpose of fighting fire. The regulations are not quite adequate enough to require a cistern now but the applicant is put on notice that it is needed and it is the applicant's expense or peril not to install it. He strongly recommended the house be built with a fire suppression system because of inadequacy of a water storage system in the area. Mark Suennen said it is not required to be put on the plan but the applicant is put on notice it is the Board's opinion a fire suppression system should be strongly considered but cannot be required by the Board at this time, but can be when the fifth subdivision lot occurs. It is possible but not guaranteed that the fifth lot will come back to this applicant as a property owner that will benefit from a fire suppression system and be asked for fair compensation.

Joe Constance **MOVED** to approve the driveway permit #'s 07-02 for Robert and Laura Todd Joint Revocable Trust, for the property located on NH Route 136 a/k/a Francestown Road & East Colburn Road, Tax Map/Lot # 4/16-4, in the Residential-Agricultural "R-A" District. David Litwinovich seconded the motion and it **PASSED** unanimously.

The Road Agent signed off on the driveway permit and did not have any additional requirements.

ACTIVE AND SUBSTANTIAL DEVELOPMENT OR BUILDING AND SUBSTANTIAL COMPLETION OF IMPROVEMENTS

1. Within 24 months after the date of approval, the following items must be completed in order to constitute "active and substantial development or building" pursuant to RSA 674:39,I, relative to the 5-year exemption to regulation/ordinance changes:
Installation of a driveway apron as described in regulations
2. The following items must be completed in order to constitute "substantial completion of the improvements" pursuant to RSA 674:39,II, relative to final vesting:
Installed state approved septic design, foundation and complete site drainage

These were entered into page four of the application.

ROBERT & LAURA TODD JOINT REVOCABLE TRUST cont.

CONDITIONS PRECEDENT

1. Submission of a minimum of four (4) blue/blackline copies of the revised plat (four full size, four reductions and the file on disc), including all checklist corrections and any corrections identified by the Board including a change to the note on firefighting water supply to a warning on behalf of the Board that the property owner is encouraged to consider a firefighting water supply when the property is developed. A fire suppression system is strongly recommended in the home due to limited firefighting water supply in the area.
2. Submission of a suitable Mylar for recording at the HCRD.
3. Payment of outstanding fees. There is currently a credit on file to be used for filing fees.
4. 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 **June 9, 2017**, 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.

Mark Suennen **MOVED** to approve the Minor Subdivision/2 Lots, by Robert and Laura Todd Joint Revocable Trust, NH Route 136 a/k/a Frankestown Road & East Colburn Road, Tax Map/Lot # 4/16-1 subject to Conditions Precedent items above to be completed by June 9, 2017 with Active and Substantial Items being Installation of Driveway Apron and Installation of Foundation being substantial completion of improvements. Joe Constance seconded the motion and it **PASSED** unanimously.

DICEY, DONNA

Public Hearing/Minor Subdivision/2 Lots

Location: Rustic Lane & NH Route 136 a/k/a Frankestown Road

Tax Map/Lot # 4/10

Residential-Agricultural "R-A" District

Rick Kohler from Todd Land Use Consultants was present on behalf of the applicant. He explained this is a proposal for a property on Route 136, west of town with 97' of frontage on Route 136 and 283.82' of frontage on Rustic Lane. This is in the R-A District with inclusions in the wetland and steep slope overlay districts. The current lot is 29.28 acres, the result of a subdivision in 1997 that created lot 10-1. The property is mostly undeveloped except for a duplex that Ms. Dacey lives in the east side and her son and his family live on the west side. The proposed subdivision is to create a lot for her son and his family.

Access to the duplex is by easement over lot 10-1. A common driveway was created in 1997, the previous driveway came through a gapway that was discontinued. The remainder of the property is wooded with selective harvest done in the last two years. The log landing is noted on the map shown and was observed during the sitewalk. There are areas of wetlands on

DICEY, DONNA cont.

the subject parcel, only the areas proximal to the development site off Rustic Lane are delineated and mapped to facilitate the development plan. There are areas that fall within the steep slope district that have only been mapped in regards to the proposed development area. There is a wetland that fragments a portion of the property from the remainder and that is shown on the map. Wetlands and steep slopes easterly and southerly are not mapped as no improvements or expansion of use are proposed there, it will be left wooded. The subdivision line is at the north/south midpoint. The new lot is shown in pink and the remainder with the current improvements and Ms. Dicey's home is shown in yellow. The parcel total is 29.28 acres, with the proposed north lot 14.7 acres and south lot 14.5 acres. Improvements on the property are the duplex dwelling, well and onsite septic. A test pit was done to show an additional reserve area 4,000 square feet, two other test pits with 4,000 square foot reserve area off the cul de sac. The existing septic is in front of the house. The existing frontage on the cul de sac is 283.82' from the granite bound to a point where it intercepts the road that is not centered in the right of way so there were some conflicts and easements granted. The detailed inset shows the home to the north relative to monuments set in the stonewall. The distance from the home to the stonewall is 126.7'.

The lot to be subdivided is encumbered by a 50' access easement along its frontage on the cul de sac, though due to ledge outcroppings the driveway serving this home did not go through the easement. They then purchased an easement from another lot and the driveway access is encumbering map 4-5-1, though they retain rights to the 50' easement as pointed out at the sitewalk. The proposed driveway location is shown with 200' of sight distance with clearing of pine at the end of the driveway. The proposed frontage for the remainder of lot 10 is going to be the 50' right of way off the stonewall on Route 136, shown on the map, more or less, this becomes a backlot associated with the other front lots that came off of the parent lot. A 20-scale blowup of the 100-scale plan was shown of the easterly portion of the Rustic Lane cul de sac and showing how off-center the paved portion of the cul de sac is from the right of way. The right of way is extensive at 33', encumbering onto the lot. The Road Agent reviewed and approved the proposed driveway. A construction apron and driveway is indicated on the map 160' long at a 6% downgrade. Immediately off the cul de sac it is 3% then drops to 6-7% then level. Assumed elevation 100 from the survey. Existing elevation and proposed elevation indicated on the map.

The proposal is to put the foundation footing at the existing grade of 1.2 then fill up to it in the front of the house leaving a walkout at existing grade in the back. The greatest point of the fill will be at 122, the gravel area and the driveway will be filled to 127 and house filled to 130 bringing it up to 2' of the top of the ledge outcrop. On the sitewalk a large arced trough was viewed and a poured 8' foundation wall will be filled up against with two boulder retaining walls, wing walls, coming off the foundation stepping down 3' elevation each bringing the walkout to elevation 124 in the back. 130 in the front. 6' of fill difference with 2' exposed foundation.

To the southerly side of the development is a proposed filtration swail designed for the open area in accordance with NH Stormwater Manual version 2 and by the fill group A soil with rapid absorption/infiltration rate to handle runoff from the compact gravel driveway and the house. At peak storm events, any water that is not captured and infiltrated will discharge as sheet flow at 65' to the edge of the wetland. There is a healthy thick vegetated forest planned to be left as a wooded buffer. Proposed well and septic on the map. Test pits and bottom of septic will be a substantial distance from the water table. A fill area will turn the septic into the front

DICEY, DONNA cont.

yard. The front of the septic system becomes the parking area. The entire development site will be pitched at 1 degree south and the stormwater runoff at the infiltration swail. Temporary erosion site control will be silt fencing inside the 50' setback.

The applicant asked for traffic, environmental and fiscal study waivers as the proposal is a simple two large-lot subdivision in a rural low density area of town, the addition of one new house within a large existing undeveloped area and the applicant paid particular attention relative to density and space. The lot is not expected to create any nuisance relative to traffic or the environment in any way. The new structure is referenced from a drill hole monument in the north end of the easement and a gapway in the stone wall illustrating the distance to the neighboring house which is significantly downslope. There are only two potential building sites on this property, one to the north of the cul de sac and one to the east. Placing the house in the northerly location is not in concert with the density of the neighborhood and would be very encumbering on the neighbors for solar exposure and privacy. Building in the easterly location is a little more problematic but gives equal spacing between the neighborhood houses and is consistent with the density of houses in the rest of the neighborhood. Traffic for one additional residential dwelling is not too great. Environmental impacts no different or take any additional consideration of anything existing on the road.

Mark Suennen noted he attended the sitewalk and noted the cul de sac does not have traffic capacity issues and sees no reason not to waive the traffic study. The proposal of moving a family from an existing duplex to a single family home in the same neighborhood creates no issue needing a fiscal study so there is no reason not to waive the fiscal study. Water flow and protections to be put in place were described to the Board so he is comfortable waiving the environmental study.

Joe Constance noted he also attend the sitewalk and his questions are answered. He also agrees with the waivers.

Mr. Kohler noted that when he was talking with attendees at the sitewalk development at the two sites and their stormwater flow impacts were discussed, the northerly site would have required significant and sophisticated stormwater management to protect a brook but the exposed easterly site stormwater infiltration system is expected to handle significant storms and keep water on site.

David Litwinovich asked about the driveway. It is planned to be compact gravel that has the same permeability as asphalt, considered impervious. If the driveway is paved in the future it will have the same permeability. Mr. Litwinovich had no issue with the waivers.

Mark Suennen **MOVED** to accept the waiver requests for traffic, environmental and fiscal studies as they met the spirit and intent of the regulations for Donna Dickey, for the property located on Rustic Lane & NH Route 136 a/k/a Francestown Road, Tax Map/Lot # 4/10, in the Residential-Agricultural "R-A" District. David Litwinovich seconded the motion and it **PASSED** unanimously.

Mark Suennen noted requirements of stormwater management plan #17 provided individual stormwater management plan associated with construction of the driveway and permanent construction of the lot.

DICEY, DONNA cont.

Mark Suennen **MOVED** to grant the waiver based on the description provided and the individual stormwater management plan described for Donna Dickey, for the property located on Rustic Lane & NH Route 136 a/k/a Francestown Road, Tax Map/Lot # 4/10, in the Residential-Agricultural "R-A" District. Joe Constance seconded the motion and it **PASSED** unanimously.

Mark Suennen noted a waiver is requested for requirement of additional firefighting water supply or sprinkler system based on the information from the Fire Wards. This is null and void. The Board asked the applicant to withdraw this waiver request for section V-f based on the fact that the Fire Wards indicated the development is within 2200' of the existing cistern on Scobie Road. The applicant did so relative to location of the existing cistern on Scobie Road.

David Litwinovich **MOVED** to approve the driveway permit #'s 07-03 for Donna Dickey, for the property located on Rustic Lane & NH Route 136 a/k/a Francestown Road, Tax Map/Lot # 4/10, in the Residential-Agricultural "R-A" District. Joe Constance seconded the motion and it **PASSED** unanimously.

ACTIVE AND SUBSTANTIAL DEVELOPMENT OR BUILDING AND SUBSTANTIAL COMPLETION OF IMPROVEMENTS

1. Within 24 months after the date of approval, the following items must be completed in order to constitute "active and substantial development or building" pursuant to RSA 674:39,I, relative to the 5-year exemption to regulation/ordinance changes:
Installation of a driveway apron as described in regulations
2. The following items must be completed in order to constitute "substantial completion of the improvements" pursuant to RSA 674:39,II, relative to final vesting:
Installed foundation

Mark Suennen **MOVED** to approve the Minor Subdivision/2 Lots, by Donna Dickey, for the property located on Rustic Lane & NH Route 136 a/k/a Francestown Road, Tax Map/Lot # 4/10 subject to four Conditions Precedent items to be completed by June 9, 2017 with Active and Substantial Items being Installation of Driveway Apron and Installation of Foundation being substantial completion of improvements. Joe Constance seconded the motion and it **PASSED** unanimously.

THE M&G PELLETIER JOINT REV TRUST

Submission of Application/NRSPR/to operate a cordwood-sawmill processing yard

Location: 212 McCollum Road

Tax Map/Lot # 14/105

Residential-Agricultural "R-A" District

Genevieve and Mario Pelletier were present to meet with the Board to discuss their application. Abutters were also present.

THE M&G PELLETIER JOINT REV TRUST cont.

Mrs. Pelletier said their plan is prepared and they are waiting for their sitewalk date. The machine will be on the property for the sitewalk. The hours of operation are listed as Monday through Saturday 7:00 am-7:00pm.

The Chairman noted he would not request to hear it at the sitewalk unless there is a noise concern. Neighbors Mr. King and Rodney Towne have said the plan is fine. The Coordinator noted several abutters have come in to the office saying they are satisfied with the plan and attended the ZBA meeting so they are familiar with that discussion.

Mark Suennen noted the ZBA had conditions on how logs are obtained. He asked how logs would be delivered. Mr. Pelletier said approximately 10 trucks per week are expected to be delivered depending on demand. Forty-footers would be delivered with a longer trailer. The ZBA averaged 10 trucks to be delivered per week, meaning two trucks per day, coming via Route 13.

Mark Suennen noted abutters have had formal notification that the applicants are meeting with the Planning Board.

The Chairman noted that this application generally would be a major site plan according to the regulations but after extensive discussion at the miscellaneous meeting of the April 11, 2017 meeting the Board determined this is a very rare instance where it is a minor site plan due to specifics such as parking, the operation, customers on the property, improvements, no permanent location, and other items discussed previously.

Public Comments: Abutter Craig Anderson of 238 South Hill Road is present to hear discussion tonight.

The Board scheduled a site walk for Saturday, May 13, 2017, at 8:00 a.m. Mrs. Pelletier invited the public to the sitewalk.

Mark Suennen noted this is a mobile device, the Board will review the general location it will be placed on the property. A non-residential site plan normally requires a business sign but the applicants are not interested in a business sign because customers don't go to them, but, log trucks not belonging to the applicants, do go to the property. Mrs. Pelletier noted there is a small, moveable sign hanging on a tree at the entrance of the property. Mark asked if a sign permit is necessary. The Coordinator will help the applicant get a sign application from the Building Department and the sign will be viewed at the sitewalk.

Mark Suennen **MOVED** to accept the application for Minor site plan for cordwood sawmill processing yard as complete for the property located on 212 McCollum Road, Tax Map/Lot # 14/105, Residential-Agricultural "R-A" District. Joe Constance seconded the motion and it **PASSED** unanimously.

Mark Suennen **MOVED** to adjourn this item until May 23 at 6:30 PM for the property located on 212 McCollum Road, Tax Map/Lot # 14/105, Residential-Agricultural "R-A" District. Joe Constance seconded the motion and it **PASSED** unanimously.

Discussion, re: Master Plan Update; Specifically Transportation Chapter

The Planner reported he was on vacation last week but will have the Transportation Chapter ready for the next meeting. He received correspondence from the Energy Commission recommending changes that will be presented at the next Board meeting.

The Coordinator noted the Energy Commission said they had made recommendations to the Board that the Board had previously agreed to but there is nothing on file.

The Board will review what the Energy Commission has to say and will make recommendations to the Planner for the Master Plan after review. The Planner will then begin the Public Facilities Chapter. He gave the Road Agent a copy of the chapter for review and comment.

MISCELLANEOUS BUSINESS THAT MAY COME BEFORE THE BOARD AND/OR/PLANNING BOARD DISCUSSIONS

Miscellaneous Business for the meeting of May 9, 2017, including, but not limited to:

1. Approval of the February 14, 2017, meeting minutes with or without changes.

Mark Suennen **MOVED** to approve the February 14, 2017 meeting minutes as amended. Joe Constance seconded the motion and it **PASSED** unanimously.

2. Approval of the March 28, 2017, meeting minutes with or without changes.

Mark Suennen **MOVED** to approve the March 28, 2017 meeting minutes as amended. Joe Constance seconded the motion and it **PASSED** unanimously.

3. Letter received by e-mail April 28, 2017, from Tim LeClair, TTL Land Development, LLC, to the Planning Board, re: Request extension of conditions subsequent deadline of May 17, 2017, to May 17, 2018 for Tax Map/Lot #9/21-43 Wilson Hill Road, (Field Stone Drive), for the Board's action.

The Coordinator noted the Board has granted an extension yearly from 2011 to 2017. The applicant plans to get this done and this will be the last extension.

Mark Suennen **MOVED** to grant the conditions subsequent deadline extension of May 17, 2017, to May 17, 2018 for Tim LeClair, TTL Land Development, LLC, Tax Map/Lot #9/21-43 Wilson Hill Road, (Field Stone Drive). Joe Constance seconded the motion and it **PASSED** unanimously.

4. Distribution of the April 11, 2017 and April 25, 2017, meeting minutes, for approval at the May 23, 2016, meeting, with or without changes. (distributed by email)

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

MISCELLANEOUS BUSINESS THAT MAY COME BEFORE THE BOARD AND/OR/PLANNING BOARD DISCUSSIONS cont.

5. The Coordinator acknowledged audience member Amy “Ross” Norwood from Canine Commitment who is here to discuss her animal rescue organization located on Bedford Road. In 2012 she received a Special Exception for the kennel from the ZBA with no conditions and was never advised to come to the Planning Board for a site plan. Time has gone by and recent events have stirred up the kennel controversy and the Planning Department realized Canine Commitment never had a site plan application. This organization is a non-profit rescue. The Department has not received any complaints about the business. Ms. Norwood submitted a letter to the Board to that effect to try to get the requirements for a major site plan waived.

Ms. Norwood explained her business is located at 733 Bedford Road, a 22 acre property that used to be a Christmas tree lot owned by Renee and Doug Smith and before that was used as the town sand lot. She showed aerial views of the property. She explained the kennel is located in a two story carriage house garage used by the previous owner. The driveway is approximately 350’ long, the house and kennel area is completely surrounded by trees. The dogs are primarily from the south. The shelter is licensed by the state of NH, which oversees and inspects annually. The shelter does not accept owner surrenders. There is an average daily dog census of 10 dogs. She works primarily with puppies and their mothers. In NH a litter is considered 1 dog. There are two licensed Canine Commitment locations in NH and there used to be three locations. The other location is on the west side of Manchester. Puppies are at the shelter for approximately two weeks before adoption which primarily occurs at the New Boston location. Traffic comes into the facility for an average of six adoptions per week plus volunteers who help with cleaning. Ms. Norwood lives at the property full time and works at the shelter everyday except Saturday when she has three volunteers who come in to help. She has not received complaints from neighbors.

The Chairman asked about barking as dogs can be loud and annoying. He said Pulpit Road neighbors would complain.

Ms. Norwood said she is far from her neighbors. This concern along with agricultural zoning was discussed at the ZBA meeting in 2011 before Pulpit Road was developed. She said another neighbor is closer than Pulpit Road, they have not complained and another neighbor donates blankets to her business frequently and is in favor of her business. She has one employee and one contractor as well.

Joe Constance estimated three cars per day. Ms. Norwood agreed but noted Saturday mornings are busier. Bedford Road is a busy, major New Boston road and the business has never had any issues such as parking. Dogs are not left outside when Ms. Norwood is not home. Barking bothers her family more than the neighbors. Excessive barking is rare and she will check out the situation when it occurs. Puppies are also quieter than adult dogs. The dogs are often kept inside to play during winter months.

Ms. Norwood explained how she gets the dogs from the south. She said there are large USDA dog transporters that are not non-profit, they are funded, running dogs out of the south and deliver them, especially since Hurricane Katrina. Ms. Norwood mainly works with an organization out of Tupelo, MS who she pays a fee for the dogs she accepts. The fee covers most of their cost of spaying, neutering and microchipping, approximately \$85. Ms. Norwood also pays the transporters \$100-150 per dog. Most of her customers find her dogs on Petfinder

**MISCELLANEOUS BUSINESS THAT MAY COME BEFORE THE BOARD
AND/OR/PLANNING BOARD DISCUSSIONS cont.**

and her extremely active Facebook page. She collects \$475 per dog. She asked if the Board can offer a waiver for the major site plan that is typically required and requested to submit a minor site plan.

The Board reviewed the requirements of a major site plan as follows:

- a. Residential Agricultural district: Applies.
- b. Not a permitted use: Waiver necessary
- c. Not require more than two business related parking spaces: The Board determined this is doable due to the remote nature and sandy area existing around the driveway.
- d. No more than one non-family employee: This is met due to having one employee and one contractor, not full time, but employees and volunteers combined could be full time equivalent.

The use of the property is not a permitted use but a Special Exception has been granted. A. b. and c. above allow for a minor site plan. The Board compared this to a professionally developed major site plan. The Chairman said this application would be considered a major site plan but the requirement of having a professionally prepared site plan could be waived as long as the submission is acceptable to the Board based on the fact that no new construction is proposed or required, it is an existing, running, non-profit business, there is no close proximity to any affected neighbors or roadways or anything else that has to be drawn into the plan that will require exceptional accuracy as provided by a professional.

Mark Suennen read aloud the major site plan requirements that are not required by a minor site plan. The Board considered them and determined they are not needed in this case and can be waived on this plan or drawn to sufficient acceptable scale.

The Board requested a major site plan application be submitted but asked the applicant to request waivers for the items reviewed which the Board will grant as long as the waiver carries out the spirit and intent of the regulation demonstrated to the Board in a satisfactory manner. The Planner and the Planning Department will assist the applicant in preparing the waiver request letter to be submitted to the Board with the hand drawn site plan drawings as a major site plan.

Mark Suennen **MOVED** to adjourn at 8:47 p.m. Joe Constance seconded the motion and it **PASSED** unanimously.

Respectfully submitted,
Maralyn Segien, Selectmen's Assistant/Recording Clerk
Approved 6.28.2017