

**TOWN OF NEW BOSTON  
NEW BOSTON PLANNING BOARD  
Minutes of 2017**

9/12/17

1  
2 The meeting was called to order at 6:30 p.m. by Planning Board Chairman Peter Hogan.  
3 Present were regular Board members, Mark Suennen, David Litwinovich and Ed Carroll, along  
4 with Ex-Officio Joe Constance. Also present was Planning Consultant, Mark Fougere and Plan-  
5 ning Board Assistant, Nadine Scholes.

6  
7 Shannon Silver was not present.

8  
9 Present in the audience for all of part of the meeting was Jonathan Willard.

10  
11 **Continued Discussion re: MASTER PLAN UPDATE**

12  
13 Peter Hogan opened the discussion. Mark Fougere noted that the packet the Board had  
14 was Draft 2 and he had met with the missing departments from the first draft copy. Mark Foug-  
15 ere met with the School Superintendent and the Road Agent for the missing chapters. Mark  
16 Fougere noticed the sections for these departments were not included in the packet, but should  
17 have been. Joe Constance told Planning Board Assistant, Nadine Scholes that the copy she had  
18 given him did not include these sections. Planning Board Assistant, Nadine Scholes, responded  
19 to Joe Constance that she wasn't able to open the attachments Mark Fougere sent but Planning  
20 Coordinator, Shannon Silver, printed all that she received. Mark Fougere stated he would email  
21 the files again for distribution to the Board. Joe Constance mentioned he had 7 pages in his  
22 packet and David Litwinovich added he had 3 pages. Mark Fougere stated there are about 13  
23 pages to the packet. Mark Fougere said included in Draft 2, is the current cistern map. The  
24 Board acknowledged the cistern map should be included as part of the Master Plan.

25  
26 Mark Fougere went back through the minutes for the prior meetings he wasn't able to at-  
27 tend. Mark Fougere noted the facilities chapters of the Master Plan should only include major  
28 cost improvements, i.e. if a roof needed to be replaced, but items such as general maintenance  
29 should not be included. Mark Fougere used the information provided by the Chief of Police as  
30 an example, because the Chief had provided the most detail in major improvements that are  
31 needed at the police departments' facilities. Mark Suennen agreed the police had the best details.  
32 Mark Fougere stated the Fire Department had listed the document numbers for the program al-  
33 ready underway with the Board of Selectman and that will shortly be in voters' hands, so there is  
34 no need to reinstate the fire departments improvements that are currently underway.

35  
36 Mark Fougere then moved on to the Land Use Chapter and the possibility of an east side  
37 overlay district. He is gathering the possible impacts on services, such as call data impacts for  
38 fire, police and EMS. Mark Fougere said historically, a new single family home is generating  
39 about .9 school ready kids. Joe Constance clarified, that each new family established would gen-  
40 erate about .9 kids. Mark Fougere responded how he had calculated this number, by using 60-80  
41 current households and the current number of enrollments in the school system, which brought  
42 him to the .9 kids per new home on average. Mark Suennen added that these east side develop-  
43 ments are geared to attract younger families, which he believed to be the exact crowd that is pur-  
44 chasing the homes. Joe Constance added that he believed the average .9 kids per new home

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**1 MASTER PLAN UPDATE, cont.**

2  
3 seemed to be lower than the average and he believed that 2 school ready kids per new home  
4 would be closer to the realistic average. He used Bedford as an example for his reasoning, as  
5 they see 2-3 kids per household on the average. Mark Fougere noted that the census for school  
6 enrollments for New Boston showed growth in the middle school and high school versus new  
7 enrollments in the elementary or grade school, which he considered to be the Town's biggest  
8 cost. Each new enrollment in grades 6 and higher would be billed by the Town of Goffstown  
9 school systems. Peter Hogan added this is why we need to reign in the cost to educate a child.  
10 Mark Suennen responded to Peter Hogan that the Planning Board, unfortunately, couldn't fix  
11 that problem.

12  
13 Ed Carroll asked how could these new homes be geared towards an older group. Mark  
14 Suennen said that providing more senior housing had been a continued discussion with the Board  
15 but the biggest factor is the Town doesn't have the services and facilities that generally attract  
16 the older generations. The Town is off the main grid for any public transportation or services  
17 and there are currently no plans for any type of services along these lines coming to New Boston  
18 anytime soon. Joe Constance stated that he has been in Town about 30 years and the character of  
19 the Town has been the same for many years and encourages younger families, between 30's and  
20 40's age range, which are the exact types of families the Town has seen as new residents. Ed  
21 Carroll asked what are other ways we could correct the diversities we encourage to move to  
22 Town. Mark Suennen responded to Ed Carroll that if he were to come up with any ideas, to feel  
23 free bring them to the table.

24  
25 Joe Constance said that the lack of impact fees has effected the Town's development. Pe-  
26 ter Hogan stated if the Board looked at impact fees, the legal factor would come into play. Mark  
27 Fougere answered that if impact fees were ever brought to the Town, we would need to have a  
28 good Capital Project. If fees are collected before construction of a building started, then there's  
29 the risk of the taxpayers not supporting it and collecting monies that you cannot spend because  
30 the taxpayers haven't approved the building which in turn becomes a legal situation. Mark  
31 Fougere stated that impact fees could be adopted and he could look into assessing these fees if a  
32 Capital Project were to happen in Town.

33  
34 Ed Carroll stated that there are two capital projects on the horizon in Town; the fire de-  
35 partment building improvements and the school expansion. Mark Suennen and Mark Fougere  
36 agreed that these are both legitimate capital projects and if approved, impact fees could be adopt-  
37 ed for both projects. Mark Fougere added if fees for impact were collected, that would be less  
38 additional taxes to residents, but would only be allowed to use the extra capacity of the building  
39 for impact fees.

40  
41 Mark Fougere moved back to the Master Plan discussion and noted he would resend the  
42 chapters to the Board. David Litwinovich asked if Mark Fougere would be comfortable sending  
43 the Board all the working files of the chapters he had completed by email. Mark Fougere replied  
44

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**1 MASTER PLAN UPDATE, cont.**

2  
3 he had no issue and would send the Board the chapters as .doc file instead of .pdf, and if any of  
4 the members had any comments they could list in document for him to review.

5  
6 Ed Carroll asked the Board if there had been any other Town's strategies researched to  
7 manage what is taxed. Peter Hogan responded to Ed Carroll that he believed the statement 'for  
8 the children' is only used and that it is not for the children, we are only feeding the bureaucratic  
9 animal. It shouldn't cost that much to educate a child. What has been done throughout the years  
10 is a little more responsibility is added on the Board of Education but Peter Hogan believed this  
11 has nothing to do with the education of a child. For an example, how does a football team aid in  
12 the education of a child? Peter Hogan stated that the cost of a football team, lighting the field,  
13 the equipment for players, the coaches, right down the line in part becomes a part of the cost of  
14 the education bill that all taxpayers have to pay. Peter Hogan said that education is about 70 to  
15 80% portion of the taxes paid by residents, Mark Fougere clarified that the portion is more  
16 around 85% for education. Joe Constance believed that in terms of economic development in  
17 New Boston being difficult for some basic reasons like sewer and water for industry. Joe Con-  
18 stance said this was brought up at the all Board's meeting. Joe Constance continued that it  
19 would be nice to have NH Ball Bearing, like in the Town of Jaffrey. That would be great for the  
20 Town. It is a clean industry. The other basic reason it's difficult to encourage industrial growth  
21 is the roads. The Town of New Boston is not located off a main route. Unlike Bedford, New  
22 Boston is a long way from a main road. Joe Constance mentioned major industry developments  
23 would have great effects on the Town's taxes, and there was a time when there was interest to  
24 develop some industrial economy in New Boston but certain regulations restricted these busi-  
25 nesses and discouraged them away to other surrounding Town's like Weare and Goffstown. Joe  
26 Constance continued that just recently there has been an increase of incentives to encourage  
27 some industrial growth in New Boston.

28  
29 Ed Carroll asked Mark Fougere if the Town considered a small water/sewer system,  
30 would that qualify as a vital project to adopt impact fees. Mark Fougere answered that he had  
31 looked into this last year. The sewer would have to start at the Goffstown town line, and the dis-  
32 tance to get the sewer would be significant. Ed Carroll said he was only asking if this would be a  
33 qualifying project. Mark Fougere stated it would qualify, but if the extension of sewer were  
34 something to consider it would need some intensive justification for allowance of a project of  
35 that size. State grants for such projects are long gone, so it would be on the taxpayers or devel-  
36 opers' dime. Some developers have funded projects like such but Mark Fougere noted even if  
37 the Town were to allow 30 unit housing on an acre lot, that still would not justify the cost to a  
38 potential developer due to the distance for the closet sewer being miles out. Ed Carroll added he  
39 is not stating it is feasible or viable as a project right now, but only asked if this would qualify as  
40 a project to adopt an impact fee. Mark Fougere answered Ed that of course it would be a qualify-  
41 ing project but it would be more viable to get water before sewer because the expense would we  
42 much less to extend water into Town.

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1 **MASTER PLAN UPDATE, cont.**

2  
3 Mark Suennen added that if the Town were to get a water supply, this could be either  
4 public water supply or a conjoined municipal system, like a centralized well, that also comes  
5 with its own issues and regulations. Mark Fougere agreed with Mark Suennen and stated a mu-  
6 nicipal system would also be regulated by DES, and would be circled for only so many units and  
7 there would be size restrictions that would be regulated.

8  
9 Peter Hogan asked the Board if they have any other concerns or comments; the Board did  
10 not have anything else to mention.

11  
12 **Miscellaneous Business and correspondence for the meeting of September 12, 2017, includ-**  
13 **ing, but not limited to:**

- 14  
15 1. Approval of the July 11, 2017, meeting minutes, with or without changes. (distributed by  
16 email)

17  
18 Mark Suennen **MOVED** to approve the July 11, 2017, meeting minutes, without changes.  
19 Joe Constance seconded the motion and it **PASSED** anonymously.

- 20  
21 2. Distribution of the August 8, 2017, meeting minutes, for approval at the September 26,  
22 2017 meeting, with or without changes. (distributed by email)

- 23  
24 3. Distribution of draft copy, revised August 28, 2017, re: senior housing ordinance, for the  
25 Board's review and discussion.

26  
27 Mark Fougere stated he took another look at the regulations for the senior housing ordi-  
28 nance and spoke with Steve Keach, from Keach-Nordstrom Associates, for input. Steve Keach  
29 is well known for zoning work; Mark Fougere stated he used Steve's recommendations to revise  
30 the ordinance from last year's version. The underlined sections indicate the updated sections.  
31 Some sections were added and some sections had some wording updated. Mark Fougere noted  
32 on the first page that he added a section for authority, and clarified in Section C. General Stand-  
33 ards, No. 5 – The open space based on the net track area, all on site utilities & infrastructures are  
34 privately maintained, not going to be on a public road, and No. 8 will need to be updated with the  
35 articles from the corporation in regards to dealing with age restrictions and perpetuity. Mark  
36 Fougere noted lastly that No. 15 was added to note that as senior housing, the site and units need  
37 to be adaptable and handicap accessible, which he believed to be an obvious requirement for sen-  
38 ior housing but still added this section. Joe Constance stated with the new bill passed, HP400, it  
39 is most appropriate to have added this section.

40  
41 Ed Carroll asked if there should be special considerations for putting in some kind of  
42 medical accessibility for EMT's or for ambulances. Mark Suennen asked Ed C if he was refer-  
43 ring to doorway openings wide enough to fit wheel chairs through, etc. Ed Carroll agreed. Joe  
44 Constance stated that the section added as No. 15 covered the need for handicap accessibility.

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**MISCELLANEOUS BUSINESS, cont.**

Ed Carroll was satisfied with this if everyone else was. Mark Fougere followed Joe Constance and stated that is why he added section No. 15. Mark Suennen said the Board has the authority and control of all the site work and restrictions until you get to the front door; the Board would be able to restrict items on site, such as the number of steps to the door, where the ramps are needed, handicap accessibility on the property but the physical building structure and the interior operations would be the responsibility of the Building Department. Mark Suennen said that when it was time to choose a site the Board would go over these kinds of factors.

Ed Carroll asked if anything could be done to increase the interest from developers. Mark Fougere said we could increase the density and Mark Suennen explained this would increase the allowed number of units in the space. Ed Carroll asked if that could happen for other types of housing also, and Mark Fougere stated only on the subject of senior housing we could increase from the current density of 1 unit per acre but suggested to keep as is for now to see if any developers take interest. If not, we could look into increasing the density after a few years.

David Litwinovich asked if item 8, under General Standards would cover the rules that would be governed for the residents, i.e. flags allowed on front porch, etc. Mark Fougere said that rules for property would be listed but we want to have the provisions of the proposed articles to ensure they conform to all applicable regulations of the ordinance.

Ed Carroll asked if other types of housing for seniors, like assisted living, would be considered. Mark Fougere said he planned on bringing this up and would the Board want to consider allowing a use for the senior housing. Mark Suennen stated that in Town there are 3 facilities that are offering more significant care than the basic needs for assisted living. These facilities are full time care facilities. Mark S said that the Board would need time to think about considering another assisted living facility and would need to be discussed further because this type of facility would have some impacts on services, like EMT and fire. Mark Fougere stated he had already looked into fiscal impacts for this type of development and would provide the collected data to the Board.

4. Copy of final court order decision, dated August 24, 2017, re: Town of New Boston, et al v John Winslow, et al, for the Board's information.

Joe Constance suggested the Board discuss this item and the other violator in a short non-public session at the end of the meeting. Peter Hogan noted the court order decision was public information.

5. Memo dated August 11, 2017, from Shannon Silver, Planning Coordinator re: Zoning Ordinance/Building Code Amendments, for the Board's information.

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**MISCELLANEOUS BUSINESS, cont.**

- 1  
2  
3 6. Letter copy received August 9, 2017, from Carl J. Levine, 3 Lockwood Drive, to Nadine  
4 Scholes, Planning Board Assistant, re: Home Business Qualification Questions, for the  
5 Board's Information.  
6

7 Peter Hogan asked about what kind of business is being operated out of the home and  
8 Planning Board Assistant, Nadine Scholes explained that there was an anonymous complaint re-  
9 ceived about a dog grooming business at the home. A letter was sent to determine if a Non-  
10 Residential Site Plan would be required. Carl Levine responded to the letter that there is no one  
11 coming to his home or that any business operations are conducted, only that the home address is  
12 being used as the temporary mailing address for the business until the new facility is ready in  
13 Hooksett, NH, planned sometime in October 2017. It has been determined that there is no need  
14 for a Non-Residential Site Plan at this time.  
15

- 16 7. Letter dated September 11, 2017, from Jonathan and Jessica Willard, to the New Boston  
17 Planning Board, re: Tax Map/Lot #18/21, 20 River Road, zoning change, for the Board's  
18 review and discussion. (Jonathan to be present)  
19

20 Jonathan Willard was in attendance and explained to the Board this was only an explora-  
21 tory mission to change the zoning district for his property on River Road. Little People's Depot,  
22 a pre-school childcare business has been the occupant for about 11 years but with the property  
23 currently on the market he is exploring what options are available to change the zoning district  
24 from R-A to Commercial.  
25

26 Ed Carroll asked Jonathan Willard what triggered this consideration, is Little People's  
27 Depot planning to move. Jonathan stated that there is no indication they want to move out. They  
28 are happy there and have been for many years. He just wanted to explore options available to  
29 change the zoning derived because the property is currently on the market and a few buyers have  
30 interest but have concerns if the property were to be used as business or retail space with sepa-  
31 rate residential occupant. Jonathan stated that he and his wife would even consider not selling if  
32 zoning was changed, as it would increase the value of the property. Jonathan even thought that  
33 the New Boston Central School that abuts the property could possibly explore for use as office or  
34 expansion of after school care as Little People's Depot only uses for a few hours per day. Jona-  
35 than explained he had discussed his options with Planning Board Coordinator, Shannon Silver,  
36 and she advised he either could produce and collect 25 required signatures on a petition and put  
37 it on the ballot for voting or he could come to the Planning Board to recommend the zoning  
38 change and with the support of the Board, believed it would be more likely to pass with the  
39 Board's recommendation. Peter Hogan asked where the Commercial line ends, and Jonathan  
40 believes the line ends on the opposite side of River Road. Mark Fougere said there is only one  
41 lot near the school that is Commercial, which was once the office of the Masiello Group. Mark  
42 Suennen said the property owned by the Willard's would be idle for commercial acceptance and  
43 the Board would consider but needed time to review and would have another discussion at the  
44 first meeting in October. Mark Suennen thanked Jonathan for coming to present his proposal to

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1 **MISCELLANEOUS BUSINESS, cont.**

2  
3 the Board early, allowing the Board time to review and discuss before the November warrant  
4 program. Joe Constance stated he was speaking only for himself, and did not have any negative  
5 disposition on Jonathan's proposal. Peter Hogan agreed with Joe and that he was curious if any  
6 other residents near them on River Road would be interested in their properties as Commercial  
7 also. Jonathan was not aware of anyone else interested in changing over to Commercial.

8  
9 Mark Fougere noted that he would provide the overlay zoning map to the Board at the  
10 meeting on October 10, 2017, for review and discussion. Jonathan stated he would be out of  
11 town and would not be able to attend the meeting on the 10<sup>th</sup> but will expect to hear from Planning  
12 Coordinator, Shannon Silver after the meeting for further instructions.

13  
14 8a. Copy of letter, received September 8, 2017, to Ed Hunter, Building & Code Enforcement  
15 Officer, from anonymous person, re: Tax Map/Lot #4/1, 96 Scobie Road, NRSPP Kennel  
16 Application, for the Board's review and discussion.

17  
18 8b. Copy of New Boston Zoning Board of Adjustment, Notice of Decision, re: Tax Map/Lot  
19 #4/1, 96 Scobie Road.

20  
21 8c. Section Copy of Approved Non-Residential Site Plan, Tax Map/Lot #4/1, 96 Scobie  
22 Road.

23  
24 8d. Copy of June 27, 2017, Planning Board minutes, re: Tax Map/Lot# 4/1, 96 Scobie Road.

25  
26 Mark Suennen noted the Planning Board had clearly decided on the wire chain link fence  
27 per the specified requirements on the approved site plan. Mark Suennen asked if the Planning  
28 Board should have gone back to the Zoning Board to have the conditions on the Special Excep-  
29 tion changed to suitable fence to contain the dogs.

30  
31 Peter Hogan said he believed the chain link fence was determined as the suitable type of  
32 fence to contain dogs rather than any kind of wood fencing. A wood fence would not be strong  
33 enough to contain the dogs. Mark Suennen agreed the fence is suitable as wire chain link but  
34 should consider having the wording in the Zoning Board "Special Exception" to what was de-  
35 termined and used on site for the fence. David Litwinovich said the Board had added planting  
36 the evergreens along the wire fence to comply with the "Special Exception" for the fence being  
37 esthetically pleasing along road. Mark Fougere explained that if the fence passed as a suitable  
38 style during the inspection by Building and Code Enforcement Officer, Ed Hunter, the Board  
39 could have the ZBA notice of decision revised to reflect what had been decided.

40  
41 Planning Board Assistant, Nadine Scholes, said that Building & Code Enforcement Of-  
42 ficer, Ed Hunter, was going to be completing an inspection for compliance. The Board decided  
43 to hold off on making a decision until after Ed Hunter had completed the site visit for compli-  
44 ance.

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1  
2 Joe Constance **MOVED** to adjourn public session at 7:29pm to continue in Non-public  
3 session per RSA 91-A:2, sections A, B & C to discuss item 4 on misc business. Peter  
4 Hogan seconded the motion and it **PASSED** unanimously.

5  
6 Respectfully submitted, Minutes Approved: 10/10/17  
7 Nadine Scholes, Planning Board Assistant