

**TOWN OF NEW BOSTON
NEW BOSTON PLANNING BOARD
Minutes of 2018**

1/23/18

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

7
8 **Continued Discussion, re: Master Plan, specifically Future Land Use.**

9
10 Mark Fougere presented the updated Existing Land Use Map and noted he had met with
11 the new GIS representative at Southern New Hampshire Planning Commission to complete the
12 map updates. He explained that the colors had changed from the previous map and brown now
13 represented all the residential built lots. He noted that he did not remove any of the gravel pits
14 from the previous map because he was unsure which ones were no longer active. He pointed out
15 the gravel pits on the map to the Board and it was confirmed they should remain the way shown
16 on the previous map.

17
18 Mark Fougere noted that many residential homes were recently built on the east side of
19 New Boston and explained that would be the biggest difference on the new map from the previ-
20 ous map.

21
22 Mark Fougere stated he noticed after meeting with the GIS representative that the lots
23 with deep frontage were not fully colored in, he would have these filled in next time he met with
24 her so they don't appear as vacant parcels. The data used for the map update would still need to
25 be updated with the most current assessing records. Mark Fougere stated he could have the GIS
26 representative reach out and get the updated data from assessing. The Planning Coordinator,
27 Shannon Silver, noted that the Selectman were currently reviewing bids for update of the Tax
28 Maps, since Bob Todd, LLS, had retired. Any data prior to last year should be available. Mark
29 Suennen asked if the Tax Maps were last updated in 2017. The Planning Coordinator answered
30 yes. Joe Constance confirmed that the Selectmen were still reviewing the proposals for the up-
31 date of Tax Maps.

32
33 Mark Fougere noted areas he knew with recently added residential were updated with
34 colored blocks but wasn't able to show the lot lines for parcels that were recently added. Mark
35 Fougere also noted that he will have the lot lines darkened to make the lot shapes more visible,
36 they are too light in some spots on the map. The Board agreed.

37
38 Joe Constance referred to the Tracking Station water supply and if there is a possibility
39 for the construction of a reservoir. Mark Fougere answered yes, that would be possible if it were
40 ever Town owned property and the Town wanted some type of public water supply. Mark Suen-
41 nen noted that the hold up would most likely be the environmental permitting for the construc-
42 tion of a reservoir. Mark Fougere agreed with Mark Suennen on the difficulty of gaining these
43 kinds of permits. Joe Constance believed that commercial development would benefit if a water
44 supply was available on the Tracking Station parcel.

**TOWN OF NEW BOSTON
NEW BOSTON PLANNING BOARD
Minutes of 2018**

1/23/18

Continued Discussion, re: Master Plan, cont.

Mark Fougere mentioned that the Board started the discussions regarding the Future Land Use Map update but decided to wait until the Existing Land Use Map had been updated. Mark Fougere presented the current Future Land Use Map to the Board to go over the areas to be updated. He noted the Board had some discussion in regards to removing the scenic corridor along Route 13. He suggested that the Board try to keep the Future Land Use Map not too specific, as it was from 10 years ago.

The Board reviewed and discussed the areas to be updated on the Future Land Use Map.

Ed Carroll asked what Mark Fougere needed from the Board to update the map. Mark Fougere replied that the Board should identify areas with blobs on the map for the desired future use.

David Litwinovich suggested that the areas along Route 13 and Route 77 be identified as commercial. Ed Carroll suggested that any commercial development only be allowed on the opposite side of the road of the river on Route 13. The Planning Coordinator, Shannon Silver, noted that businesses on the river side had existed for many years. There are now strict environmental restrictions for any new development on water and development would not be possible on the lots without enough land between the river and the road.

Mark Suennen stated he would be in favor of the entire Route 13 corridor labeled for commercial use. He mentioned that Route 77 had areas with industrial use and asked if the corridor should be labeled as Limited Light Industrial, starting at Beard Road going all the way to the Weare town line along Route 77. Ed Carroll asked what would be allowed uses for the Limited Light Industrial District that would not be allowed in the Commercial District. Mark Suennen read the permitted uses in the Industrial "IND" District from the New Boston Zoning Ordinance. David Litwinovich suggested the lots along Route 77 could be researched to see how conducive they are. Peter Hogan believed most of the lots on Route 77 were owned by the Dodge family.

Mark Fougere asked the Board how much detail would they like in regards to the potential allowed uses on the Future Land Use Map for the Tracking Station parcel. Mark Suennen answered that he agreed with what David Litwinovich had suggested, the Tracking Station be reviewed and isolated as one piece. David Litwinovich suggested the review of the Tracking Station for possible future use be added as a goal for 2018, on the Planning Board Goals spread sheet. He believed that Mont Vernon had already reviewed their portion of the Tracking Station parcel. Joe Constance mentioned he thought an industrial or business park would be an ideal future use for the Tracking Station. This would allow for the possibility of a variety of businesses. Mark Suennen agreed with Joe Constance and noted this parcel had access into Bedford and Amherst. Joe Constance asked how many acres of the Tracking Station parcel was in New Boston. The Planning Assistant, Nadine Scholes, answered that there is approximately 1600 acres in New Boston.

**TOWN OF NEW BOSTON
NEW BOSTON PLANNING BOARD
Minutes of 2018**

1/23/18

Continued Discussion, re: Master Plan, cont.

Mark Fougere noted that the area labeled as Limited Light Industrial on Route 114 should be kept the same. The Board agreed.

Mark Suennen reviewed the areas the Board had discussed to be added on the Future Land Use Map. The Route 13 corridor should be labeled as Commercial, starting at the Goffstown town line all the way through downtown. Along the Route 77 corridor, be labeled as Limited Light Industrial, starting at Beard Road to the Weare town line. Ed Carroll asked if the strip on Mast Road should be labeled as Commercial. Mark Suennen asked Ed Carroll if he was referring to Route 114 and noted he would be fine with labeling this area as either Commercial or Industrial. Mark Suennen continued to explain that area had just been discussed and the Board decided that area remain as Limited Light Industrial use.

Mark Suennen asked the Board if there were any other areas the Board would want to identify as anything other than Residential-Agricultural "R-A". Ed Carroll asked if the Tracking Station would be labeled with an area for commercial use and the rest would be residential use. Mark Suennen stated the Board would need to decide on how large of an area should be labeled for commercial use. Ed Carroll opined that the area should be larger for commercial use. Mark Suennen agreed and noted the rest of the parcel could be labeled residential. Ed Carroll suggested it be looked into if other towns had reviewed their portions of the Tracking Station parcel. Mark Fougere stated that he would look into this.

David Litwinovich mentioned that he would be interested to find out if a map existed and was available to review topography or layout of the whole Tracking Station parcel. He said a map like this could be useful to determine the areas that would be realistically buildable and what areas would not be buildable. Mark Fougere stated that there was a map in existence of the Tracking Station with topography and development restraints. He told the Board that he would bring this map to the next meeting to review.

David Litwinovich asked if the annual dues paid to the Southern New Hampshire Planning Commission would cover the work Mark Fougere had completed with the GIS representative. Mark Fougere answered that he did not ask if there would be any additional fees when he made the appointment and was not told that there would be any charges when he met with the GIS representative. David Litwinovich strongly suggested that the services included with the annual dues, are used as much as possible. Mark Fougere noted that he would be making another appointment with the GIS representative to update what the Board discussed on the Existing and Future Land Use Maps. Mark Suennen believed that the Southern New Hampshire Planning Commission would advise if there were additional fees when the appointment was made. He expressed that they seem to be very specific as to what is included with the annual dues.

Discussion, re: Planning Board Goals.

**TOWN OF NEW BOSTON
NEW BOSTON PLANNING BOARD
Minutes of 2018**

1/23/18

1
2 The Planning Coordinator, Shannon Silver, noted that the Board had the last update of the
3 goals spreadsheet. She said hadn't made any changes to the spreadsheet prior to the meeting be-
4 cause she was unsure which items the Board would want to keep, remove or update.

5
6 David Litwinovich admitted he had taken a sabbatical on updating the Water Resources
7 Management Plan but he would work on getting it digitized this year.

8
9 Joe Constance noted that the Road Committee might go out of existence but the Commit-
10 tee for Public Safety would most likely succeed the Road Committee for this item. The Planning
11 Coordinator noted that she would remove the Road Committee in the description, keeping the
12 Road Agent as the responsible party along with Joe Constance as the member of the Planning
13 Board on this item. The Board agreed to remove the Road Committee on this item.

14
15 Joe Constance noted that the discussion regarding fire fighting water supply would be
16 continuing this year. He mentioned that he was currently researching other alternative cistern
17 options that would be viable but at a much lower cost. These alternative cisterns would cost
18 about the same for the installation but would not cost the \$20K to \$40K for the engineering. Pe-
19 ter Hogan noted that fiberglass cisterns had been known to float if they are not strapped down
20 properly when installed. Joe Constance wasn't aware of the requirements for installing the cis-
21 terns but he did know it was currently being researched by the Fire Wards. Ed Carroll asked if
22 the 5th house rule for subdivisions would fall under the same Planning Board goal. The Board
23 answered yes.

24
25 Mark Suennen noted that item 3, Master Plan, was currently being updated. He also
26 mentioned that item 4, in regards to the 55+ housing ordinance, was completed by the Planning
27 Board and would be on the 2018 Town Warrant.

28
29 Peter Hogan asked the Board, if someone wanted to have a 3-family unit in New Boston,
30 would that require an application for a special exception from the Zoning Board. The Planning
31 Coordinator, Shannon Silver, noted that the only district that would not require a special excep-
32 tion to permit a Multi-Family unit would be Residential One "R-1". There are only a few lots
33 zoned R-1 in town. All other districts would require a special exception. Peter Hogan said he
34 asked only because someone asked him if the town would allow a 3-Family unit.

35
36 David Litwinovich asked if the Board had received any updates recently from the Work
37 Force & Multi-Family Committee. The Planning Coordinator, Shannon Silver, noted that com-
38 mittee had gone out of existence.

39
40 David Litwinovich suggested two items be added to the Planning Goals list, if the Board
41 agreed. He believed researching the options of future use for the Tracking Station should be
42 added as a goal for this year. Also, he thought the list of available grants from the Comprehen-
43 sive Economic Development Strategy (CEDS) should be added and what deadlines and/or

44 **Discussion, re: Planning Board Goals, cont.**

**TOWN OF NEW BOSTON
NEW BOSTON PLANNING BOARD
Minutes of 2018**

1/23/18

1
2 requirements for submittal of the grant applications. Ed Carroll noted that he had asked the
3 CEDS Committee when he joined for the list of successes; they told him there were many levels
4 of successes. He believed the main goal for creating the CEDS Committee was to promote the
5 region to attract more commercial and industrial businesses to the area. Joe Constance and Peter
6 Hogan stated they would be in favor of adding the items to the Planning Board goals for 2018
7 that David Litwinovich had suggested.

8
9 Mark Suennen asked the Planning Coordinator, Shannon Silver, if she knew how the oth-
10 er Town of New Boston departments viewed the Planning Board, i.e. are we viewed as an obsta-
11 cle or efficient. The Planning Coordinator believed that other departments were satisfied with
12 the work completed by the Planning Board. Mark Suennen asked if the Planning Board should
13 be doing something we are not or if there is something we are doing and we shouldn't be. The
14 Planning Coordinator replied that she had not heard anything. Joe Constance noted that the only
15 complaints he had heard, was when a person is given an answer that they don't like.

16
17 Ed Carroll mentioned that he would encourage the Board to collaborate with other de-
18 partments, i.e. Zoning Board, to avoid situations where the applicants do not follow through with
19 the Planning Board. He mentioned the application for the kennel that had not come to the Plan-
20 ning Board after the Zoning Board granted the special exception, it took them several years to
21 submit the site plan to the Planning Board to review. The Planning Coordinator, Shannon Silver,
22 noted that had been an unusual and unique situation. The owner had gone to the Zoning Board
23 to get approval for the kennel in the Residential-Agricultural "R-A" district and the owners' con-
24 tentation was that the Zoning Board had not directed them to the Planning Board to submit a site
25 plan for the kennel operations. At that time, there were different Zoning Board members and
26 secretarial personnel that were not as closely involved with the Planning Board process. The
27 Planning Coordinator noted that she now handled all the applications submitted and attended all
28 of the Zoning Board meetings. She explained that this kind of situation would not happen now.
29 Mark Suennen noted there needed to be a clear firewall between the two Boards because the
30 Zoning Board handled the appeals to turn over a decision made by the Planning Board. Ed Car-
31 roll stated he wasn't aware of the laws but that he was only suggesting the Boards collaborated.
32 Peter Hogan noted that the way the NH law is written allows the Zoning Board to interpret every
33 decision the Planning Board makes. Mark Fougere stated the problem stems from when the state
34 law was first written for Zoning back in the 1930's, there had to be a relief valve, i.e. if someone
35 had their property taken by a town without jurisdiction, the property owner needed somewhere to
36 go and be able to appeal that decision. Ed Carroll said he was only asking if there was some-
37 thing that could be done to prevent these situations from happening again. Mark Fougere be-
38 lieved that with the Planning Coordinator, Shannon Silver, now attending the Zoning Board
39 meetings and involved with the entire process there shouldn't be any issues. He suggested that
40 the Notice of Decision from the Zoning Board could note the requirement for the submission of
41 an application to the Planning Board. The Planning Coordinator said usually there are triggers
42 within the departments. If someone were to start the process for a new home business and goes
43 to the Building Department for a permit for the construction of a new building, sign permit, etc.,
44 **Discussion, re: Planning Board Goals.**

**TOWN OF NEW BOSTON
NEW BOSTON PLANNING BOARD
Minutes of 2018**

1/23/18

1
2 they would be sent to the Planning Department first to get the approval of a Non-Residential Site
3 Plan. They would not be given any permits from the Building Department unless there was an
4 approved site plan on file. She explained that the kennel operated for several years without a site
5 plan because there was no need to get permits from the Building Department. The Planning Co-
6 ordinator said that most people would not know to look for the Town's Zoning Regulations. The
7 majority of the time, it is the Planning or Building Departments directing someone to submit to
8 the Zoning Board prior to applying for a site plan review or a permit. Ed Carroll stated that he
9 was only trying to find ways to be more effective. Mark Suennen noted that with the Planning
10 Coordinator on both sides, she would be able to give the best advice and be sure the process is
11 followed for both Zoning and Planning.

12
13 **Miscellaneous business that may come before the Board and/or Planning Board discus-**
14 **sions.**

- 15
16 1. Approval of the December 12, 2017, meeting minutes, with or without changes. (distrib-
17 uted by email)

18
19 Mark Suennen **MOVED** to approve the meeting minutes of December
20 12, 2017, with changes. Joe Constance seconded the motion and it
21 **PASSED** unanimously.

- 22
23 2. Distribution of the January 9, 2018, meeting minutes, for approval at the February 13,
24 2018 meeting, with or without changes. (distributed by email)

25
26 3a. Email received January 12, 2018, from Thomas Carr, Meridian Land Services,
27 re: Twin Bridge, Wright Drive, Phase II, Stabilization Bond, for the Board's review and
28 discussion.

29
30 3b. Letter with attachments, dated January 12, 2018, from Kevin M. Anderson, P.E., Meridi-
31 an Land Services, re: Twin Bridge, Wright Drive, Phase II, Stabilization Bond, for the
32 Board's review and discussion.

33
34 3c. Letter with attachments, dated January 22, 2018, from Kevin M. Leonard, P.E., North-
35 point Engineering, LLC, to Shannon Silver, Planning Coordinator, re: Stabilization Bond,
36 Twin Bridge Estates, Phase II, for the Board's action.

37
38 3d. Letter with attachments, dated January 22, 2018, from Kevin M. Leonard, P.E., North-
39 point Engineering, LLC, to Shannon Silver, Planning Coordinator, re: 2 Year Mainte-
40 nance Bond, Twin Bridge Estates, Phase II, for the Board's action.

41
42 Peter Hogan noted that items 3a, 3b, 3c and 3d would be reviewed together. The Plan-
43 ning Coordinator, Shannon Silver, noted that the Town's engineer contended that the trucks
44 **Miscellaneous business, cont.**

**TOWN OF NEW BOSTON
NEW BOSTON PLANNING BOARD
Minutes of 2018**

1/23/18

1
2 hauling materials to and from the unfinished lots could have caused the road to crack. She noted
3 the Board had discussed the possibility of trucks damaging the road if allowed to continue haul-
4 ing materials after the road was approved, the road was accepted at that time. Peter Hogan be-
5 lieved that the owner should be held responsible, not the Town, for repairing the road. The Plan-
6 ning Coordinator noted that since the road had been accepted, it would be repaired by the Road
7 Agent but would be the builders/owners responsibility to pay for the repair cost. She continued
8 to explain that when a road is approved, a 2-year maintenance bond is required and would allow
9 the time to find out if there were any deficiencies within those 2-years. If there were no defi-
10 ciencies within the 2 years, the bond would be released. Mark Suennen noted that when a road is
11 approved, it would become the Town's responsibility. Peter Hogan believed it still should be the
12 owner/builder's responsibility to repair the road, although the road was approved knowing lots
13 were still incomplete.
14

15 Joe Constance asked how much was the bond and what the bond would cover. The Plan-
16 ning Coordinator, Shannon Silver, noted that there were two bonds held for this project, a \$70K
17 stabilization bond and the other \$100K maintenance bond, which was 10% of the original road
18 bond amount.
19

20 Peter Hogan expressed that he was interested to find out what caused these transverse
21 cracks in the road, he didn't believe it would be only the trucks. Mark Suennen noted that he
22 didn't believe just sealing the road would fix it; the cracks would only come back. He said the
23 road would most likely need to be torn down and rebuilt. Mark Suennen noted the fact the
24 cracking had spread, as opposed to gelling, means it would not be a compaction problem, there is
25 something else causing the road to crack. The Planning Coordinator, Shannon Silver, mentioned
26 a similar situation had happened on Christian Farms Road, and it had to be rebuilt. Mark Suen-
27 nen also mentioned that Indian Falls Road was torn apart to investigate the cause of the road
28 cracking. He explained that if a new road has transverse cracks, the cause should be investigat-
29 ed.
30

31 Ed Carroll asked if heavy trucks traveling on a road could cause the road to crack. Mark
32 Suennen replied that from what he could tell, looking at the black and white photos provided, the
33 trucks could have had something to do with the road cracking but believed the trucks had only
34 helped the cracking to come up to the surface. He said it could possibly be water bubbling in the
35 sub soils. Mark Fougere noted this was not an uncommon situation with new roads, although it
36 was engineered there could be other issues that come up after a road is complete. David Lit-
37 winovich believed the road should be fixed once the unfinished lots have been completed.
38

39 The Planning Coordinator, Shannon Silver, noted that the 2-year maintenance bond
40 would expire on February 2, 2018. She noted she would let the Town Engineer know that the
41 Board would like the cause of the cracking to be investigated further. Mark Suennen suggested
42 that the Road Agent also be notified that the Board sees this as the builders problem, they should
43

44 **Miscellaneous business, cont.**

**TOWN OF NEW BOSTON
NEW BOSTON PLANNING BOARD
Minutes of 2018**

1/23/18

1
2 be the ones to fix it, not the Town. Even if the Town owned the road and there were no open
3 maintenance bonds, the Town would have the authority to demand the party that damaged the
4 road to fix it. The Planning Coordinator noted that the road had been accepted knowing there
5 were a few lots left to build and the builder would be hauling materials to complete those lots but
6 the road had not been bonded further for that use. Mark Suennen agreed. He expressed that with
7 this particular situation, the Town may end up in the courts but he still believed it should not be
8 fixed at the Town's cost.
9

10 Ed Carroll asked what would the maintenance bond cover if it didn't cover the cost to re-
11 pair the road. The Planning Coordinator, Shannon Silver and Mark Suennen explained the bond
12 would only cover repairs to minor deficiencies; it would not be enough to tear it down and re-
13 build.
14

15 The Planning Coordinator, Shannon Silver, noted that the letter received from the Town
16 Engineer stated that 'other than the above mentioned items, I am unaware of any other major de-
17 ficiencies with the road, pavement or infrastructure.'
18

19 Ed Carroll questioned what would need to happen before February 2nd to be sure the bond
20 is not released and be sure it would be legal to do so. The Planning Coordinator said she wasn't
21 sure of the exact process but knew that the bank would be expecting a letter to release or letter of
22 reduction based on the report from the Town's Engineer. She would need to contact the Town
23 Engineer in regards to his findings and if it were found that the cracking was caused solely on the
24 truck trafficking, legally the bond could not be held. If the Town Engineer were to state that it is
25 possible that there are deficiencies from construction or drainage, then the bond could be held
26 longer, allowing time to further investigate the cause. Joe Constance agreed with what Mark
27 Suennen had explained earlier that the trucks hauling materials on the road only accelerated the
28 deficiencies to come to the surface and noted he would think it be best to have it investigated.
29

30 The Planning Coordinator, Shannon Silver, read off a statement from the letter received
31 from the Town's Engineer as follows: 'The truck traffic associated with the mass export of fill
32 from this project is likely a contributing factor to the cracking. I spoke with Dick Perusse about
33 my observations and he recommended that monies be set aside for the Highway Department to
34 crack seal these cracks next summer as part of their town wide effort to perform maintenance.'
35 Peter Hogan stated he did not agree with the statements in the letter made by both the Town En-
36 gineer and the Road Agent. The Planning Coordinator noted that the letter the Board had re-
37 ceived from the Town Engineer had already gone out to the owners, developers and builders. Ed
38 Carroll suggested that the Town Engineer should draft up a follow up letter to notify that the let-
39 ter of credit would be held to investigate what caused the road to crack. Peter Hogan and Mark
40 Suennen agreed. Mark Suennen mentioned that although he agreed with Ed Carroll's sugges-
41 tion, that may not be possible since the Town Engineer's letter had gone out to all the parties not-
42 ing the amount of money that would be sufficient to crack seal the road. Ed Carroll mentioned
43 that the Town Engineer did state that the truck traffic was a contributing factor, not that the truck
44 **Miscellaneous business, cont.**

**TOWN OF NEW BOSTON
NEW BOSTON PLANNING BOARD
Minutes of 2018**

1/23/18

1
2 traffic was exclusively the cause for the cracking. Mark Suennen explained that it was not the
3 language used for what contributed to the road cracking, it was the fact he gave a specific
4 amount to be held of \$1K for sealing the cracks.
5

6 Mark Fougere asked what was the language used in the bond. Mark Suennen answered it
7 would cover any deficiencies but we don't know if the cracks are resulting from a deficiency or
8 not. What we do know is the Town Engineer believed trucking may have contributed to the
9 cracking but does not address the cause of the cracking. Mark Suennen believed that the only
10 option would be to have the Town Engineer investigate the cause, which he would need to pro-
11 vide how much the investigation would cost and that could be what the bond money is used for.
12 Peter Hogan believed the bond amount would need to be increased because the road will need to
13 be fixed. Mark Suennen said the result could be one of two things, either it be found that the
14 road was not constructed properly or found to be in fact only the trucks causing the road to crack
15 on the surface, either way the Town would lose.
16

17 Peter Hogan mentioned that the person who modified the shoulder within the right-of-
18 way needed to be told to remove it immediately. The Planning Coordinator noted that would
19 need to be handled by the Road Agent. Peter Hogan said the owner should be enforced to re-
20 move the right-of-way modifications because this is on the Town's property and could possibly
21 cause issues for the Highway Department.
22

23 Mark Fougere asked how many lots were left to complete. Mark Suennen replied there
24 were 4 left. Mark Fougere advised it always is a risk to accept a road before all the lots were
25 completely built. He noted that usually the finish coat would not be put on the road until most of
26 the lots are done with at least the trucking of material, on a new road, especially in hotter sum-
27 mer temperatures. On the other side when the economy is slow having just a base coat pavement
28 down for 10 years is not good either. Mark Fougere noted that he was never in favor of putting a
29 final coat of pavement if there are still lots that are not completely built, the trucks hauling the
30 materials could damage the road.
31

32 Peter Hogan mentioned the same company that built the road is having the materials
33 trucked from the lots that are incomplete. So, did they build the road wrong or damage it after it
34 was accepted. He noted this was a similar situation that happened on Christian Farms Road.
35

36 The Planning Coordinator, Shannon Silver, mentioned that in his letter, the Town Engi-
37 neer had included the following statement:

38 '*Note that the roadway was obscured by snow and winter sand in some locations so its
39 possible that additional cracks exist.'

40 She believed it would be reasonable to express the Board's concerns to the Town Engineer and
41 developer that the Board would like an assessment of what is causing the cracks. The Board
42 would like to hold the Letter of Credit until the assessment is complete. If it were to be found
43

44 **Miscellaneous business, cont.**

**TOWN OF NEW BOSTON
NEW BOSTON PLANNING BOARD
Minutes of 2018**

1/23/18

1
2 that it is only surface cracks, then the road would be sealed. But if it were found that the cracks
3 were caused by deficiencies then the Board could review the process and costs for investing fur-
4 ther. Mark Suennen asked if a third party would be hired to conduct the assessment. Mark
5 Fougere noted that if the Town-hired Engineer could not do the assessment, the Town could hire
6 a third party.

7
8 The Planning Coordinator, Shannon Silver, clarified what the Board had directed as the
9 next step. She noted that she would contact the Town Engineer to request an assessment to what
10 was causing the cracks and she would advise the developer if he was unhappy with the Boards
11 decision he could attend the next meeting. The Board agreed.

12
13 The Planning Coordinator, Shannon Silver, noted the next item to be reviewed was the
14 stabilization bond, which is a separate bond. She said that it was ongoing and when she spoke to
15 the Town Engineer he noted that the developer had made progress. Peter Hogan noted that since
16 the Town Engineer had used an old form to calculate the amounts that should be held for stabili-
17 zation, he suggested the amount be doubled. The developer has shown they have no intention to
18 abide by the plan they created and submitted. They certify that they addressed and met the re-
19 quired level of vegetation and provided pictures from December 2017 to show evidence that
20 these items were complete. Peter Hogan noted that nothing would be growing in mid December
21 and that item should be reviewed in late spring 2018 for adherence. He believed that the amount
22 suggested by the Town Engineer should be doubled. The Planning Coordinator explained that
23 the amount to be held for stabilization would need to be based on real facts.

24
25 Mark Suennen noted that he had drove through the site in the month of December. He
26 said most of the area had been stabilized until you get to the cul-de-sac where the last of the
27 homes are not yet completed. Mark Suennen opined if the amount were rounded up to hold
28 \$25K of the \$70K bond, that should be plenty to cover the remaining lots to be stabilized. The
29 Board continued discussions to decide on the amount to be held. Peter Hogan noted that the de-
30 velopment is on a reclaimed gravel pit and erosion would be unlikely on a sand surface.

31
32 Mark Suennen **MOVED** to release \$45,000 of the \$70,000 bond, re-
33 taining \$25,000 for continued stabilization into the Spring of 2018.

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

35
36 4. Discussion, re: Town Engineering Services.

37
38 Peter Hogan asked if this would renew the contract with the current Town Engineer. The
39 Planning Coordinator, Shannon Silver, noted there is no current active contract. She noted the
40 last contract had expired in 2015 and was not renewed. She explained that she spoke to the
41 Town Administrator, Peter Flynn, regarding the renewal and he requested that Kevin Leonard
42 submit a new packet for contracted engineer services. In the interim she had spoke with Joe
43 Constance and he suggested that advertising for a RFP be published.

44 **Miscellaneous business, cont.**

**TOWN OF NEW BOSTON
NEW BOSTON PLANNING BOARD
Minutes of 2018**

1/23/18

1
2 Mark Suennen noted he had been involved the last time with the selection process with
3 the Town Administrator, Peter Flynn. The advertising for RFP was solicited for 2 weeks and
4 received about 8 proposals. Mark Suennen noted he would not be against advertising again for
5 the Town Engineer.

6
7 Mark Fougere asked if this would be a hired engineer for just the Planning Department or
8 all areas that would require engineering input. The Planning Coordinator, Shannon Silver, noted
9 that this position would be for all the Town departments.

10
11 Ed Carroll asked if the Board would have a deadline for submitting and reviewing the
12 proposals. Mark Suennen and Peter Hogan noted that there would not be a deadline because the
13 current contract had expired.

14
15 Mark Suennen **MOVED** to solicit for new bids for Town Engi-
16 neering services. Joe Constance seconded the motion and it
17 **PASSED** unanimously.

18
19 Peter Hogan noted that the Board would be responsible for the proper spending of the
20 contractors budget. Mark Suennen asked if the previous contracts had been 1-year terms. The
21 Planning Coordinator, Shannon Silver, believed the contract with Kevin Leonard had been for a
22 2-year term, from 2013 to 2015. Mark Suennen asked Joe Constance if the Selectmen would be
23 in favor of a 3-year term contract. Joe Constance answered yes. Mark Suennen noted that it
24 would be best to list this as a 2-year contract with an additional year option. Joe Constance
25 agreed.

26
27 The Planning Coordinator, Shannon Silver, asked if the Board would like to review an
28 old RFP ad at the next meeting prior to publishing. Mark Suennen answered yes. The RFP
29 would be reviewed and updated at the following Planning Board meeting on February 13, 2018.

30
31 David Litwinovich mentioned that the Building and Code Enforcement Officer, Ed
32 Hunter, would be retiring this year. Joe Constance believed that he would retire by July 2018.

33
34 Joe Constance **MOVED** to adjourn the meeting at 8:02 p.m. David
35 Litwinovich seconded the motion and it **PASSED** unanimously.

36
37
38 Respectfully submitted,
39 Nadine Scholes, Planning Board Assistant

Minutes Approved: 03/27/18