

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

3/27/18

1
2 The meeting was called to order at 6:30 p.m. by Vice Chairman Mark Suennen. Present
3 were Chairman Peter Hogan and regular Board members Ed Carroll and David Litwinovich.
4

5 Absent from the meeting was Selectmen Ex-Officio Rodney Towne.
6

7 Also present were Planning Coordinator Shannon Silver, Planning Consultant Mark
8 Fougere and Planning Board Assistant Nadine Scholes.
9

10 Present in the audience for all or part of the meeting was Lynn LeClair.
11

12 **Election of Officers.**
13

14 Mark Suennen noted that the Election of Officers would need to be held off until later in
15 the meeting. He asked the Planning Coordinator, Shannon Silver, which member's terms were
16 up. She replied that Peter Hogan and Ed Carroll terms were up.
17

18 **Continued Discussion, re: Master Plan, specifically summary of major Master Plan find-**
19 **ings.**
20

21 Mark Fougere explained that he had discussed with the Board creating a poster or another
22 map with all the Master Plan major findings summarized. He planned on using the Future Land
23 Use Map with explanation around the map. Mark Fougere noted that he provided the Board with
24 a summary of the key points found during the Master Plan, including major goals. This Map
25 could highlight key points of interest from each Chapter.
26

27 Mark Suennen stated that he liked the idea of a poster but he had concerns with using the
28 Future Land Use Map, it has limited information. He continued that the growth areas could be
29 identified with the impacts on traffic, population, etc. Ed Carroll asked Mark Suennen what he
30 thought should be used for the poster. Mark Suennen suggested using the Existing Land Use
31 Map, showing the parcels with an overlay of the Future Land Use Map. Mark Fougere noted
32 that the map Mark Suennen had suggested could be too busy but he would have SNHPC create
33 an example using the Existing Land Use Map with the Future Land Use Map overlay for the
34 Board to review. David Litwinovich stated he would like to see the map as large as possible
35 with the information around the map to explain the Master Plan findings. Peter Hogan suggested
36 a smaller map could be added to the Master Plan referencing where to find the full size map.
37 Mark Suennen agreed, and noted an 11x17 size map could be used in the Master Plan.
38

39 Mark Fougere noted he would request an appointment with the SNHPC GIS Representa-
40 tive to create the example for the poster and have the Zoning Map updated with the parcels that
41 had zoning changes from the articles that passed at Town Vote.
42
43
44

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

3/27/18

1 **Continued Discussion, re: Master Plan, cont.**

2
3 Peter Hogan asked if public input would be necessary to complete the update to the Mas-
4 ter Plan. Mark Fougere answered that there would need to be a Public Hearing, but only once
5 the update to the Master Plan had been finalized.

6
7 **Election of Officers**

8
9 The Board agreed that the makeup of the officers should remain as it was, with Peter Ho-
10 gan nominated as Planning Board Chairman. Peter accepted the nomination. Mark Suennen
11 nominated as Planning Board Vice Chairman. Mark Suennen accepted the nomination. David
12 Litwinovich nominated as Planning Board Secretary. David Litwinovich accepted the nomina-
13 tion.

14
15 David Litwinovich **MOVED** to approve the Officers as nominated.
16 Mark Suennen seconded the motion and it **PASSED** unanimously.

17
18 **Discussion, re: Impact Fees.**

19
20 Mark Fougere told the Board that an Impact Fee Ordinance could be adopted after or
21 even before there was a Capital Project that passed at Town Vote.

22
23 David Litwinovich noted he had gone through the RSA and feels it is going to be a chal-
24 lenge to create impact fees that fit within existing regulations. Mark Fougere noted that there is a
25 list available for acceptable projects to assess an impact fee. Mark Suennen read off the RSA for
26 what projects could be eligible to collect impact fees, which could be the new fire station, if it
27 were to pass next year.

28
29 Mark Fougere noted that although the Town did not have any active projects that would
30 qualify as a Capital Project to start collecting fees, the Impact Fee Ordinance still could be
31 adopted and in place. He recommended that no impact fees should be collected until an eligible
32 Capital Project had passed at Town Vote. Mark Fougere explained that only the extra capacity
33 needed could be used to assess an impact fee.

34
35 Mark Suennen clarified what steps would need to happen before any impact fees can be
36 collected. First, the governing authority through the ordinance would need to decide if impact
37 fees can even be assessed, then the Board would have to assign what is to be assessed.

38
39 Mark Suennen stated that he would be in favor of adopting an Impact Fee Ordinance on
40 the 2019 ballot, even if it were never used, there could come a time when it could be needed. He
41 opined that he was confident the Fire Department would be requesting another bond for the new
42 station in 2019.

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

3/27/18

1 **Discussion, re: Impact Fees, cont.**

2
3 Ed Carroll noted he too was in favor of the Impact Fee Ordinance, especially with the
4 population growth in New Boston, the school would eventually need an addition and the Fire
5 Department would need a new station if the population keeps growing.

6
7 Ed Carroll asked if fees could only be collected for future subdivisions or could fees be
8 collected from previously approved subdivisions. Mark Suennen replied that fees could only be
9 collected from new subdivisions after the ordinance is adopted. He continued that no fees could
10 be recovered for any subdivisions that were already approved, even if there were still empty lots
11 from those approved subdivisions.

12
13 The Board decided to work on an Impact Fee Ordinance to have on the ballot in 2019.
14 The Planner would need to provide this in the fall for the Board to review.

15
16 David Litwinovich **MOVED** to direct the Planning Department to
17 review the language for an Impact Fee Ordinance and present to the
18 Planning Board to review in the Fall 2018 and approve for the 2019
19 ballot. Mark Suennen seconded and added the deadline to present
20 to the Board for last meeting in October, the motion **PASSED**
21 unanimously.

22
23 **Miscellaneous business that may come before the Board and/or Planning Board discus-**
24 **sions.**

- 25
26 5. Letter from Tim LeClair, TLL Land Development, dated March 1, 2018, re: request to
27 extend Conditions Subsequent deadline of May 1, 2018, to May 1, 2019, for the Board's
28 action. (Owner to be present)

29
30 The Planning Coordinator, Shannon Silver asked if the Board could review miscellaneous
31 item with Lynn LeClair, she was in attendance to discuss the request to extend deadline that the
32 Board had indicated no further extensions would be granted without a plan for completion being
33 presented to the Board.

34
35 Lynn LeClair explained that the project was very close to being complete; the only item
36 left is the final topcoat of pavement. She continued that there are only two house lots that had
37 not been built on. Mark Suennen asked if these two lots were part of the eight lots that originally
38 were subdivided. Lynn LeClair replied yes and noted that both lots were currently in the design
39 phase with potential buyers. The P&S for both were currently being drafted and if those buyers
40 fell through, she had other people interested that were waiting. Lynn LeClair expressed that she
41 was confident the lots would be completed this year and had planned to lay the topcoat on the
42 road in the fall. Mark Suennen asked which two lots were left. Lynn LeClair replied that it was
43 the first lot on the right and the last lot on the right, lots 6 and 8. She noted that both are very
44 desirable lots.

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

3/27/18

Miscellaneous business, cont.

Peter Hogan asked the Planning Coordinator if the bonds were still current. She replied yes. Lynn LeClair noted that there was an open Letter of Credit with the bank for the remaining items to be completed to the road. She noted that a copy could be provided if needed.

David Litwinovich asked when would paving start for the season. The Planning Coordinator, Shannon Silver stated that the start would be weather driven for paving but normally would be at the end of April, beginning of May. David Litwinovich stated that he did not have any issues extending the deadline for another year.

Peter Hogan asked the Board if the extension for the deadline should be a year or shorter. Mark Suennen noted he would be in favor of extending the deadline for another 6 months with the owner's intent to have the roadwork completed by fall.

The Planning Coordinator, Shannon Silver noted that the Town would still need to accept the road after it was completed. Lynn LeClair asked how long would the process take to have the road accepted by the Town after it was completed. The Planning Coordinator answered that the process would at least take one month to complete. She continued to explain that the Town Engineer would do a final inspection and provide the inspection report to the Planning Board to review. Then the Selectmen would hold a public hearing to accept the road as a Town road.

Peter Hogan noted that once the road was complete, the road bond could be released but a new maintenance bond would be required. The Planning Coordinator clarified that the road bond would only be released if the Town accepted the road, then a new maintenance bond would be required, which would be a percentage of the original road bond amount and held for 2 years.

Peter Hogan stated that he would want to see that all erosion controls were in place by June 2018. Lynn LeClair noted the plantings and all other erosion controls had been completed.

Mark Suennen went over the open conditions subsequent for completion. First, the owner would need to advise the Planning Department when the roadwork was complete to initiate a final inspection by the Town Engineer to be able to accept the road and release the bond. Second, the driveway locations approved at sub-grade, installed and permits approved by the Road Agent. Third, would be the submission of the As-Built Plans. Lynn LeClair noted that the As-Built plans had been submitted and reviewed by Northpoint Engineering. Fourth, submitted Certificate of Bounds Set, along with the fees paid by the applicant to record at HCRD. Fifth, submitted executed Slope and Drainage Easement Deeds and Warranty Deed for Fieldstone Drive, along with fees paid by the applicant to record at HCRD. Sixth, the road identification signs and stop signs installed. Lynn LeClair noted that the only item left to complete was topcoat on the road. All other items had been completed.

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

3/27/18

1 **Miscellaneous business, cont.**
2

3 The Planning Coordinator, Shannon Silver mentioned to Lynn LeClair that the 2-year
4 maintenance bond would need to be in place and a compliance hearing would be scheduled once
5 the road was completely done and inspected.
6

7 Mark Suennen stated that he would be in favor of extending the deadline until October
8 2018. The Board agreed.
9

10 Mark Suennen **MOVED** to grant an extension on the conditions
11 subsequent from May 1, 2018 to October 1, 2018. David Litwinovich
12 seconded the motion, and it **PASSED** unanimously.
13

14 Miscellaneous Business and correspondence for the meeting of March 27, 2018, including, but
15 not limited to:
16

- 17 1. Approval of the January 23, 2018, meeting minutes, with or without changes. (distributed
18 by email)
19

20 Mark Suennen **MOVED** to approve the January 23, 2018, meeting
21 minutes, with changes. David Litwinovich seconded the motion
22 and it **PASSED** unanimously.
23

- 24 2. Approval of the February 13, 2018, meeting minutes, with or without changes. (distribut-
25 ed by email)
26

27 Mark Suennen **MOVED** to approve the February 13, 2018, meet-
28 ing minutes, as written. David Litwinovich seconded the motion
29 and it **PASSED** unanimously.
30

- 31 3. Distribution of the February 27, 2018, meeting minutes, for approval, at the April 10,
32 2018, meeting, with or without changes. (distributed by email)
33

- 34 4a. Endorsement of a Subdivision Plan, for Martha Moutafis, Tax Map/Lot #14/97,
35 McCollum Road, by the Planning Board Chairman & Secretary.
36

- 37 4b. Endorsement of a Notice of Decision Cover Sheet, for Martha Moutafis, Tax Map/Lot
38 #14/97, McCollum Road, by the Planning Board Chairman.
39

40 Miscellaneous Business Item #5 discussed earlier, see page 3.
41

- 42 6. Letter, with attachments, dated March 5, 2018, from Kevin M. Leonard, P.E., Northpoint
43 Engineering, LLC, to the Planning Coordinator, Shannon Silver, re: Proposal for Profes-
44 sional Engineering Services, for the Board's review.

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

3/27/18

1 **Miscellaneous business, cont.**

2
3 The Planning Coordinator, Shannon Silver explained that this would be an agreement for
4 continued services; the Town Engineer was not currently under contract with the Town. She
5 noted the Board could decide to wait to discuss or change the dates on the contract Kevin Leon-
6 ard had provided. Mark Suennen thought it to be best to table the discussion, since the Town had
7 advertised the RFP for Town Engineering Services. He continued that once the proposals are
8 reviewed, the contract that Kevin had provided could be reviewed. The Board agreed. The
9 Planning Coordinator noted that the Board should vote to accept the increased rates that were
10 indicated in the contract. Mark Suennen noted the rate for Project Engineer would be increased
11 from \$75 to \$85 per hour and Principal Engineer rate increased from \$85 to \$100 per hour.

12
13 Mark Suennen **MOVED** to table the proposal for continued ser-
14 vices given by Kevin Leonard, P.E., Northpoint Engineering, with
15 acknowledgement that any required services would be billed at the
16 increased rate of \$85 for Project Engineer and \$100 for Principal
17 Engineer, until the active RFP process is completed for the Town
18 Engineering Services. David Litwinovich seconded the motion
19 and it **PASSED** unanimously.

20
21 7a. Letter copy, received March 6, 2018, from Donald Walden, ConTest Consultants, Inc., to
22 David Elliot, D&S Excavating, re: Twin Bridge Estates, Phase II, Wright Drive, proposal
23 for Geotechnical Engineering Services, Pavement Condition Assessment, for the Board's
24 information.

25
26 7b. Email copy, received March 7, 2018, from Kevin M. Leonard, PE, Northpoint Engineer-
27 ing, to Bob Huettner, re: review of ConTest Consultants, Inc., for Twin Bridge Estates,
28 Phase II, Wright Drive, proposal for Geotechnical Engineering Services, Pavement Con-
29 dition Assessment, for the Board's information.

30
31 The Planning Coordinator, Shannon Silver explained that the letter from Donald Walden
32 to D&S Excavating was the proposal on how they will handle the pavement condition assess-
33 ment. She continued that she had already forwarded the letter to Kevin M. Leonard, to review
34 and approve both the process and the company. Kevin M. Leonard, P.E. has approved the com-
35 pany and process, once Kevin M. Leonard receives the report from ConTest, he will review and
36 provide the Board with his findings. Mark Suennen asked if ConTest had completed the site
37 walk. The Planning Coordinator was not sure if the site walk had already been conducted. Da-
38 vid Litwinovich asked if ConTest had been involved during the construction of the road. The
39 Planning Coordinator replied that they were not involved at the time Wright Drive was con-
40 structed but noted they had been involved with the construction of other projects. She expected
41 ConTest would provide the report by the next Planning Board meeting. She also noted that the
42 bond had been extended until August. Ed Carroll asked if the Town would be responsible for the
43 cost to repair the road. Peter Hogan replied that the developer/owner would be responsible for
44 all cost, to not only repair the road but also the cost to review the cause of the cracking.

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

3/27/18

1 **Miscellaneous business, cont.**
2

- 3 8. Letter copy, dated March 14, 2018, to Peter Flynn, Town Administrator, from the South-
4 ern New Hampshire Planning Commission, re: 2018 SNHPC New Boston Pedestrian
5 Counting, for the Board's information.
6

7 Peter Hogan asked the Planning Coordinator what is the Boards action on this item. The
8 Planning Coordinator explained that the letter was provided to the Board for informational pur-
9 poses only, there was no action required. Ed Carroll asked if the pedestrian count could be used
10 in the center of Town. Peter Hogan replied that the foot traffic is not heavy enough to count.
11 Mark Suennen suggested this could be forwarded to the Rail Trail Committee. He believed it
12 could be of use to them to see if the traffic had increased since the improvements were complet-
13 ed. David Litwinovich agreed with Mark Suennen and noted that the Committee had conducted
14 polls in the past to determine the volume of traffic on the trail.
15

16 Peter Hogan asked if the Board had anything else to discuss.
17

18 David Litwinovich noted that the warrant had not passed for tent permitting. The Plan-
19 ning Coordinator, Shannon Silver explained that a permit would still be required for tents. The
20 article that had not passed was proposed by the Fire Inspector to update the current requirements
21 but the State still required permits for tents regardless. Ed Carroll asked if any tent put up would
22 require a permit, i.e. a pop up tent at a camp. The Planning Coordinator and Mark Suennen ex-
23 plained that only commercial tents over a certain size would need a permit, which the State man-
24 dated. David Litwinovich noted he had mentioned this because he believed the article was voted
25 down because the explanation given was vague. He asked if the Board should do a better job
26 with explaining the articles the Board proposed. He continued that the explanation should have
27 clearly stated the State required permits for tents over a certain size and this amendment would
28 require a permit for a smaller size tent than what size the State required for permits.
29

30 The Planning Coordinator, Shannon Silver told the Board she had asked the Fire Inspec-
31 tor if he planned to propose the warrant again for the 2019 ballot and he was not sure yet. She
32 noted that she would advise the Fire Inspector that the explanations should have more detail to
33 clearly explain the proposed amendment if he was bringing it forward again for the 2019 ballot.
34

35 Mark Suennen also noticed that the results showed the last article passed (totals are in
36 bold font) when in fact it had not passed. The Planning Coordinator, Shannon Silver stated that
37 she would notify the Selectmen office that the results for that article needed to be fixed.
38

39 Mark Suennen **MOVED** to adjourn the meeting at 7:34 p.m. David
40 Litwinovich seconded the motion and it **PASSED** unanimously.
41

42 Respectfully submitted,
43 Nadine Scholes, Planning Board Assistant

Minutes Approved: 05/22/18