

TOWN OF NEW BOSTON
NEW BOSTON PLANNING BOARD
Minutes of 2018

4/10/18

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, and
4 Selectmen Ex-Officio Rodney Towne.

5
6 Also present were Planning Coordinator Shannon Silver, Planning Consultant Mark
7 Fougere and Planning Board Assistant Nadine Scholes.

8
9 Present in the audience for all or part of the meeting were Kim DePietro and Bob Huett-
10 ner.

11
12 **Continued Discussion, re: Master Plan Update; specifically overlay poster example with**
13 **major findings.**

14
15 Mark Fougere noted the Board had decided to overlay the Future Land Use Map on the
16 Existing Land Use Map to see what that would look like to show all the Master Plan major find-
17 ings. He expressed he thought the poster to be too busy and he had some of the colors changed
18 that were blotting out other colors.

19
20 Mark Suennen believed the overlay poster showed everything the Board expected it
21 would show. David Litwinovich believed the poster was readable but suggested the Tracking
22 Station area labeled with blue could be changed to another color because it was too similar to the
23 color identifying bodies of water.

24
25 Kim DePietro, representing the Forestry Committee asked if this Map showed any con-
26 servation land. The Planning Coordinator, Shannon Silver noted she had provided the Board
27 with a copy of the 2000 Town Warrant to show how the Tracking Station land had changed
28 zones. She explained that Kim DePietro had brought her the 2000 Town Warrant, which had
29 two warrants that had passed. First article created the zone 'Forestry and Conservation' and the
30 second to rezone the Tracking Station from Residential-Agricultural "R-A" to Forestry and Con-
31 servation District "FCD".

32
33 Kim DePietro explained that back in 2000, both of the articles were proposed by the For-
34 estry Committee and they had spent a significant amount of time and money to assess the proper-
35 ty for potential future use. She believed the Board should be aware that this Committee had done
36 a lot of work to rezone the Tracking Station land. Kim DePietro continued to explain to the
37 Board that the Committee had used the money provided by the Town to conduct an analytical
38 survey, which polled anyone that owned 25 acres or more, to see who would be interested in re-
39 zoning their property to protect it from further development. This included the Tracking Station
40 and Town owned land. This was an opportunity for these landowners to put land in Conserva-
41 tion without going through the normal process. At the time, the process to put land into Conser-
42 vation was long and could be expensive. Kim DePietro asked the Board if the Tracking Station
43 should even be considered for future development because it was currently zoned as Conserva-
44 tion, which is what people in Town wanted. She explained that she had heard the Planning

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Continued Discussion, re: Master Plan Update, cont.

Board was looking at the Tracking Station land for potential future development and she wanted to make the Board aware of how much time, effort and money was used to rezone the Tracking Station land back in 2000.

Rodney Towne asked Kim DePietro if she would be against any portion of the Tracking Station land being rezoned to Commercial once the Air Force is done using the land. He continued to explain that a portion was already commercialized. He explained that the current use by the Air Force is considered a commercial business. Kim DePietro expressed that she did not view this as a business. Rodney Towne clarified that it was considered a business, big government business actually. If the Air Force ever left the Tracking Station, the property has many benefits for commercial businesses. There are existing buildings and infrastructures, along with water, power, and had good access to main highways, this is hard to find in New Boston.

Peter Hogan noted that if the whole parcel were to end up being rezoned for commercial use in the future, the intensity of commercial business would be far less of an area impacted than if it were used for residential. He explained that most likely a commercial business would only use the area that would benefit the business the most, as where if it were residential use, a developer would most likely put as many homes as possible. He continued that if the land were rezoned to commercial, that the use would be extremely restricted but that would also prevent the possibility of a developer building a ton of homes.

Rodney Towne noted that he believed that the land would not be turned over by the Government any time soon, this would take years, and even if the Air Force moved out, that doesn't mean the Government would even give up the land, they probably would hold on to it.

Kim DePietro expressed that she believed the recreational aspect is vital on the Tracking Station land and the Board should consider the results of the Town Vote back in 2000. Mark Suennen explained that if and when the Air Force moved out and the property was sold to a private party, the rezoning of the land would need to pass at Town Vote; it could not just be rezoned without the public voting on that change. Kim DePietro thanked the Board for their time and listening to what she had to present. The Board in turn thanked Kim for the efforts done by the Forestry Committee.

Mark Suennen went back to the discussion regarding the Master Plan and noted that the poster would need some color changes. He asked the Board if there were any other suggestions or issues to address.

Rodney Towne suggested that the Tracking Station could be labeled with 'USAF'. This could eliminate it being confused with bodies of water as both were similar shades of blue. Mark Fougere agreed to add some kind of label on the Tracking Station and he would have the color changed.

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Continued Discussion, re: Master Plan Update, cont.

David Litwinovich thought the Board did a good job with not proposing the entire Tracking Station parcel be potential commercial use in the future, only the area with the existing buildings and road could be commercial and the remainder could be labeled as recreational use. Mark Suennen asked if the Tracking Station land would need to be subdivided to be able to rezone the sections that would have a good potential for commercial use? Rodney Towne replied that he believed the parcel would not need to be subdivided to be able to rezone only the sections for potential commercial use, it could be partially rezoned. Mark Fougere agreed with Rodney Towne that it would not need to be subdivided; the parcel could be rezoned with only the sections that were compatible for commercial use.

David Litwinovich asked Mark Fougere if it would be beneficial adding the parcels to the Existing Land Use Map that were currently zoned as Conservation Land. Mark Fougere answered that Conservation could be added. Ed Carroll noted that it could be an important statistic to show on at least the poster.

Mark Fougere noted he could add a label for land that was currently zoned as Conservation and color in the parcels that are zoned not only as Conservation but also land the Town owned to the Existing Land Use Map. That would help identify parcels zoned Conservation, which were currently shown in white, which labeled vacant parcels.

Mark Suennen expressed that he had concerns with adding the label for Conservation Land, as he could see that some of parcels shaded in with yellow to identify single-family homes have portions that should be labeled as Conservation. Mark Fougere noted that some of the recently subdivided clusters have Conservation located inside those subdivisions but are not shown on the map yet. He continued to explain that he had the entire subdivided parcels labeled with yellow until Southern New Hampshire Planning was able to retrieve the updates to assessing records, that update is still pending.

The Planning Coordinator, Shannon Silver asked if the poster would be too busy once the text was added around the map graph for the Master Plan major findings. Mark Suennen noted that if the text were added around the map, it would definitely be too busy. He continued that the map graph could be the visual that would go along with the text on a separate page. Mark Fougere agreed that the Master Plan findings could be explained on a separate page with the map referenced. Mark Fougere noted that in the final Master Plan update there would be sections to easily find the items.

Mark Fougere stated that he thought the update to the Master Plan was coming to an end for completion and would be able to provide a final draft of the update to the Board to review. Mark Suennen asked Mark Fougere when could he get the final draft update to the Board? Mark Fougere replied that he could get it to the Board within a month. Mark Suennen noted that the deadline to provide the final draft would be the second Planning Board meeting in May. Mark Fougere agreed with the deadline of May 22, 2018.

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

2
3 Mark Suennen asked if Peter Hogan would want to take over as Chairman? Peter Hogan
4 said he could not legally take over as the Chairman because he had not been sworn in with the
5 Town Clerk yet. Mark Suennen continued as the Chairman for Peter Hogan.

6
7 **Miscellaneous business #4.**

8
9 Mark Suennen continued the meeting with **Miscellaneous Item #4** to discuss with Bob
10 Huettner from Twin Bridge.

11
12 Mark Suennen asked the Board if they had any comments or issues with the findings
13 from the pavement condition evaluation? David Litwinovich stated he thought the report was
14 well written, clear and easy to understand. Mark Suennen expressed that he was glad to see the
15 cracks were rated as low severity and the cause determined would not continue to degrade the
16 road. He continued that sealing the cracks would fix and prevent further damage to the road.

17
18 The Planning Coordinator, Shannon Silver noted that Kevin Leonard had reviewed and
19 agreed with the assessment and the remedy suggested. She continued that she had reached out to
20 the Road Agent for his input and he also agreed with the findings but he expressed that he would
21 like the developer to complete the repairs. Mark Suennen clarified that the Road Agent would
22 like the developer to hire the company to crack seal the road to the Road Agents specifications.
23 The Planning Coordinator said yes and the Town Engineer would inspect upon completion.
24 Mark Suennen noted that he thought this to be a reasonable request and asked if the other Board
25 members had any issues. David Litwinovich asked if the homes that were not built yet should be
26 completed before the road was crack sealed. The Planning Coordinator noted that there was an
27 open Letter of Credit that was being held and had been extended until August on behalf of the
28 developer to only look into the cause of the cracking further. With the Town Engineers inspec-
29 tion after the repairs are complete the Board would need to make a motion to release the bond if
30 the work was found to fix the issues with the road.

31
32 Peter Hogan asked how often would the cracks need to be sealed? Mark Suennen noted
33 that according to the assessment report the cracks that had appeared within the first few years
34 and if properly lined would not increase over time because of the fact they were along the util-
35 ity lines. Mark Suennen noted he thought this was a much better scenario than if it were found to
36 be caused by drainage issues.

37
38 David Litwinovich **MOVED** to accept and approve the report of
39 assessment from Nobis Engineering, Inc., to allow Twin Bridge
40 Development to repair the cracking in the road as the report sug-
41 gested. **Note:** The Road Agent and the Town Engineer had ap-
42 proved the recommended repairs. Rodney Town seconded the mo-
43 tion and it **PASSED** unanimously.
44

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1 **Miscellaneous business #4, cont.**
2

3 Mark Suennen asked Bob Huettner if he knew which company would be used to do the
4 crack sealing. Bob Huettner replied that he was not sure. Mark Suennen suggested that once the
5 company was chosen, he should notify the Road Agent and Town Engineer to be sure they ap-
6 proved of the company. Bob Huettner stated that he would ask the Road Agent which company
7 he used for crack sealing and would hire that company.
8

9 **Miscellaneous business that may come before the Board and/or Planning Board discus-**
10 **sions.**
11

- 12 1. Approval of the February 27, 2018, meeting minutes, with or without changes. (distribut-
13 ed by email)
14

15 Mark Suennen noted that the approval of the February 27, 2018, meeting minutes, would
16 be held until the next meeting, as they had not been distributed yet.
17

- 18 2. Distribution of the March 27, 2018, meeting minutes, for approval, at the May 8, 2018,
19 meeting, with or without changes. (distributed by email)
20

- 21 3. Letter received March 30, 2018, from Southern New Hampshire Planning Commission,
22 to Peter Hogan, Chairman, and New Boston Planning Board, re: SNHPC Representative
23 nomination, for the Board's action.
24

25 Mark Suennen stated that he would be willing to continue to serve as the Representative
26 for Southern New Hampshire Planning Commission.
27

28 Rodney Towne **MOVED** to refer the recommendation of Mark
29 Suennen to continue as the SNHPC Representative to the
30 Board of Selectmen. David Litwinovich seconded the motion
31 and it **PASSED** unanimously.
32
33

- 34 4. Letter with attachments, dated April 4, 2018, from Nobis Engineering, Inc., to ConTest
35 Consultants, Inc., re: Pavement Condition Evaluation, Twin Bridge Estates, Phase II,
36 Wright Drive, for the Board's review and action.
37

38 This item was discussed earlier, please see above.
39

- 40 5. Forest View II, Phase II and III update.
41

42 The Planning Coordinator, Shannon Silver noted the Board had been given the email
43 from Earl Sandford, which was received late today. Mark Suennen noted that the Board would
44 come back to discuss these items at the end of the meeting.

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1 **Miscellaneous business, cont.**

- 2
3 6. Letter copy, dated April 3, 2018, from Ed Hunter, Building and Code Enforcement Of-
4 ficer, to Kristen Morrissey, re: Dog Rescue, Boarding Kennel, 449 Joe English Road, Tax
5 Map/Lot #14/61, for the Board's information.
6

7 The Planning Coordinator, Shannon Silver noted that the Building and Code Enforcement
8 Officer had received a notice of the kennel operations. This notice was sent to the owners and
9 there was nothing to report at this time.
10

- 11 7. Reminder: Last day to register for the 2018 Spring Planning and Zoning Conference is
12 April 20, 2018.
13

14 The Planning Coordinator, Shannon Silver asked if any of the Board members had regis-
15 tered for the Conference. David Litwinovich and Ed Carroll noted they had registered.
16

- 17 8a. Email received April 6, 2018, from Earl J. Sandford, P.E., Sandford Surveying & Engi-
18 neering, Inc., to Planning Coordinator, Shannon Silver, re: Forest View II status.
19

- 20 8b. Letter received April 9, 2018, from Kevin M. Leonard, P.E., Northpoint Engineering,
21 LLC, to Planning Coordinator, Shannon Silver, re: Forest View II review of amended
22 wetland crossing and wall design plans.
23

24 David Litwinovich asked if the Pre-Con meeting happened. The Planning Coordinator,
25 Shannon Silver replied yes. Mark Suennen asked the Planning Coordinator if she had attended
26 the meeting and what she could tell the Board. The Planning Coordinator stated that herself,
27 Kevin Leonard, Earl Sandford, Rodney Towne, John Neville and his son Jacob Neville had at-
28 tended the Pre-con meeting. She explained that there were several items discussed with Earl
29 Sandford that had to be met as part of not only the subdivisions approval conditions but also the
30 wetland requirements for the extension of the current State permit that would expire on Sunday,
31 April 15th. She continued that the culvert crossing that Earl Sandford had discussed eliminating
32 with the Board, had been found to be a requirement by the Wildlife Bureau. The revised plans
33 for the crossings were sent to Kevin Leonard over the weekend. Kevin had reviewed and sent
34 his input in an email Sunday to the Town with multiple items he found outstanding. The culvert
35 had been ordered with John Neville on board to do the work this week. The Planning Coordina-
36 tor noted that no money had been submitted to open the construction monitoring account and no
37 bond had been submitted as part of the Conditional Use Permit for the wetlands crossing. The
38 original road bond estimate that had been submitted as part of the subdivision would need to be
39 revised with current costs. Earl Sandford had submitted an updated bond worksheet for the
40 crossings that Kevin Leonard reviewed and sent back to Earl to revise. The Planning Coordina-
41 tor noted she was unaware of what the updated cost would be but noted the update to the work-
42 sheet was still pending at this time. She noted that Kevin Leonard had called her to advise that
43 construction was underway and she explained that there should not be any work being conducted
44 without a bond in place. She had called Dana Lorden to advise that there was no construction

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Miscellaneous business, cont.

allowed until she had received the required bonds. Dana Lorden mentioned that it would be hard to get bonds in place with the owner, Shiv Shrestha out of the country. She explained that Dana Lorden indicated he would come by the office the following morning with a check to open the construction monitoring account. He asked if the Board would be willing to allow construction to continue without a bond in place for the crossings. She told him that no work should continue until the bond was in place but she would ask the Board at the meeting tonight if they would allow the work to continue without a bond in place.

Rodney Towne stated that he would not allow any construction to continue until the owner submitted the required bond. Mark Suennen agreed with Rodney Towne and noted that the Board would have all the risk if they were to allow the work to continue without a bond. He stated that he would not be in favor of doing that.

The Planning Coordinator noted that Jacob Neville had indicated to Kevin Leonard that the work might still continue anyways. She continued that she had told Kevin Leonard to let Jacob Neville know that if construction were to continue that would be at their own risk. Mark Suennen expressed that if any construction was done without a bond in place the Town could request that the work be ripped out in that area and brought back to its normal state and a valid permit would be required before any construction started again.

The Planning Coordinator asked if the State issued a permit for a project, would they send out someone to conduct an inspection. Mark Suennen believed that the State was short staffed and unless it was an Interstate project they probably would not send someone out to conduct an inspection on a project of this kind.

The Planning Coordinator explained that Earl Sandford had told her that Craig Greeney from NH AoT said he would not halt construction if there was substantial progress made by the deadline of April 15th as long as the water is running clear away from the job site and the work was continuing towards completion. She continued that when she spoke with Kevin Leonard in regards to what Earl had indicated Craig Greeney said, Kevin expressed that was not what he interpreted from his discussion with Craig Greeney. Mark Suennen asked the Planning Coordinator if anything was provided to Earl Sandford in writing from Craig Greeney? She answered not that she knew of. Mark Suennen said unless there was something in writing that indicated the State would approve of the construction continuing the Board had to assume this to just be hear say. The Planning Coordinator also noted that Earl Sandford was unaware that the Town had not received any bond money, he thought that was taken care of.

Mark Suennen opined that unless the Town had money in place for the crossings, he would not be in favor of allowing any construction to continue. He noted that the owner can decide to continue the construction but it would be without authorization from the Board.

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1 **Miscellaneous business, cont.**

2
3 David Litwinovich agreed with Mark Suennen and said the Board should not ever author-
4 ize any work to continue without bonds in place.

5
6 The Planning Coordinator stated that she would relay the consensus of the Board, noting
7 that all bonds needs to be in place before any work could continue with the Town's authoriza-
8 tion. Any work that is done prior to bonds in place is at their own risk and would advise that
9 Kevin Leonard is not to monitor any work or conduct any inspections. Mark Suennen agreed
10 and again mentioned that if any progress is made without the appropriate inspections the Town
11 could request everything be torn down and brought back to its natural state.

12
13
14 **Discussion, re: Request for Proposals received.**

15
16 Mark Suennen noted that previously the Board discussed who would be on the RFP se-
17 lection committee. It was decided that the Road Agent, Dick Perusse, Planning Coordinator,
18 Shannon Silver, Rodney Towne and Mark Suennen would be reviewing the proposals received.
19 Mark Fougere had a conflict of interest with one of the companies that submitted a proposal, so
20 he could not be included in the selection committee.

21
22 Peter Hogan asked if any of the companies would be excluded right from the start? Mark
23 Suennen replied no, they all would be in contention for the position.

24
25 Mark Suennen asked how would the committee like to conduct the review process. He
26 suggested the committee reviewed the RFP's on their own and it could be discussed at the next
27 meeting which companies were found to be the top 2 or 3 qualifiers.

28
29 Rodney Towne asked if there were any specific criteria that he should look for when he
30 reviewed the RFP's. Mark Suennen noted that the most important criteria would be the Project
31 Manager and key staff. The Project Manager should weigh in more heavily than the key staff.
32 The fee schedule would be important and should range between +/- \$100 to +/- \$180 maximum
33 per hour. Also important if the companies had any experience working with Town's with similar
34 projects to New Boston.

35
36 Rodney Towne asked when the committee should expect to meet again. Mark Suennen
37 noted that there was no pressing need to hire a new Town Engineer as Kevin Leonard would still
38 work with the Town and he would continue on the projects that were currently open. That had
39 been verified previously as the Board's consensus. Mark Suennen believed the next Planning
40 Board meeting would be a good time to discuss the RFP's received. Mark Suennen noted that
41 the Road Agent should be notified that he would need to come to the next meeting on April 24th
42 to review the RFP's received. Mark Suennen also invited any other Board members that would
43 like to review the RFP's and provide their input are welcome to do so.
44

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1 Peter Hogan mentioned that he would not be able to attend the meeting on April 24th; he
2 would be on vacation.

3
4 Mark Suennen asked if there was any other business to discuss. There was none.

5
6 Rodney Towne **MOVED** to adjourn the meeting at 7:40 p.m. Da-
7 vid Litwinovich seconded the motion and it **PASSED** unanimously.

8
9
10 Respectfully submitted, Minutes Approved: 05/22/18
11 Nadine Scholes, Planning Board Assistant