

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

6/26/18

The meeting was called to order at 6:30 p.m. by Chairman Peter Hogan. Present were Vice Chairman Mark Suennen, regular Board members Ed Carroll and David Litwinovich, Selectman Ex-Officio Rodney Towne and alternate Board member Amy Sanders.

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

Present in the audience for all or part of the meeting were Danielle and David Deyo, Robert Kilmer, Steven and Lisa Burgess, Matthew and Kelly Kennerson, William and Susan Jepsen, and Kevin M. Leonard, Town Engineer.

DAVID M. & DANIELLE DEYO (OWNER)
SANDFORD SURVEYING & ENGINEERING, INC. (APPLICANT)
Submission of Application/Public Hearing/Major Subdivision/4 Lots
Location: Christie and Roby Roads
Tax Map/Lot #12/52
Residential-Agricultural "R-A" District

Robert Kilmer presented the proposed subdivision for Tax Map/Lot #12/52. He explained that the lot to be subdivided was a total of 30.166 acres and would create 3 new building lots, 4 lots total. The remainder with the existing house will be a total of 11.702 acres, with the existing access off of Roby Road. The 3 new lots being created have road frontage on both Christie Road, which is a Class V, Town maintained dirt road and on Leach Hill Road, which is currently a Class VI, private dirt road. Robert Kilmer noted that the 3 new lots are proposed with the driveway access and frontage on Christie Road. Tax Map/Lot #12/52-1, would be 3.05 acres with 385.88' of frontage, Tax Map/Lot #12/52-2, with 4.23 acres and 259.09' of road frontage and Tax Map/Lot #12/52-3, with 11.17 acres and 485.59' of road frontage.

Robert Kilmer explained that each of the new lots required an Individual Stormwater Management Plan (ISWMP) due to the steep slopes and wetlands. He presented each of the ISWMPs for the 3 new lots, which all were similar in construction and pointed out the water runoff would be directed and collected into it's own detention basin at the front of each lot, which would filter slowly into the road culvert.

Robert Kilmer noted that the State already approved the subdivision.

Robert Kilmer showed the driveway profiles and noted that the Road Agent had already gone out to inspect the driveways, which he did not have any issues with trees being cleared along the road to achieve the required site distance. Peter Hogan asked what was the grade being proposed for the driveways. Robert Kilmer believed the driveways would be approximately 8% grade.

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DAVID M. & DANIELLE DEYO, cont.

David Litwinovich asked if the 200' building square shown on Tax Map/Lot #12/52-2 was acceptable. It was shown to be within one of the side setback lines. Robert Kilmer thought it to be acceptable to fall over the side setbacks, if the building square fit within the lot at the front setback limit. The Planning Coordinator, Shannon Silver, clarified that it would be acceptable to fall over the side setback lines, as long as the 200' building square fit within the front setback and was within the property lines. Mark Suennen asked why the 200' building square on the remainder lot was shown to front along Christie Road as opposed to Roby Road where the driveway access currently existed. Robert Kilmer noted that the building square could not fit within the setbacks on Roby Road. The remainder lot had an existing home and no new building would be constructed. Mark Suennen clarified that the frontage would not be changed for the remainder lot and the driveway access would remain on Roby Road where it existed. Robert Kilmer said that was correct.

Amy Sanders asked if there would be culverts included with the driveways. Robert Kilmer replied that culverts would be required under the driveways for Tax Map/Lot #12/52-1 and #12/52-3 but not for #12/52-2 because of the grade. Amy Sanders noted that the driveway profile showed there to be a wetland along the ditch line of Tax Map/Lot #12/52-1. Robert Kilmer pointed out what he thought Amy Sanders was referring to as a wetland on the plan. He stated that was not a wetland but believed these lines were used to indicate the ditch line along the road and to show the direction of the water flow.

Amy Sanders asked Robert Kilmer to clarify what are the proposed slopes for the front and back of the houses. Robert Kilmer replied that in the back of the houses there is a 1:1 boulder slope and in the front it would be a 2:1 slope. Amy Sanders asked if the slopes would be engineered. Robert Kilmer said yes, by Earl Sandford.

Amy Sanders noted that she had concerns with the steep slopes creating drainage issues, specifically on Tax Map/Lot #12/52-3. Robert Kilmer noted that he was not a Licensed Engineer and could not answer specific questions regarding how the plans were designed. He noted that Earl Sandford should be on the site walk and could answer any questions regarding the designed ISWMP plans.

Peter Hogan noted that the Board would conduct a site walk, which would give a better idea of what the property looks like. The Board would have the opportunity at the next hearing to ask any further questions in regards to the drainage.

David Litwinovich **MOVED** to accept the application not to have any impact on the surrounding communities. Mark Suennen seconded the motion and it **PASSED** unanimously.

Mark Suennen noted that all the required items were submitted and no waivers had been requested.

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DAVID M. & DANIELLE DEYO, cont.

Mark Suennen **MOVED** to accept the application as complete.
David Litwinovich seconded the motion and it **PASSED**
unanimously.

Peter Hogan noted that with the Board accepting the application as complete, the Board's approval deadline would be August 30, 2018.

Peter Hogan opened the hearing for public input.

Steve and Lisa Burgess, of 85 Christie Road, stated they had concerns regarding the runoff from the lot being subdivided. They explained there is already an issue with drainage on Christie Road and because of the steep slopes they have a tremendous amount of water running onto their property and would not want to see it increase.

Peter Hogan and Mark Suennen explained the Subdivision Regulations would not allow any additional runoff onto the road. Mark Suennen clarified that the Board could only restrict that no additional runoff would be allowed into the road culverts or onto the road. The proposed plan shows detention basins and treatment swales for each lot to prevent additional drainage issues.

Steve Burgess asked if there would be a retaining wall installed along the front of the lots. Robert Kilmer answered no. Mark Fougere explained that the natural slopes on the lot would require earth to be removed and trees would be cleared in the development areas.

Lisa Burgess questioned if Christie Road would be paved, she had concerns with the trucks traveling on the dirt road during construction.

The Board noted that the site walk would be scheduled and that would give the Board members a better idea of what the area looked like and what the project could potentially impact.

Mark Suennen noted that the plan showed the contour nearest to Christie Road, was about 562' and the slab for the house foundation was at 576', a difference of 14' from the road grade to the foundation grade and in the back of the house the natural slope contour is around 608', which would be 32' from the foundation grade.

Amy Sanders asked if test pits were done on the lots and how deep were they dug. Robert Kilmer answered the test pits were done at the standard depth of 6'. Amy Sanders noted she was concerned of ledge existing below the test pit depth and blasting would be needed for earth removal for the construction of the house foundations. Mark Suennen stated that the Board may consider requiring additional test pits after the earth was removed for the foundations.

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1 DAVID M. & DANIELLE DEYO, cont.

2 Matthew Kennerson, of 91 Christie Road, stated that he was not opposed to the develop-
3 ment across the street but he also had concerns regarding the runoff, specifically from Tax
4 Map/Lot #12/52-3. The existing culvert under the road gets backup with mud and the water runs
5 off down his driveway into his basement. He said that he often cleans out this culvert, which
6 should be maintained by the Town, but it is a problem if the debris is not cleaned out on a regular
7 basis.
8

9 William (Bill) Jepsen, of 59 Christie Road, also had concerns with runoff. He mentioned
10 that the road is about 1' higher than it was about 30 years ago. He asked if the Town would con-
11 sider grading Christie Road to make the west side of the road slightly higher than the east side to
12 prevent the water from running across the road. Robert Kilmer explained that the Town requires
13 driveways to be designed with a slight negative grade at the road to prevent runoff onto the road.
14

15 The abutters asked if they would be notified for the continued hearings. Peter Hogan re-
16 plied no but noted that the next hearing would be scheduled before the hearing was adjourned.
17 The Planning Coordinator, Shannon Silver, also explained that the Planning Board Agenda's are
18 posted on the New Boston website.
19

20 Steven Burgess asked if he could get copies of the subdivision plans. The Planning Co-
21 ordinator said yes.
22

23 The Board decided the Site Walk would be scheduled for June 27, 2018, at 7:00 p.m.
24

25 The Planning Coordinator, Shannon Silver, noted that the hearing would be adjourned to
26 July 10, 2018, at 6:30 p.m.
27

28 The Planning Coordinator, Shannon Silver, asked if Kevin Leonard should review the
29 drainage report that was submitted with the subdivision. She explained that normally the Town
30 Engineer reviewed drainage reports that are submitted with road projects but where this project
31 had major drainage concerns, she recommended that it be reviewed. David Litwinovich stated
32 that the Road Agent should provide his input as well. Mark Suennen noted that with the abutters
33 concerns regarding the runoff and drainage, he would definitely recommend the Town Engineer
34 evaluate the drainage report. Mark Suennen asked Robert Kilmer to submit the HydroCAD files.
35 The Planning Coordinator also asked Robert Kilmer for another hard copy of the report for the
36 file, she noted the one that was submitted would be given to Kevin Leonard for review.
37

38 David Litwinovich **MOVED** to adjourn to July 10, 2018, at 6:30
39 p.m. Ed Carroll seconded the motion and it **PASSED** unani-
40 mously.
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44

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Misc Item 9. Discussion, with Kevin M. Leonard, P.E., Northpoint Engineering, LLC, re: business acquisition.

Mark Suennen told Kevin Leonard that he had requested he come in for a discussion regarding what resources were acquired from Provan & Lorber, Inc., and what this meant for the Town and the services that Northpoint Engineering offered.

Kevin Leonard explained that both Provan and Lorber had reached retirement and at one point Terry Lorber had approached Northpoint Engineering to purchase the firm but that wasn't something Northpoint could do at that time. Provan & Lorber, Inc. eventually closed their doors in the Spring of 2016 and Northpoint was able to purchase the assets as opposed to the entire company. Some of the assets included their records and miscellaneous equipment, etc., and at the same time hiring some of the remaining staff.

Timothy M. Grant, PE, is a Senior Project Manager and he has a Masters in Civil Engineering. He has worked for DOT early on in his career and worked for firms that handled heavy transportation, i.e. bridges, dams, etc. Mark Suennen asked if heavy only meant DOT or Municipal bridge projects also. Kevin Leonard replied both. Northpoint has not done any DOT work or any bridge aid type work in the past, it was difficult to take on any structural work without having an in-house structural engineer. Tim Grant is newly retired and only currently working part time for Northpoint, he is called in on an as needed basis. Mark Suennen asked if Northpoint would continue offering this type of service in the future. Kevin Leonard answered that would be unlikely, Northpoint does not have the staff that would be needed to run that department but plan to keep Tim on the team as long as he is willing to work, he is at the tail end of his career and would be with Northpoint for only a short term.

Next would be Cyrus V. Perron, EIT, and he has a Masters in Civil Engineering. He is expanding the services offered by Northpoint including construction management, groundwater monitoring, site maintenance and groundwater permits. He also performs Environmental Site Assessments (ESAs) and assists with construction administration on municipal projects. Cyrus has added many services that were not available prior to adding him to the team. Mark Suennen assumed that these would be services they anticipate offering in the future. Kevin Leonard said yes and noted that Cyrus was currently on the path of becoming a New Hampshire licensed Professional Engineer, completing the training program sometime in the Spring of 2019. Mark Suennen asked if this meant that Northpoint would also become an Environmental Engineering Firm. He said yes and these were services that are already being provided to customers. Kevin Leonard noted that Northpoint has been doing a fair amount of housing projects with federal funding, requiring ESAs and HUD assessments.

Kevin Leonard noted that around the same time, but completely separate from Provan & Lorber, Inc., Northpoint added Randall (Randy) J. Shuey, CWS, CSS, CPESC to the team. Randy Shuey is a Senior Environmental Wetland and Soil Scientist, and is also a Certified Professional in Erosion and Sediment Control. He owned his own firm and basically merged his firm with Northpoint.

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Misc Item 9. Discussion, with Kevin M. Leonard, cont.

Kevin Leonard stated that with Northpoint adding staff, the offices were moved into a bigger space in Concord. He explained that from 2012-2016 Northpoint staffed about 5 people but currently had 9 people on staff.

Mark Suennen asked if Kevin Leonard would like to highlight any services that would be available to the Town that were not available before. Kevin Leonard noted that the biggest addition would be the Wetlands and Environmental element.

Peter Hogan asked if the Board had any further questions for Kevin Leonard. There were none. The Board thanked Kevin Leonard for his continued service to the Town.

The Planning Coordinator, Shannon Silver, explained to Kevin Leonard that the drainage report he had been given was for a proposed 4-lot subdivision on Christie Road but was not a new road project. She noted that the lot to be subdivided had significant slopes and runoff. The Board is concerned with the drainage patterns and needs to be sure there will not be any additional runoff coming off the lots after development. She noted that the drainage would be privately maintained and what is proposed needs to work well and withstand the runoff.

Peter Hogan expressed that the Board believed the test pits should be done again after excavation. The project proposes 15' +/- of earth is removed for the foundation of the houses and the test pit data submitted was dug from the proposed house location, as it existed today. Amy Sanders noted that she believed the test pits behind the house would be the biggest concern.

Mark Suennen noted that the HydroCAD files were requested and would be sent to Kevin Leonard. The Planning Coordinator, Shannon Silver, noted that the hearing was adjourned to the July 10, 2018 meeting and it would be great to have some feedback before that meeting if possible.

Continued Discussion, re: Revisions and/or Additions to Master Plan Draft

Mark Fougere noted that he had sent the Board the edited Master Plan draft digitally.

Mark Suennen noted that he had missed the meeting on June 12, 2018, and asked what the Board had discussed. Mark Fougere explained that the Board had thought the Master Plan was too long but when he created the document he had made it longer with more information and the Board could decide to cut out what was not necessary. David Litwinovich provided his edited shorter version via email to the Board to discuss at the meeting tonight. Ed Carroll asked David Litwinovich when was that email sent out, he had seen the email with the Police Chief's updates to the Police Chapter but did not see an email from David. The Planning Coordinator, Shannon Silver noted that the email had been sent a few days after the last meeting. Ed Carroll said he thought David Litwinovich had said it would be a few weeks before he could get out his edits, so he thought it was just not sent yet.

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Continued Discussion, re: Revisions and/or Additions to Master Plan Draft, cont.

Mark Suennen said that he didn't have the chance to review the version that David Litwovich sent in full but he was unsure why and would like to discuss why the Housing Goal was deleted. Rodney Towne said that he had requested that be removed because he did not believe that was a true statement. It had been in the Master Plan for sometime now but not something that was actually happening. Mark Suennen asked Rodney Towne if it was only a particular part of the statement that he was opposed to, was it the 'small town rural character' part. Rodney Towne answered yes, this was not something he believed the Board was achieving. Mark Suennen asked if Rodney Towne thought the homes being built in New Boston were not small town rural. Rodney Towne replied that developments in New Boston, i.e. Twin Bridge Estates, Lorden Road, part of Indian Falls, look more like Manchester developments, which was not small town rural. The Planning Coordinator and Mark Suennen agreed that Twin Bridge Estates was not the development style the Town was striving for. Rodney Towne believed that pushing Open Space Developments had a reverse effect. Ed Carroll asked if there would be a new way to word the goal that would be more accurate with what was happening. Rodney Towne opined the goals should be in line with what the Board was actually going to do. Ed Carroll asked Rodney Towne if he thought any part of the goal statement could be salvaged. Rodney Towne noted that he was not opposed to the statement, he only thought if the Board wanted to keep this as a goal it should be discussed more often. Rodney Towne continued that the Board should be more aware of what these large developments would actually look like, and not only on paper but envision how the development would fit within the community. Ed Carroll asked Rodney Towne if he would like to state the goal as follows, 'in most areas of the Town we encourage small town rural.' The Planning Coordinator, Shannon Silver, suggested that the Board should decide if they want to encourage small town rural developments and either keep that as the goal or change the wording.

Ed Carroll asked if one of the developments Rodney Towne thought looked like a Manchester development would have a different result if it came before the Board today. Rodney Towne said he was not sure, he would ask the Board if they would approve this type of development.

Amy Sanders asked to clarify what part of these developments was not in line with the small town rural character. Rodney Towne replied that it was the proximity of the houses to each other on each lot and the clear cutting of the trees. Amy Sanders asked if an Open Space development was when there is one large piece of open space with all the house lots next to each other. The Planning Coordinator, Shannon Silver said yes. Rodney Towne believed that a development could be created without the one large open space lot. Most of the time, the lot set aside for the open space lot is the unbuildable land anyways. The Planning Coordinator, Shannon Silver, suggested that the Board discuss and decide what they would like an Open Space development to look like when it is complete.

Ed Carroll said his house has trees on all sides, his neighbors are close enough to walk to within a few minutes but he cannot see his neighbors' house or windows and they cannot see his.

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Continued Discussion, re: Revisions and/or Additions to Master Plan Draft, cont.

Ed Carroll said if a Twin Bridge type of development were to be proposed to the Board today, how could that be adjudicated or resolved. Mark Suennen answered that the Board could cap the length of the cul de sac at 1000'. Rodney Towne said that he thought the Board had tried to do that and it never stuck. Mark Suennen said it had been waived for Twin Bridge Estates and thought it had been waived for others also. Peter Hogan noted that was waived upon other conditions, i.e. reduced density, shorter road. Ed Carroll asked to clarify if the 1000' was the distance between the houses. Mark Suennen answered that it was the distance from the road to the cul de sac center. Ed Carroll asked if it would be less likely that the Board would waive that now. Peter Hogan said that the Board had their hands tied. The Planning Coordinator, Shannon Silver, explained that there had been other factors that went along with the Board waiving that for Twin Bridge. Peter Hogan said the development as a whole was scaled down and several areas were not developed as shown on the approved plan. They submitted as-builts after the Board's approval because they thought many items were not necessary. The engineering firm, along with the Road Agent and others had waived aspects of the plan. The Board did not get the chance to review the changes and the development ended up looking much different than what the Board had approved.

Rodney Towne noted that the Board should be careful of making requirements that cannot be enforced, i.e. a subdivision on Bedford Road had a requirement that the brush along the roadway cannot grow in the 200' site distance of the driveways. He believed that is hard for the Board to enforce. Mark Suennen thought that if an accident were to happen, the fault should fall on the homeowner if they had not cleared the brush along the roadway and that was found to be the reason the accident occurred. Rodney Towne believed this would need to be enforced by the Board because the Board had put that requirement in place. The Planning Coordinator, Shannon Silver, asked if the Board had made that a requirement and was it noted on the plan or was it only discussed during the Board reviewing the subdivision. Mark Suennen believed it was either noted on the plan or in the deed as part of the subdivision approval.

Rodney Towne got back to the discussion regarding the Master Plan and said the Board should discuss and decide if the goal should include 'rural character' in the statement or if it should be removed.

Ed Carroll suggested that maybe the Board should take a step back to rethink, revisit and decide what the housing goal should be but in the meantime remove it from the Master Plan. He said it seemed this discussion would go on for an extended period of time.

Rodney Towne said the problem was the Board would need to discuss it more often if the goal were to be kept in the Master Plan. Ed Carroll agreed and believed that the rest of the Board would also agree that maybe the Board should take some of the lessons learned from previous approvals that did not quite work out as planned and make things better going forward.

Mark Suennen noted that he would like to table the discussion and he would be looking for new language to replace the housing goal that had been removed.

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Continued Discussion, re: Revisions and/or Additions to Master Plan Draft, cont.

Mark Suennen asked if the concepts for subdivisions, i.e. the 8 lots on Joe English Road or the Trussell lots on Clark Hill Road, would be more in line of the rural character with the houses linear along the roadway. Rodney Towne believed that these concepts were more in line with the rural character the Town is striving for.

Ed Carroll suggested that if there is a development in Town that the Board could agree represented New Boston well, it could be highlighted in the Master Plan. He continued that although one of the Board members continually stated that the Master Plan had no teeth and it was only unicorns and rainbows, some people do read it, and when they do read it, they will get an idea of what this Town and the Board is looking for to approve. This was his opinion.

David Litwinovich wanted to clarify for Mark Suennen because he was not at the meeting when it was discussed. His intent of the updates he had made to the Master Plan was to create a document that someone could understand and read through its entirety in one sitting. He liked what the Police Chief had provided for the Police Chapter, it gave great information of what the department needed within the next 10 years. He did not believe for example, there needs to be several charts showing the increased traffic counts on Bedford Road. Those items could be in the appendix, so the person looking for that type of information could still find it.

Ed Carroll asked if he could add one thing into the vision of what the document should be. He continued that he believed it was not as important to make a document short enough to read through in one sitting as he thought it was more important that someone who read the Master Plan, got a good idea of what the Town's all about, what types of things you will find here and what you won't find here. If someone were moving into a house on a road that wasn't paved, they should not have the expectation it will be paved in the future. Ed Carroll continued that it was important to make the Master Plan short enough for someone to read through quickly but he believed it was more important to come out after reading it understanding what types of people live here and understand what type of life style I would have if I were to go there. Ed Carroll asked David Litwinovich how he felt about what he just explained.

David Litwinovich said that he started to question if he was removing too much information from the Master Plan as he went through it to make his changes. He noted that Rodney Towne had mentioned he was able to read the Master Plan in one night, even when it was 50 pages long, as opposed to the old Master Plan that was 200+ pages.

Mark Suennen noted that he would review the version that David Litwinovich edited and he would come back to the next meeting with what he would recommend keeping in the Master Plan.

Mark Fougere noted that he would like to recommend the information that was vital to keep in the Master Plan and he would wait until the next meeting to provide his suggestions.

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Miscellaneous Business and correspondence for the meeting of June 26, 2018, including, but not limited to:

1. Approval of the April 24, 2018, meeting minutes, with or without changes. (distributed by email)

Mark Suennen **MOVED** to approve the March 27, 2018, meeting minutes, with changes. Ed Carroll seconded the motion and it **PASSED** unanimously.

2. Distribution of the May 8, 2018, meeting minutes, for approval, at the July 10, 2018, meeting, with or without changes. (distributed by email)

3. Endorsement of a Subdivision Plan, for SDC Tingley Legacy Rev Trust, Tax Map/Lot #8/107, Mont Vernon Road (NH Route 13), by the Planning Board Chairman & Secretary.

4. Endorsement of a Notice of Decision Cover Sheet, for SDC Tingley Legacy Rev Trust, Tax Map/Lot #8/107, Mont Vernon Road (NH Route 13), by the Planning Board Chairman.

5. Endorsement of a Subdivision Plan, for Townes Family Trust, Tax Map/Lot #10/73, South Hill and Lyndeborough Roads, by the Planning Board Chairman & Secretary.

6. Endorsement of a Notice of Decision Cover Sheet, for Townes Family Trust, Tax Map/Lot #10/73, South Hill and Lyndeborough Roads, by the Planning Board Chairman.

7. Endorsement of a Subdivision Plan, for Chestnut Hill Chapel, Inc., Tax Map/Lot #15/48, Chestnut Hill Road, by the Planning Board Chairman & Secretary.

8. Endorsement of a Notice of Decision Cover Sheet, for Chestnut Hill Chapel, Inc., Tax Map/Lot #15/48, Chestnut Hill Road, by the Planning Board Chairman.

9. Discussion, with Kevin M. Leonard, P.E., Northpoint Engineering, LLC, re: business acquisition.

Peter Hogan noted that this item was discussed earlier in the meeting.

10. Letter received June 21, 2018, from Allison McGrail, re: Conditions Subsequent Deadline for NRSPR, Tax Map/Lot #11/31, for the Board's action.

Mark Suennen **MOVED** to withdraw the conditional approval for the NRSPR without prejudice. David Litwinovich seconded the motion and it **PASSED** unanimously.

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Miscellaneous Business and correspondence, cont.

11. Copy of letter, dated June 19, 2018, from the Building and Code Enforcement Officer, Ryan Brautovich, to James O'Neil, re: Notice of violation, 41 Riverside Drive, New Boston, for the Board's information.

Peter Hogan asked if there had been any response from the owner. The Planning Coordinator, Shannon Silver, replied that she was unaware if there had been any response or compliance.

12. Letter copy, dated June 21, 2018, from the Town Administrator, Peter Flynn, to Amy Sanders, re: Appointment to Planning Board, for the Board's information.

Mark Suennen **MOVED** to adjourn the meeting at 8:10 p.m.
David Litwinovich seconded the motion and it **PASSED** unanimously.

Respectfully submitted,
Nadine Scholes, Planning Board Assistant

Minutes Approved: 09/11/18