

TOWN OF NEW BOSTON
NEW BOSTON PLANNING BOARD
Minutes of 2019

7/23/19

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2 The meeting was called to order at 6:30 p.m. by Planning Board Chairman Peter Hogan.
3 Present were regular Board members David Litwinovich and Ed Carroll.
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5 Also present were Planning Coordinator Shannon Silver, Planning Board Assistant Na-
6 dine Scholes and Planning Consultant Mark Fougere.
7

8 Absent was Vice Chairman Mark Suennen, Ex-Officio Joe Constance and Alternate
9 Board member Amy Sanders.
10

11 Present in the audience for all or part of the meeting were Rick Sullivan, Lynda Mac-
12 intyre, Karina Bertrand, Robert Kilmer, Richard Kohler, Donald Grosso, David Grosso and Da-
13 vid Craig.
14

15 **Continued Discussion, re: Subdivision Regulation Amendments, specifically ‘Article IV:**
16 **Permitting Procedures, and Fire Fighting Water Supply.**
17

18 Mark Fougere explained that he thought it would be best to wait until the Board has
19 completed reviewing the Subdivision Regulations to make the suggested changes.
20

21 The Planning Coordinator, Shannon Silver noted that Eric Dubowik was scheduled to
22 come to the meeting tonight to discuss the Fire Fighting Water Supply but he most likely will
23 wait because the Fire Wards are scheduled to come to the meeting on August 27, 2019, to dis-
24 cuss the cistern specifications.
25

26 Ed Carroll requested that the dates be consistent in the Fire Fighting Water Supply doc-
27 ument. Mark Fougere said that the dates would be updated when the language is revised in the
28 Regulations.
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30 The Planning Coordinator, Shannon Silver noted that the Board can review the Permit-
31 ting Procedures section as intended.
32

33 Peter Hogan asked what suggested edits did Mark Suennen submit. Mark Fougere said
34 that some of the suggestions included moving some language to Administration and other items.
35

36 Mark Fougere noted that he had deleted the plan requirements and specifications for De-
37 sign Review, he believed this section to be unnecessary. Peter Hogan agreed that the Board sel-
38 domly had a developer request a design review hearing.
39

40 Mark Fougere questioned if the 400’ scale tax map was still required as a submittal item.
41 The Planning Coordinator, Shannon Silver replied yes.
42

43 Ed Carroll questioned if the Board should consider adding ‘tiny homes’ into the Regula-
44 tions. It was currently being reviewed by the State and he was unsure if these are currently

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Continued Discussion, re: Subdivision Regulation Amendments, cont.

allowed in New Boston. The Planning Coordinator, Shannon Silver explained that she was unsure of what the exact definition was for a ‘tiny house’ but currently Zoning allows an accessory dwelling unit, that could be up to 50% of the primary residence size. All structures require a foundation. If someone had a tiny home on a trailer, that would not be much different than a camper. It would need to have some type of foundation, even if it were a slab, to be permitted as a legal dwelling.

The Board did not have any other items to be discussed in Section IV: Permitting Procedures and decided to review Section V: Plan Requirements: Subdivision, at the August 27, 2019, meeting. The Planning Coordinator, Shannon Silver noted that she would keep the discussion regarding Fire Fighting Water Supply on for the next meeting as planned with the Fire Wards.

PUBLIC HEARING

Proposal by Eversource to remove trees on designated Scenic Roads.

Peter Hogan opened the public hearing.

Rick Sullivan explained that he was the Arborist for Eversource Energy. The proposed list of trees to be removed was submitted and only removal of the trees at this time, no trimming is proposed.

Peter Hogan asked if Eversource would be concerned with a tree between two residences. Rick Sullivan explained that Eversource is more concerned with trees posing a threat to a primary line with a transformer. Any trees that threaten secondary lines or private lines would be more of the homeowner’s responsibility and any tree that is over 10 feet away from the main line would be the homeowner’s responsibility. Rick Sullivan explained that in general along the road, the rule is that any trees within 8’ to 12’ from the powerlines are evaluated.

Rick Sullivan noted that in the description column on the list it indicates if the tree to be removed is on a Private or Town property, with a P for Private and a T for Town. There are some trees on the list that still need the owners consent to remove but if the property owner does not grant permission, the tree would not be removed, unless directed by the Town.

Ed Carroll asked if the trees to be removed have been labeled. Rick Sullivan replied that the trees to be removed had been marked with ribbons. Rick Sullivan explained that using the electric pole numbers would be the easiest way to locate a tree that is on the list if it does not have an address noted. He explained that Asplundh has crews cutting trees around New Boston now that are not on Scenic Roads, but there recently had been crews pulled and sent out to Vermont for regional needs.

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Proposal by Eversource to remove trees on designated Scenic Roads, cont.

Rick Sullivan explained that the firewood logs would be left behind on the side of road where they were cut unless the homeowner requested something different but could be picked up if the logs become an issue for the Road Agent or drainage.

David Litwinovich asked when did Eversource start going around to mark trees and talk to the homeowners. Rick Sullivan replied that they started sometime in June, 2019.

Peter Hogan opened for public comments.

Lynda Macintyre, 48 Thornton Road, explained that there are some trees that were marked but never removed from the last time the crews came through and asked if the trees that were marked last time would be removed this time. Rick Sullivan noted that he would advise Terry Cooper to reevaluate the trees that had been marked from the last time and not removed.

David Litwinovich noted that the Board could conditionally approve the list pending consent from the few owner's left to get permission from. Peter Hogan asked if Eversource would not remove the tree if they did not get permission from the property owner. Rick Sullivan replied that was correct.

David Litwinovich **MOVED** to accept the proposal by Eversource Energy, for removal of trees as listed on the associated tree list, dated/received March 20, 2017, on the following designated scenic roads: Clark Hill, Colburn, Hooper Hill, Riverdale, Scobie and Thornton Roads. Ed Carroll seconded the motion and it **PASSED** unanimously.

Miscellaneous Business and correspondence for the meeting July 23, 2019, including, but not limited to:

1. Approval of the May 28, 2019, meeting minutes, with or without changes. (distributed by email)

Ed Carroll **MOVED** to approve the May 28, 2019, meeting minutes as amended. David Litwinovich seconded the motion and it **PASSED** unanimously.

2. Approval of the June 11, 2019, meeting minutes, with or without changes. (distributed by email)

David Litwinovich **MOVED** to approve the June 11, 2019, meeting minutes, as written. Ed Carroll seconded the motion and it **PASSED** unanimously.

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Miscellaneous Business and correspondence, cont.

3. Distribution of the June 25, 2019, meeting minutes, for approval at the August 27, 2019, meeting, with or without changes. (distributed by email)

- 4a. Cover Sheet, Application and Permit form, for Conditional Use Permit & Non-Residential Site Plan Review Application, Outdoor Event Venue, for the Board's review and discussion.

- 4b. Cover Sheet, Application and Permit form, for Conditional Use Permit & Non-Residential Site Plan Review Application, Standard Form, for the Board's review and discussion.

The Planning Coordinator, Shannon Silver noted that an update was made to the forms that had been recommended by the Fire Chief regarding the Emergency Management Plan requirement. She noted that the Board had two sets of forms, one set was specifically for an Outdoor Event Venue and the other was the standard form that would be used for any other use allowed by the Conditional Use Permit process.

Peter Hogan questioned if the forms could be filled out online. The Planning Coordinator, Shannon Silver replied that the forms are available online but could not be filled out online at this time.

David Litwinovich asked about the highlighted item 'one (1) year' on the standard CUP Permit form. The Planning Coordinator, Shannon Silver explained that the Board could decide to not have a renewal period on the standard form. She continued that it was decided by the Board to require annual permit renewals with the Outdoor Event Venue use because it could be more controlled that way. The Board decided to leave the expiration date on the standard form and that could be determined on a case-by-case basis.

5. Distribution of the Amended Non-Residential Site Plan Review Regulations, amendments approved at the May 28, 2019, Planning Board Meeting.
6. Letter received July 15, 2019, from Southern New Hampshire Planning Commission, re: SNHPC Membership Dues for 2019-2020 Fiscal Year, for the Board's information.
7. Email received July 8, 2019, from Zachary Swick, SNHPC, re: Klondike Corner CDP, for the Board's information.

David Litwinovich clarified that the proposal discussed with Zachary Swick had been submitted and now was waiting for a response. The Planning Coordinator, Shannon Silver said that was correct.

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Miscellaneous Business and correspondence, cont.

8. Letter received July 19, 2019, from Kevin Leonard, P.E., re: Follow-up Slope Inspection & Bond Recommendation, Twin Bridge Estates – Phase II, for the Board’s action.

The Planning Coordinator, Shannon Silver noted that this was a follow-up from last year and the area was reseeded and inspected by the Town Engineer. David Litwinovich asked what the amount was remaining in the account. The Planning Coordinator replied approximately \$11,000. Peter Hogan questioned if the request to release the funds had been received from Twin Bridge. The Planning Coordinator said yes but was not included with the Board’s packets. The Board decided to postpone releasing the funds until the next meeting.

ERIK & KARINA BERTRAND (OWNERS)

Adjourned from June 25, 2019

Public Hearing/NRSPR/Home Day Care

Location: Francestown Road

Tax Map/Lot #4/54

Residential-Agricultural “R-A” District

Peter Hogan noted that the Board had conducted the site walk. David Litwinovich noted that the standard items were discussed at the site walk and Mark Suennen did not have anything additional that he thought should be discussed from the site walk. He noted that only a few items had to be added to the site plan. The Planning Coordinator, Shannon Silver noted that the updated site plan was received earlier in the day showing the items the Board had requested.

David Litwinovich explained to Karina Bertrand that if she ever decided to operate prior to 8:00 a.m., a public hearing would be required to change the hours of operation, which are currently 8:00 a.m. to 6:00 p.m. Karina Bertrand understood and stated she would like to keep the hours as noted on the site plan.

Ed Carroll noted that the Board had discussed a proposed sign at the site walk. Karina Bertrand noted that the sign was not specifically for the day care, it would be a sign for the farm, but said she had submitted the application for the sign permit to the Building Department.

Peter Hogan opened for public comments, there were none.

Peter Hogan noted that the approval would not require any conditions.

David Litwinovich **MOVED** to approve the site plan for Karina & Erik Bertrand, to operate a Family Daycare home business from 253 Francestown Road, Tax Map/Lot #4/54. Ed Carroll seconded the motion and it **PASSED** unanimously.

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GROSSO, DONALD & PATRICIA (OWNERS)
SANDFORD SURVEYING & ENGINEERING, INC (APPLICANT)
Submission of Application/Public Hearing/Major Subdivision/2 Lots

Location: Joe English Road & Jessica Lane
Tax Map/Lot #14/33
Residential-Agricultural "R-A" District

Robert Kilmer presented the proposed subdivision plan for the 47 acre lot on Joe English Road and Jessica Lane, Tax Map/Lot #14/33, owned by Donald and Patricia Grosso. He explained that the subdivision would create one new 5+/- acre backlot that would be accessed off Jessica Lane. The plan note would need to be added as discussed at the Informational Session with the Planning Board on May 28, 2019, regarding the Town not having any responsibility of maintaining the 50' access off of Jessica Lane.

Robert Kilmer noted that there are some very steep slopes further back on the lot but none within the suitable building envelope of 1.1 acres. He explained that although an ISWMP would not be required, Richard Kohler had designed the development plan and would be able to present that to the Board.

Richard Kohler said the intention for the development plan was not to impact any of the steep slopes on the lot. He noted that there were no wetlands found within the 5.2 acre lot and some shifting or reductions may end up being required during the development to avoid impacting the steep slopes. There would be some forest clearing for a view to the south. He explained that only the development area had been surveyed with the 2' topography, and he could add the 5' topography for the rest of the 5.2 acres if the Board believed that would be necessary.

David Litwinovich asked Richard Kohler to provide more details on the alternative retaining wall shown on the development plan. Richard Kohler noted that the alternative retaining wall could be needed to eliminate some of the fill extension and save on cost.

Peter Hogan asked who would be doing the site work. Donald Grosso replied Scott Elliot.

Peter Hogan opened for public comments.

David Craig noted that he was in favor of the proposed subdivision. He knew that the Fillmore's had intended to continue Jessica Lane through the Grosso's lot to Joe English Road. He said he preferred what was proposed with only one new lot off of the cul-de-sac, this could prevent the extension of Jessica Lane and the possibility for that to be a large development in the future.

David Litwinovich asked about the missing soils map. Richard Kohler noted that he had the soils mapped out and could add to the plan. Richard Kohler provided what he had to show the soil types found on the lot.

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**GROSSO, DONALD & PATRICIA (OWNERS)
SANDFORD SURVEYING & ENGINEERING, INC (APPLICANT), cont.**

David Litwinovich **MOVED** to accept the application as complete and that the proposed subdivision would not have Regional Impact. Ed Carroll seconded the motion and it **PASSED** unanimously.

The Board scheduled the site walk for Saturday, August 10, 2019, at 8:00 a.m.

The Planning Coordinator, Shannon Silver mentioned to Robert Kilmer that the application for the new lots driveway off of Jessica Lane would need to be submitted and the note added to the plan regarding the 50' access of off Jessica Lane.

The Board explained that the requested waivers would be reviewed after conducting the site walk.

David Litwinovich **MOVED** to adjourn the hearing to August 27, 2019, at +/- 7:00 p.m. Ed Carroll seconded the motion and it **PASSED** unanimously.

Ed Carroll **MOVED** to adjourn the meeting at 8:13 p.m. David Litwinovich seconded the motion and it **PASSED** unanimously.

Respectfully submitted,
Nadine Scholes, Planning Board Assistant

Minutes Approved: 09/10/19