

TOWN OF NEW BOSTON
NEW BOSTON PLANNING BOARD
Minutes of 2021

6/22/21

The meeting was called to order at 6:30 p.m. by Planning Board Chairman Peter Hogan. Present were Vice Chairman Mark Suennen and Ex-Officio David Litwinovich.

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

Absent were regular Board member Ed Carroll and Amy Sanders and Alternate Board member Cahli Carothers.

Present in the audience for all or part of the meeting was Joyce Arivella.

The Planning Coordinator, Shannon Silver noted that she received an email from Cahli Carothers, regarding conflicts with her being able to attend in-person Planning Board meetings. Shannon Silver noted that Cahli Carothers was asking if she could continue attending the meetings virtually because she could not attend in-person. The State Statute's for conducting meetings make it difficult to allow a member to participate remotely if the Board is meeting in-person, unless there is an emergency, an exception can be made. The Board only went to virtual meetings because the COVID-19 Emergency Orders allowed Board's to meet remotely during the pandemic. The Board would also need to update the Planning Board Rules of Procedure if members were allowed to participate remotely after the Emergency Orders expired.

The Board agreed previously that hybrid meetings would be difficult, and the Board's consensus was to not allow member(s) to attend meetings remotely/virtually on a normal basis if meetings are conducted in-person.

The Planning Coordinator, Shannon Silver noted that she would advise Cahli Carothers of the Board's consensus regarding attendance at meetings.

Informational Session, with Will Lambert, re: Amendments to existing Non-Residential Site Plan, Proline Powersports, LLC., 636 North Mast Road, Tax Map/Lot #3/150, Small Scale Planned Commercial 'COM' District.

The Planning Coordinator, Shannon Silver noted that the Planning office had notified Will Lambert of the informational session with the Board, but she could provide the details she discussed with Mr. Lambert if the Board would like her too. The Board agreed and Shannon Silver would notify Mr. Lambert what the Board decided to accept for amendments to the existing site plan.

The Planning Coordinator, Shannon Silver went over some of the property's history and presented the current site plan that was approved in 1990. The proposed amendments to the current site plan would be as follows:

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Informational Session, with Will Lambert, cont.

- display area for sales, setback from Route 114, based on the State's requirements for setbacks. The State has visited the site and staked out the required setbacks;
- show any outdoor lighting added and provide specifications;
- combine the three (3) units into one (1) unit;
- note on plan the conditions of Special Exception granted for 'Vehicular Sales' by the Zoning Board in 2019.

The Planning Coordinator, Shannon Silver noted that Will Lambert would ask that the amendments are minimal and if the Planning Board would allow him to use the current 1990 site plan to make the amendments. A complete revamp of a COM site plan would be very costly, there are no changes to the site besides combining the three (3) units into one (1) unit and the same use for the entire building and the changes as noted earlier.

Peter Hogan asked if there was any additional outdoor lighting added. Shannon Silver replied no, just upgrades to the existing lighting.

Mark Suennen asked if the display area would be within the vegetation area shown on the current plan or setback into the area identified for snow removal. Shannon Silver noted that the State requires setbacks on State roads and that could be within the vegetation area shown on the plan. Will Lambert has explained that the State had visited the property recently and staked out the required setbacks from the road. Shannon Silver noted that the area identified along the road in the front of the property as vegetation could be the grassed area.

The Planning Coordinator, Shannon Silver explained that the current site plan was done by a company that is no longer in business and if an engineer were to be hired, they would have to start over from scratch to draw up a whole new plan and survey the property.

The Board discussed the additional parking area shown on the plan. They noted that additional parking area does not exist. This could have been a proposed expansion for future parking that was never utilized, which could have been based on the building having three (3) separate units and different uses in each unit.

The Board agreed to allow a section copy of the current site plan to be used to show the amendments and an application would need to be submitted in order to conduct a proper public hearing, with notification sent to abutters. The amended plan should also include the conditions noted on the Special Exception that the Zoning Board had granted back in 2019, for vehicular sales, hours of operation, customer early/late drop off/pick up, outdoor lighting specifications and current updated list of abutters should also be attached.

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Continued Discussion, re: Updates to Non-Residential Site Plan Review Regulations.

The Planning Coordinator, Shannon Silver noted that the Planning Board Assistant, Nadine Scholes had revised the section reference for the revised subdivision regulations, which she had only found one that needed to be updated, on page 4, Section 2.2, Item E-1.

Mark Suennen mentioned that Amy Sanders had questioned if the Stormwater Regulations included in the Subdivision Regulations needed revisions and he noted that he had asked if there are going to be updates in regard to 5G upgrades to Wireless Service Facilities that the Board should implement into the regulations. He had heard there would be updates for 5G microcells but was unsure when the update would be coming to New Hampshire. Mark Fougere said 5G updates had not happened yet in the State. He noted that 5G should be researched to define for when those updates come to the area, and how the application would be submitted and how the Board should review the application. Mark Suennen asked the Planning Coordinator, Shannon Silver to add 5G research as a Planning Board goal.

Mark Fougere mentioned that the Board had discussed reviewing an ordinance for Commercial Solar late last year and because of the timing the Board decided to hold off discussion until this year when the Board started discussions for amendments to Zoning. He noted that there were other parties that attended meetings last year that are interested in the discussions for Commercial Solar regulations. The Board decided to start discussions for Commercial Solar at the August 24, 2021, meeting and the Planning Board Assistant, Nadine Scholes, would notify the parties that were interested in attending those meetings, Lee Brown and the Energy Commission. Mark Suennen noted that a warrant passed in June 2021, for the Board of Selectmen to investigate and establish solar energy installation on the 'capped land fill', located at the Transfer Station. David Litwinovich noted that he remembered a sample ordinance being submitted for the Board's review. The Planning Coordinator, Shannon Silver said that any materials that had been submitted to the office would be provided to the Board.

Miscellaneous Business and correspondence for the meeting of June 22, 2021, including, but not limited to:

1. Approval of the April 27, 2021, meeting minutes, with or without changes. (distributed by email)

Mark Suennen **MOVED** to approve the April 27, 2021, meeting minutes, as amended. David Litwinovich seconded the motion and the motion **PASSED** unanimously.

2. Distribution of the May 25, 2021, meeting minutes, for approval at the July 27, 2021, meeting, with or without changes. (distributed by email)

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Miscellaneous Business and correspondence, cont.

3. Endorsement of a Site Review Agreement for a warehouse expansion, for Peter M. & Susan L. Shellenberger, 'ECOSMITH Recyclers, Inc.', Tax Map/Lot #6/40-1-1, 11 Byam Road, by the Planning Board Chairman.
4. Endorsement of an Amended Non-Residential Site Plan, Revised May 3, 2021, for Danny Leclair, Expansion and Hours of Operation, for Danny's Garage, Tax Map/Lot #3/68, 614 North Mast Road, by the Planning Board Chairman and Secretary.
5. Discussion, re: Planning Board Summer (July & August) Meeting Schedule.

The Board discussed the July and August 2021, meeting schedule, and agreed to meeting on the 4th Tuesday for the summer months. The Board would return to having meetings on the 2nd and 4th Tuesday, starting in September 2021.

6. Discussion with the Planning Coordinator, re: Updating Wetland Permits for Subdivision Plat, for Robert Nadeau, Tax Map/Lot #4/14, Francestown Road.

The Planning Coordinator, Shannon Silver reminded the Board of the Robert Nadeau application for 3 lots off of Francestown Road that was originally approved in 2010, and the subdivision plan was approved by the Board and recorded at the registry. There have been extensions on the subsequent conditions, on a yearly basis from 2011 to 2015. One of the outstanding subsequent conditions was to install two (2) wetland crossings to access the lots in order for building permits to be obtained. The funds for the CUP bond were submitted and currently are still being held in an escrow account. In 2015, Mr. Nadeau had been going through some difficult times and could not be contacted but it was known that he had moved out west. At that time, the subsequent conditions had expired, and the Board consulted legal counsel to get direction. A letter was sent to Mr. Nadeau to explain that the Board would not revoke the plan but do reserve the right to do so in the future. The letter stated that all state permits and plans for the wetland crossing would need to be updated before the site work could begin.

The Planning Coordinator, Shannon Silver asked for the Board's position on how they would prefer to handle this matter as there was a recent inquiry regarding purchasing the 3 lots and was unsure what the Board would want to do with the original subdivision plan approved in 2010. The Board discussed the need for updates based on current regulations to the CUP plan for wetlands, the Stormwater (ISWMP) plans and the State permits. They agreed that it would be unnecessary to revoke the subdivision plan if the plans noted are updated along with the cost estimates for bonding are submitted for the Board's review.

8. Letter dated June 17, 2021, from Kevin M. Leonard, P.E., Northpoint Engineering, LLC, to the Planning Coordinator, Shannon Silver, re: ECOSMITH Recyclers, Inc., Expansion - Final Review, for the Board's information.

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Miscellaneous Business and correspondence, cont.

9. Invoice received June 21, 2021, and Construction Reports*, for services rendered from April 26, 2021, to May 23, 2021, from Northpoint Engineering, LLC, for Forest View II, Phase II & III, Ongoing Construction Monitoring, for the Board's information. (*email only - see separate attachment 'Construction Reports, May.2021' for details)

The Planning Coordinator, Shannon Silver mentioned that conditions for Phase I are still open and the wearing course is expected to be put down in the Fall 2021. She noted that the binder has been down for years and recommended that the Town Engineer inspect the binder course prior to the placement of the wearing course. In addition, there will be heavy construction traffic in Phase II and III, which could impact the final coat on Phase I.

The Board agreed to have the Town Engineer inspect the binder on Phase I, even if the topcoat paving is not scheduled for this year, it should be inspected. Based on the binder age, it could need to be repaired before topcoat is put down.

Joyce Arivella noted that she had spoken to many residents while campaigning regarding the Town's tax rates and she thought the Board could look into pre-zoning the New Boston Tracking Station now as commercial so that land does not end up becoming more residential lots.

The Board explained to Joyce Arivella, that they had discussions with a Representative for the Tracking Station a few years back regarding the potential future use of that land, and had learned it would be very unlikely that the land would be offered as a private sale or even offered to the Town. There is a process and a list of government agencies that would be offered the land if they ever decided to vacate the property and the Town would be at the bottom of that list, and it is very unlikely that land will be developed for residential homes.

There were no other items to be discussed.

Mark Suennen **MOVED** to adjourn the meeting at 7:38 p.m.

David Litwinovich seconded the motion and it **PASSED** unanimously.

Respectfully submitted,
Nadine Scholes, Planning Board Assistant

Minutes Approved: 08/24/21