

**UNAPPROVED MINUTES
Town of Auburn
Planning Board
May 16, 2018**

Present: Ron Poltak, Chairman. Steve Grillo, Vice-Chairman. Michael Rolfe & Jeff Porter, Members. Tom LaCroix & Paula Marzloff, Alternates. Keith LeClair, Selectmen's Representative. Minutes recorded by Denise Royce.

Absent: Jess Edwards, Alternate.

Mr. Poltak called the meeting to order at 7:01 p.m. and had the Board members introduce themselves to everyone present at tonight's meeting.

At this time, Mr. Poltak moved on to the first discussion of tonight's meeting which was a Public Hearing.

MINUTES

Mr. Porter moved to approve the minutes for April 18th, 2018 as written, Mr. Rolfe seconded the motion. A vote was taken; all were in favor, the motion passed.

PUBLIC HEARING

**Ron Panzieri
Ethel Nye, Property Owner
24 Pasture Road, Tax Map 8, Lot 13
Zoned Residential Two
One Lot Subdivision**

Mr. Jason Franklin presented on behalf of the applicant, Ethel Nye. Mr. Franklin began by saying that what they are proposing to do is cut off a two (2) acre parcel from Tax Map 8, Lot 13 which would be 5.419 acres and the new lot being 13-19 to be 2.097 acres. Mr. Franklin indicated that they have received state subdivision approval.

Mr. Franklin did not have anything else to add as it was pretty self-explanatory and asked the Board members if they had any questions. Mr. Porter asked about the driveway. Mr. Franklin explained the location of Ms. Nye's driveway and indicated that they would be splitting the new driveway off of her driveway. Mr. Franklin did also mention that another alternative would be to bring the driveway off of Pasture Road.

Mr. Poltak asked if all the other setbacks would be met. Mr. Franklin said yes. Mr. Poltak asked where the location of the proposed house would be on that lot. Mr. Franklin pointed out the location of the proposed house would be somewhere in the area that the test pit was completed.

Mr. Poltak asked if any other Board members had any questions. Mr. Porter asked what they would be doing with the existing gravel driveway. Mr. Franklin explained that it was an access road to get to the back field and pointed out the test pit area. Mr. Franklin further added that Mr. Panzieri would allow Ms. Nye to utilize the back lot for her horses. Mr. Poltak read a section from the subdivision regulations that states that, *"Common Driveways are Prohibited."* The idea of sharing a driveway with Ms. Nye is not an option. Mr. Franklin understood and said that, if a common driveway is prohibited that they would access the property from Pasture Road. Also, Mr. Poltak explained that *"No driveway shall be constructed within fifty (50) feet of another driveway nor within one hundred (100) feet from an intersecting road."* Mr. Franklin did not think it would be a problem because they had two hundred (200) feet of frontage.

Mrs. Marzloff had a question regarding the driveway that is existing for Ms. Nye which seems to encroach onto the new lot and asked if it would be changed or would they be doing an easement. Mr. Nye commented that, he has already spoken with Ms. Nye about it and believed that the driveway encroached approximately five (5) feet and that it would not be a problem with moving it over a bit. It's been like that because of the turn with the horse trailers. A brief discussion ensued and it was noted that the driveway would not encroach onto the new lot once the subdivision has occurred. Mr. Nye stated that the driveway would be moved to meet the regulations. Mr. Panzieri commented that, he did not intend to share a driveway with Ms. Nye.

At this time, Mrs. Marzloff wanted to review the subdivision regulations. Mrs. Marzloff reiterated that the driveway must be fifty (50) feet from another driveway. Mr. Franklin pointed out on the plan that the driveway location would be approximately 150 feet from Ms. Nye's driveway.

Mr. Poltak asked if there were any abutters who would like to speak. Mr. Robinson of 231 Bunker Hill Road stated that he wasn't sure where the driveway would be going because when Pasture Road was going in, he recalled that Mr. Febonio designed a driveway and since the new driveway would be fifty (50) feet from the other driveway and that there would be no impact that he did not have any issues.

Mr. Poltak asked the Board members how they would like to proceed and that the minor subdivision application has not been accepted and noted that the plan needs to be done to depict where the driveway would be going and then working with Ms. Nye to move the existing driveway and asked Mr. Franklin when they would like to get going on this project. Mr. Franklin indicated that they would like to start within the next couple of weeks and

would probably would be setting the corners tomorrow. Mr. Poltak believed that the Board could accept the application and give conditional approval upon them getting back to them on June 6th with the final plan in accordance of where the driveway would be going and the necessary adjustment of the existing driveway. Mr. Franklin understood and agreed.

Mr. Poltak asked if there was anything else that he was missing. A discussion ensued with regard to the building envelope. Mr. Rolfe asked about covenants within the existing subdivision on Pasture Road. Mr. Poltak explained that the existing subdivision that exists have covenants that they must adhere to with regard to the use of the property and that this lot is not required to adhere to those covenants because it is not part of the previous subdivision. Mr. Poltak further added that it was impossible for this Board to require legally that those covenants be honored by this new lot. Mr. Poltak went on to say that, given the nature of the investment of the people that have put into their property within that subdivision and the only thing that they can do after speaking with legal counsel is to ask Mr. Panzieri to honor the integrity of what exists there. Mr. Panzieri understood that they did not want any junkyard. Mr. Poltak continued to say that, this was something that they could not enforce and with that in mind, asked the Board for a motion to accept the application and then another motion for conditional approval conditioned upon a final plot plan at the June 6th hearing.

Mr. Grillo made a motion to accept the application for a Minor Subdivision plan/One Lot Subdivision for Tax Map 8, Lot 13, 24 Pasture Road, Mr. Porter seconded the motion. A vote was taken; all were in favor, the motion passed.

Mr. Poltak explained to Mr. Franklin that basically what the Board is asking from them is that, the plan will deal with Ms. Nye's driveway intrusion and wanted them to be a little more specific on where the house would go. Mr. Franklin understood what Mr. Poltak was asking and stated that they could show where the proposed house would be going.

Mr. Grillo made a motion to conditionally approve the Minor Subdivision Plan/One Lot Subdivision for Tax Map 8, Lot 13, 24 Pasture Road conditioned upon a final site plan depicting the movement of existing driveway and the location of the new driveway on the newly created lot as well as showing the location of the proposed house, Mr. Rolfe seconded the motion. A vote was taken; all were in favor, the motion passed.

Mr. Rolfe commented to Mr. Franklin that, they received state subdivision approval so they can show that on the plan along with the septic approval. Mr. Franklin informed the Board members that they did not receive septic approval as of yet.

Mr. Grillo was not aware of the discussion with regard to the house location and asked what that was about. Mr. Poltak stated that, they showed the possible location of the house on the plan but that they wanted to know where the house would go in proportion to the well and septic on the lot. Mr. Grillo understood and the discussion ended.

Mr. Poltak asked Mr. Franklin if he had any questions regarding what the Board recommended. Mr. Franklin said no and exited the meeting.

GENERAL BUSINESS

Mr. Poltak informed the Board members that the next meeting would be held on June 6th at which time they would be having Liberty Utilities come in and speak with the Board and that they would have the Minor Subdivision come back before the Board and that would be it for that night. Mr. Poltak also informed the Board members that they would not be meeting during the month of July and the Board members were all in agreement.

NEW BUSINESS

Mr. Poltak asked if there was any new business to discuss. None was noted.

ADJOURN

<p>Mr. Porter moved to adjourn the Hearing. Mr. Leclair seconded the motion. All were in favor, the motion passed unanimously, and the meeting stood adjourned at 7:25p.m.</p>

The next Planning Board meeting will be held on Wednesday, June 6th, 2018 at 7:00 p.m. at the Town Hall, 47 Chester Road unless otherwise noted.