

LEGAL NOTICE

The Auburn Planning Board will conduct a public hearing on Monday, January 11, 2016, at 7:00 p.m., at the Auburn Town Hall, Auburn, New Hampshire. In addition, the Planning Board anticipates an additional public hearing may be held on Monday, January 25, 2016, also at 7:00 p.m., at the Auburn Town Hall, Auburn, New Hampshire.

The purpose of the public hearing is to present proposed amendments to the Town of Auburn Zoning Ordinance, and to solicit comments and discussion relative to the proposed amendments.

Proposed amendment includes:

1) Amend the Auburn Zoning Ordinance to make changes to the cluster development provisions set forth in Article 7 of the Zoning Ordinance. A copy of the full text of the proposed changes is posted and available for review at the Auburn Town Offices.

[NOTE: This amendment would affect substantive changes to the cluster development provisions of the Zoning Ordinance, including but not limited to the required minimum and maximum lot sizes permitted in a cluster development, the calculation of the maximum number of dwelling units permitted in a cluster development, open space requirements, and roadway construction within a cluster development. A copy of the text of the proposed amendment is available for review at the Auburn Town Offices and is posted with the text of the proposed amendments at the Auburn Town Offices.]

2) Amend Article 5.10 Minor Conditional Use Permits (5) Accessory Structures, (6) Certain Driveways to read:

Certain Driveways: Construction of driveways with Minimum Impact Applications for access to Single family houses on lots of record as of March 10, 2009 **or as part of Planning Board review process for subdivision approval.**

3) Amend Article 13.08 Smoke and Fire Detectors of Auburn Zoning Ordinance to rename as Article 13.08, Smoke, Fire and Carbon Monoxide Detection and Portable Fire Extinguishers and add the following:

All Commercial and Industrial occupancies shall have all Portable Fire Extinguishers installed, inspected, maintained and recharged in accordance with **NFPA 1 Uniform Fire Code 2009 edition, NFPA 101 Life Safety Code 2009 edition, NFPA 10 Standard for Portable Fire Extinguishers 2013 edition** and the **NH State Fire Code**. Any person performing an annual external visual examination of a portable fire extinguisher shall obtain a:

1. Certification as a Portable Fire extinguisher Technician by the National Association of Fire Equipment Distributors. (NAFED) or;
2. Certification or testing by another recognized organization as deemed appropriate and acceptable by the Authority Having Jurisdiction. (AHJ) or;
3. Current certification from the manufacturer of the portable fire extinguisher denoting the portable fire extinguisher and areas in which the applicant has successfully trained and been certified.

4) Amend Appendix F, Fire Department Regulations to add Section E – Plan Review and Technical Assistance.

[NOTE: A copy of the text of the proposed amendment is available for review at the Auburn Town Offices and is posted with the text of the proposed amendments at the Auburn Town Offices.]

A complete copy of the proposed change to the Auburn Zoning Ordinance, is available for public inspection at the Auburn Town Offices and can be found at the Town of Auburn's website www.auburnnh.us.

Dated: December 23, 2015

Signed,



**Ronald Poltak, Chairman
Town of Auburn Planning Board**

Amend Article 5.10 Minor Conditional Use Permits (5) Accessory Structures, (6) Certain Driveways to read:

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3. Current certification from the manufacturer of the portable fire extinguisher denoting the portable fire extinguisher and areas in which the applicant has successfully trained and been certified.

Amend the Auburn Zoning Ordinance to include the following text to Appendix F, Fire Department Regulations as Section E – Plan Review and Technical Assistance,

Plan Review and Technical Assistance.

1. The Town of Auburn shall require for new commercial construction, modification, or rehabilitation, construction documents and shop drawings shall be submitted, reviewed, and approved prior by the AHJ (Authority Having Jurisdiction) to the start of such work.
2. The applicant shall be responsible to ensure that the following conditions are met:
 - a. The construction documents include all of the fire protection requirements.
 - b. The shop drawings are correct and in compliance with all applicable codes and standards.
 - c. The contractor maintains an approved set of construction documents on site.
3. It shall be the responsibility of the AHJ (Authority Having Jurisdiction) to promulgate rules that cover the criteria to meet the New Hampshire Sate Fire Code and the review of documents and construction documents within established time frames for the purpose of acceptance or providing reasons for non-acceptance.

9.18 Cluster Development Specific Design Requirements

1. General: These design requirements shall be considered additional design requirements for clustered developments. The specific requirements set forth herein shall supersede any lesser requirement set forth in the general subdivision design requirements. These requirements shall also supplement the requirements set forth in the Town of Auburn Zoning Ordinance for clustered development.
2. Site-Subdivision Plan Requirements: A site-subdivision plan of the entire tract shall be presented to the Planning Board and shall conform to all the Town's Regulations and Ordinances in effect at the time of submittal, plus meet the following specific design requirements.
 - (A). Clustered residential use in the development shall be limited to one, two, three or four family townhouse dwellings and/or a membership clubhouse for the exclusive use of the residents of the cluster development, except in the event that a subdivision application for a clustered development includes a statement of intent indicating that the development is intended to qualify as a workforce housing development, and the developer proposes "multi-family housing" as part of such development. In such cases, buildings containing more than four (4) dwelling units may be permitted.
 - (B). The first dwelling units or residential lots, on either side of the proposed roadway, must be located at least 250' from the ROW of the existing Town roadway.
 - (B). Cluster developments shall, at a minimum, have a ~~landscaped-natural~~ "No-Disturb" buffer suitably located to provide an adequate division or transition between abutting land uses. ~~Wells, leach fields and passive recreation will be allowed in the landscaped buffer. The buffer shall be twenty (20%) percent of the average width of that tract with a minimum of one hundred (100) feet and a maximum of two hundred fifty (250) feet.~~ have a minimum width of 150' and shall extend around the entire perimeter of the parcel. In cases where the existing vegetation is not adequate to provide the intended, year round visual screening of the project, the Planning Board shall request that landscaping be provided to ensure visual screening.
 - (C). All parking within the cluster residential development shall be provided in paved off-street locations, at a ratio of not less than three spaces per dwelling unit, or in accordance with Auburn's Site Plan Review Regulations for commercial and industrial development.
 - (D). Emergency vehicle access shall be provided to all structures within the cluster development. The definition of "structure" shall be the definition set forth in the Zoning Ordinance.
 - (E). The clustered residential net density within the developed area shall not exceed four (4) dwellings per acre, except in the case of workforce housing developments as set forth above in Section 9.17(2)(A).
 - (F). ~~Cluster developments shall not be required to conform to the minimum frontage, setback, and lot size required in the Zoning Ordinance, but shall~~

be so designated and constructed as to achieve the purposes of cluster development set forth in these Regulations, with the following exceptions:

- (i). ~~Frontage~~ No buildings in the clustered development shall front on any public street, existing or proposed, unless the street provides access exclusively to the clustered development and is situated entirely within the clustered development.
- (ii). ~~Front Yard~~ There shall be a minimum depth of fifty (50) feet between the edge of the nearest private right of way and the front of any building or structure.
- (iii). ~~Side and Rear Yard~~ Structures shall not be located closer than sixty (60) feet for residential and one hundred and fifty (150) feet for commercial and industrial.
- (iv). ~~Structure Heights~~ Heights of structures shall not exceed those permitted for the zoning district in which the clustered development is located.
- (F). No dwelling units shall front or have access to the existing public street. All dwelling units shall access the proposed roadways.
- (G). The clustered lots shall conform to the setbacks noted in Article 7 of the Zoning Ordinance.
- (H). The heights of the clustered structures shall not exceed those permitted for the zoning district in which the clustered development is located.
- (I). Home businesses shall not be permitted within Residential Clustered Developments.
- (J). Each proposed residential lot shall contain a 75' x 100' rectangular or a 100' circular buildable envelope, free of wetlands, wetland buffers, building setbacks, steep slopes, drainage easements, and any other non-buildable area.
- (K). The proposed residential lots shall not contain wetlands or wetland buffers to any Level 1 or Level 2 wetland. Level 3 wetlands and their buffers may be located within the proposed lots on a case by case basis, as approved by the Planning Board.
- (G). The water supply and wastewater treatment system for a clustered development shall be designed in accordance with the standards and requirements of the New Hampshire Department of Environmental Services and the Town of Auburn.
- (H). The minimum required open space for the clustered development shall be calculated in accordance with the provisions of Article 7 of the Auburn Zoning Ordinance. Parking areas, streets, driveways and other vehicle access facilities shall not be considered in calculating open space. In addition, any land on which future development rights are reserved by the developer or a declarant shall not be considered in calculating open space.

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- (I). The site-subdivision plan for the entire tract shall be submitted in accordance with the requirements of Article 3 of these Subdivision Regulations, and the locations of parks, open space, and recreational areas shall be shown on the plan.
- (J). All commercial and industrial development shall be planned in accordance with Non-Residential Site Plan Review Regulations of the Town of Auburn.
- (K). The cluster development plan shall show the layout of all roads which shall be built to the Auburn requirements for new public roads.

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3. Environmental Impact Assessment (EIA) – An EIA must be performed and submitted for review as part of the Cluster Subdivision approval process. The criteria for the EIA can be located in Section X.XX of these regulations.

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- (A). The EIA shall be used by the Design Engineer to minimize impact to the natural resources located within the parcel.
- (B). The EIA shall also be used to develop the most effective, contiguous, open space parcel(s), providing the highest value to the existing natural resources.

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4. Open Space Criteria - The proposed open space parcel(s) shall meet the following criteria:

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- (A). At least 75% of the open space must be contiguous with no portion less than 200' wide. In general parcels less than 300' wide shall be discouraged. If the design contains multiple open space parcels, the various parcels shall be interconnected to the greatest extent possible. Separate, smaller open space parcels are discouraged and the Planning Board reserves the right to request that individual parcels be joined together.
- (B). The proposed open space parcels shall be situated adjacent to abutting, open space parcels, if present.
- (B). Proposed roadways, detention structure access roads, drainage infrastructure, houses, septic systems, and wells shall not be located in the open space.
- (C). Existing and proposed protective well radii are permissible within the limits of the open space parcel(s).
- (D). The Planning Board reserves the right to request that a nature trail system be constructed in the open space. All costs related to the trail construction shall be borne by the applicant. The trail construction should not include significant tree removal; however it should include clearing of brush and saplings, marking of trees

and the potential construction of pedestrian bridges to cross narrow wetland/stream channels.

(E). The access(es) to the open space parcel(s) must be clearly marked with signage approved by the Planning Board.

(F). A minimum of two (2) parking spaces must be provided at the access(es) to the open space parcel(s). Depending on the size of the open space, the Planning Board reserves the right to request additional parking facilities.

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