

**Town of Auburn
Board of Selectmen
May 2, 2016
Town Hall
6:30 p.m.**

() Non-Public Session

Pursuant to the provisions of RSA 91-A: 3, II (c) Reputation of any person other than a member of the Board (Two Separate Sessions)

() Call to Order – Pledge of Allegiance

Approval of Accounts Payable for Week of April 25th, 2016
Approval of Payroll for Week of May 2nd, 2016
Consent Agenda – as of May 2nd, 2016

() Appointments with the Board

Jack Chapman – Sucker Brook Race

() New Business

Special Events and Fire Watch Ordinance
Prohibition and Regulation of Fireworks Ordinance
Appointment of Emergency Management Director
Ex-Officio Alternate Member – Planning Board
Sign Request – Wilson's Crossing Road

() Old Business

Settlement of Return of Surplus – LGC & Health Trust Litigation
Surety Reduction – Daniel's Equipment (Tax Map #1, Lot #16-18)
Surety Reduction – Tenn & Tenn / Village at Mt. Miner (Tax Map #9, Lot #28-1)
Surety Reduction – Tanglewood Subdivision (Tax Map #4, Lot #19)
Surety Reduction – Wethersfield Subdivision (Tax Map #2, Lot #3)
Public Hearings – May 16th – Road Acceptance Requests

() Other Business

() Minutes

- April 18, 2016 Public Meeting
- April 18, 2016 Non-Public Meetings (x2)

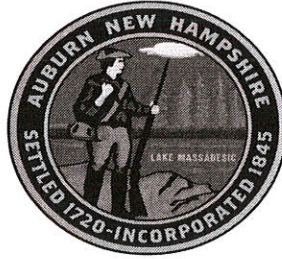
() Non-Public Session

Pursuant to the provisions of RSA 91-A: 3, II (c) Reputation of any person other than a member of the Board

Note: "Any person with a disability who wishes to attend this public meeting and needs to be provided reasonable accommodations in order to participate, please contact the Board of Selectmen's Secretary at (603) 483-5052 x100, so that arrangements can be made."

Town of Auburn

Town Hall
47 Chester Road
P.O. Box 309
Auburn, NH 03032



Town Administrator

William G. Herman, CPM
Phone: (603) 483-5052 Ext. 111
Fax: (603) 483-0518
E-Mail:
townadmin@townofauburnnh.com

To: Board of Selectmen
Cc: Ed Gannon, Fire Chief

From: Bill Herman, CPM, Town Administrator
Date: April 26, 2016
Re: Proposed Special Events / Fire Watch Ordinance and Fireworks Regulations Ordinance

As early as January this year, work began on drafting a proposed "Special Events and Fire Watch Ordinance" after a special effort was made to enable the Auburn Tavern to have live entertainment on New Year's Eve and remain in compliance with NFPA and appropriate life safety standards. Aware that this could become more than a one-time event at only one facility, Fire Captain James Salunier and Building Inspector/Code Enforcement Officer Carrie Rouleau-Cote recommended a general ordinance in this area would be an appropriate course of action for the Town.

In addition, former Fire Chief Bruce Phillips had also developed a proposed ordinance that dealt with the regulation of fireworks in the Town of Auburn to ensure the Town would be in compliance with state statute.

Both proposed regulations have been completed, and have been reviewed and approved in their current version by Town Counsel Jennifer St. Hilaire. Fire Chief Ed Gannon would like to advance the ordinances for the Board's consideration for adoption.

A public hearing to formally consider both ordinances has been scheduled for Monday, May 16th. But we wanted to initially provide the draft ordinances to the Board at your meeting on May 2nd so you will have time to review the material. Chief Gannon will be present at both meetings to answer questions and address concerns.

There is no action required of the Board at your meeting on May 2nd. Following the public hearing on May 16th, the Board can choose to adopt the proposed ordinances as presented; they could amend and adopt the proposed ordinances, or they may choose not to adopt the proposed ordinances.

Thank you for your consideration.

Attachments

PUBLIC NOTICE
PUBLIC HEARING
AUBURN, NEW HAMPSHIRE

The Auburn Board of Selectmen will hold a public hearing on Monday, May 16, 2016 beginning at 7:00 P.M. at the Auburn Town Hall for the purpose of receiving public comment concerning the adoption of a proposed "Prohibition and Regulation of Fireworks Ordinance" for the Town of Auburn pursuant to the provisions in NH RSA 160-C: 6.

Immediately following the hearing on the "Fireworks Ordinance", the Board of Selectmen will hold a public hearing for the purpose of receiving public comment concerning the adoption of a proposed "Special Events and Fire Watch Ordinance" pursuant to NH RSA 153:5, V, 154:2, 154:18 and 155-A:3,V.

Immediately following the hearing on the "Special Events and Fire Watch Ordinance", the Board of Selectmen will hold a public hearing for the purpose of receiving public comment concerning the acceptance of Wellesley Circle and a portion of Steam Mill Road as Class V Town-maintained roads pursuant to the provisions of RSA 670:40-a.

Immediately following the hearing on the acceptance of Wellesley Circle and Steam Mill Road, the Board of Selectmen will hold a public hearing for the purpose of receiving public comment concerning the acceptance of a portion of Tanglewood Drive as a Class V Town-maintained road pursuant to the provisions of RSA 670:40-a.

Copies of the proposed ordinances are available for public review and inspection at the Auburn Town Hall, in addition to the Auburn Post Office and on the Town of Auburn web site (www.townofauburnnh.com).

BOARD OF SELECTMEN
AUBURN, NH
April 28, 2016

TOWN OF AUBURN

SPECIAL EVENTS AND FIRE WATCH ORDINANCE

Section 1: **PURPOSE**

The purpose of this Ordinance is to establish safe and reasonable standards for the protection of life and property in special event situations within the Town of Auburn that compromise the safety of the community.

Section 2: **AUTHORITY**

The authority for the Auburn Board of Selectmen to regulate Special Events and Fire Watch activity is contained in RSA 153:5, V, RSA 154:2, RSA 154:18, and RSA 155-A:3, V.

Section 3: **AUTHORITY HAVING JURISDICTION (AHJ)**

The NFPA 1 National Fire Code, 2009 edition, Chapter 3 – Definitions, Paragraph 3.2.2 defines Authority Having Jurisdiction (AHJ) as “an organization, office or individual responsible for enforcing the requirements of a code or standard, or for approving equipment, materials, an installation or a procedure.”

Section 4: **FIRE WATCH**

Where required by the Auburn Fire Chief or the Authority Having Jurisdiction (AHJ) for building demolition, and/or when there are situations that compromise the safety of the community, the Auburn Fire Chief or AHJ shall require on-site personnel designated solely for fire watch purposes.

Situations that compromise the safety of the community include but are not limited to:

1. The loss of a required fire alarm or fire sprinkler system;
2. Occupant load increase; and/or
3. The nature of the performance, exhibition, display, contest or activity.

The required on-site personnel shall be qualified fire personnel and shall be appointed by the Fire Chief and/or the AHJ. Any costs associated with providing said Fire Watch shall be the responsibility of the owner, agent or lessee of the property where the Fire Watch will take place.

TOWN OF AUBURN

SPECIAL EVENTS AND FIRE WATCH ORDINANCE

Section 5: **LEVEL OF COVERAGE**

The level of coverage shall be based on the State of New Hampshire Fire Watch Guidelines, however, circumstances may warrant modifications at the discretion of the Fire Chief or AHJ.

The minimum coverage shall be one qualified fire personnel for a minimum of three (3) hours.

Section 6: **PERMIT REQUIRED**

As indicated in Section 4 of this Ordinance, a Special Events Permit shall be required for situations that compromise the safety of the community including, but not limited, to:

1. The loss of a required fire alarm or fire sprinkler system;
2. Occupant load increase; and/or
3. The nature of the performance, exhibition, display, contest or activity.

An application for a Special Events Permit may be obtained at either the Auburn Fire Department (55 Eaton Hill Road), or at the Auburn Town Hall (47 Chester Road).

There shall be no fee charged for a Special Events Permit. However, if a Fire Watch is required by the Auburn Fire Chief or AHJ, the permit applicant shall be required to pay the Town of Auburn for the Fire Watch coverage required by the Auburn Fire Chief or the AHJ.

Section 7: **NON-COMPETE OR RELIQUISHMENT OF OTHER REQUIREMENTS**

Nothing in the Town of Auburn Special Events and Fire Watch Ordinance is intended to alter and/or replace the conditions or requirements of other regulatory agencies or authorities who may also have jurisdiction over a specific function or event. This would include, but not be limited to, a Special Event Liquor License issued by the NH Liquor Commission, or permits issued by the NH State Fire Marshall.

Section 8: **ENFORCEMENT**

The Auburn Fire Chief or the Authority Having Jurisdiction (AHJ), or his or her duly appointed agents, are hereby authorized to cite, summons and prosecute in the District or Superior Court or any other court having jurisdiction thereof, any person, firm or

TOWN OF AUBURN SPECIAL EVENTS AND FIRE WATCH ORDINANCE

corporation deemed to be in violation of the provisions of the Town of Auburn Special Events and Fire Watch Ordinance.

Section 9: **PENALTIES**

Any organization, office or individual(s) who willfully violates this Ordinance shall be guilty of a violation, punishable by a fine not exceeding Five Hundred (\$500.00) dollars per day for the first offense; Seven Hundred and Fifty (\$750.00) dollars per day for the second offense, and One Thousand (\$1,000.00) dollars per day for the third or greater offense. Violators may be assessed additional fines for each day the violation continues.

Section 10: **APPEAL PROCESS**

Any organization, office or individual(s) aggrieved by an administrative decision of the Auburn Fire Chief or AHJ to require a level of Fire Watch under this Ordinance may appeal such decision to the Board of Selectmen within 15 days of the decision. The appealing party must demonstrate to the Board of Selectmen why the Auburn Fire Chief's or AHJ's determination should not be followed, and how all safety concerns and requirements would be met without the Fire Watch, or with a lower level Fire Watch, in order to ensure the safety of all those who may be involved with the special event.

Section 11: **SEVERABILITY**

If any provision of this Ordinance is declared invalid or unconstitutional, it shall not be held to invalidate, or impair the validity, force or effect of any other provision of this Ordinance, and all provisions not declared invalid or unconstitutional will continue in effect.

Section 12: **SUPERCESSION**

Upon the vote of the Board of Selectmen, this Ordinance shall take effect thirty (30) days after passage which is _____, 2016, and shall supersede all previous rules, regulations, customs and/or past practices that may have been in use on the effective date.

Section 13: **AMENDMENT PROCEDURE**

This Ordinance may be amended and changed from time to time as conditions require and as deemed appropriate by the Board of Selectmen.

TOWN OF AUBURN
SPECIAL EVENTS AND FIRE WATCH ORDINANCE

Any proposed amendments shall be presented to the Board of Selectmen for action. However, any amendment(s) must be the subject of at least one public meeting of the Board of Selectmen that shall be noticed at least fourteen (14) days prior to the public meeting.

Adopted on the _____ day of _____, 2016

Edward G. Gannon
Chief, Auburn Fire Department

James F. Headd

Richard W. Eaton

Dale W. Phillips
AUBURN BOARD OF SELECTMEN

Received and recorded this _____ day of _____, 2016

Kathleen A. Sylvia, Town Clerk

TOWN OF AUBURN

PROHIBITION AND REGULATION OF FIREWORKS ORDINANCE

Section 1: **PURPOSE**

In accordance with the provisions of NH RSA 160-C:6, it shall be illegal for any person, firm, partnership or corporation to offer for sale, expose for sale, sell at retail, purchase, possess, use, explode or display any permissible fireworks within the Town of Auburn, except as specifically provided for in this ordinance.

Section 2: **AUTHORITY**

The authority for the Auburn Board of Selectmen to regulate the sale, purchasing, handling or exploding of fireworks is contained in RSA 160-C: 6.

Section 3: **DEFINITIONS**

In This Ordinance:

1. "Display" means the use, explosion, activation, ignition, discharge, firing or any other activity which is intended to cause or which causes a firework to do what it was manufactured to do.
2. "Permissible Fireworks" means those consumer firework devices defined as "permissible fireworks" in NH RSA 160-C:1 , as the same currently exists or as, from time to time, hereinafter amended.
3. "Fire Chief" means the Fire Chief of the Town of Auburn or his/her designee.
4. "Police Chief" means the Police Chief of the Town of Auburn or his/her designee.

Section 4: **PERMISSIBLE FIREWORKS**

Subject to, and in accordance with the provisions of RSA 160-C, it shall be lawful to possess and/or display permissible fireworks upon compliance with the following requirements:

1. A person who is 21 years of age or older may display permissible fireworks on private property with the written consent of the owner or in the owner's presence, subject to the provisions of this ordinance and NH RSA 160-C, and any other applicable ordinance or statute.
2. No display of permissible fireworks shall be permitted within the Town of Auburn except between the hours of 6 PM and 11PM on Fridays and Saturdays in the months of June and July and between the hours of 6PM and 10PM on Fridays and Saturdays between the months of August through May. Permissible fireworks shall be permitted on the following

TOWN OF AUBURN PROHIBITION AND REGULATION OF FIREWORKS ORDINANCE

holidays; Labor Day, The Fourth of July (including the evening of July 3rd, beginning at 6PM until 11PM), and New Year's Eve beginning at 6PM until 1AM on January 1st.

3. The display of permissible fireworks shall be of such a character, and so located and conducted, that it shall not be hazardous to property or endanger any person. In accordance with the provisions of NH RSA 160-C, no permissible fireworks shall be permitted on public property and must be 50 feet from nearby buildings and structures, nearby trees, electrical and telephone lines or other overhead obstructions, and any location of any nearby storage of flammable or combustible liquids or gases.
4. No permissible fireworks may be used, discharged, exploded, or displayed during periods of high or extreme fire danger as determined by the Fire Chief or the New Hampshire Division of Forests and Lands.
5. Permissible fireworks may be used, discharged, exploded, or displayed in a manner such that any and all discharge debris shall remain within the property lines of the lot on which the display originates.
6. Anyone using permissible fireworks shall be responsible for removing any debris accumulated due to the discharge of fireworks that fall onto the public way, public property and any private property within twenty-four hours of discharge. Anyone failing to remove such debris shall be financially responsible for its cleanup.
7. If a fire is caused from the discharge of any fireworks display, the responsible party/parties involved may be subject to reimbursing the Town of Auburn for all suppression costs.

Section 5: **PERMIT REQUIRED**

Any person, group or organization wishing to display, discharge, explode any fireworks other than "Consumer Fireworks", shall be required to apply for a permit to display fireworks and shall include a copy of a certificate of competency as provide in **NH RSA 158:9-f**. Any person wishing to display fireworks other than "Consumer Fireworks" shall meet the provisions of **NH RSA 160-B:7** and by the provisions of **NH Code of Administrative Rules, saf-C2600**.

Permits will be issued by the Fire Chief and or his/her designee after an inspection has been conducted and the application has been approved. **NH RSA 160-B:7**.

TOWN OF AUBURN

PROHIBITION AND REGULATION OF FIREWORKS ORDINANCE

Section 7: **ENFORCEMENT**

A. The Fire Chief or the Police Chief may suspend the use of the permissible fireworks for any of the following reasons:

1. Unfavorable weather conditions, including but limited to, lightning storms or high wind conditions.
2. If any person under the age of 21 possesses, uses, discharges or explodes, used, discharged or exploded any permissible firework device and is a chargeable offense in accordance with **NH RSA 160-C:11**.
3. If any person who is using, discharging, exploding, or displaying the permissible fireworks appears to be under the influence of alcohol or drugs.
4. If in the opinion of the Fire Chief or Police chief, the use, discharge, exploding, or display of permissible fireworks would create a threat to public safety.

B. The Fire Chief and/or Police Chief are authorized to seize, take, remove or cause to be removed, at the expense of the owner, all firework devices that are being discharged in violation of this ordinance.

Section 8: **PENALTIES**

Any organization, office or individual(s) who willfully violates this Ordinance shall be guilty of a violation, punishable by a fine not exceeding Five Hundred (\$500.00) dollars per day for the first offense; Seven Hundred and Fifty (\$750.00) dollars per day for the second offense, and One Thousand (\$1,000.00) dollars per day for the third or greater offense. Violators may be assessed additional fines for each day the violation continues.

Section 9: **NON-COMPETE OR RELIQUISHMENT OF OTHER REQUIREMENTS**

Nothing in the Town of Auburn Special Events and Fire Watch Ordinance shall be interpreted so as to conflict with the provisions of Chapters 160-B and 160-C of the New Hampshire Revised Statutes Annotated, as currently written, or as from time to time hereafter amended.

Section 10: **SEVERABILITY**

If any provision of this Ordinance is declared invalid or unconstitutional, it shall not be held to invalidate, or impair the validity, force or effect of any other provision of this Ordinance, and all provisions not declared invalid or unconstitutional will continue in effect.

TOWN OF AUBURN
PROHIBITION AND REGULATION OF FIREWORKS ORDINANCE

Section 11: **SUPERCESSION**

Upon the vote of the Board of Selectmen, this Ordinance shall take effect thirty (30) days after passage which is _____, 2016, and shall supersede all previous rules, regulations, customs and/or past practices that may have been in use on the effective date.

Section 12: **AMENDMENT PROCEDURE**

This Ordinance may be amended and changed from time to time as conditions require and as deemed appropriate by the Board of Selectmen.

Any proposed amendments shall be presented to the Board of Selectmen for action. However, any amendment(s) must be the subject of at least one public meeting of the Board of Selectmen that shall be noticed at least fourteen (14) days prior to the public meeting.

Adopted on the _____ day of _____, 2016

Edward G. Gannon
Chief, Auburn Fire Department

James F. Headd

Richard W. Eaton

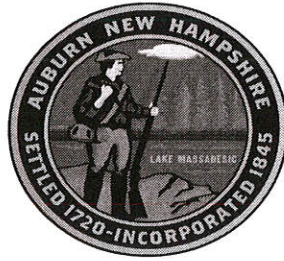
Dale W. Phillips
AUBURN BOARD OF SELECTMEN

Received and recorded this _____ day of _____, 2016

Kathleen A. Sylvia, Town Clerk

Town of Auburn

Town Hall
47 Chester Road
P.O. Box 309
Auburn, NH 03032



Town Administrator

William G. Herman, CPM
Phone: (603) 483-5052 Ext. 111
Fax: (603) 483-0518
E-Mail:
townadmin@townofauburnnh.com

To: Board of Selectmen

From: Bill Herman, CPM, Town Administrator

Date: April 27, 2016

Re: Emergency Management Director

Since the retirement of former Fire Chief Bruce Phillips, the Town has formally not had an Emergency Management Director. This is an appointment separate from the Fire Chief's appointment.

The Town's Emergency Management Plan indicates the Auburn Fire Chief also serves as the Emergency Management Director.

In order to close the loop and complete the formal process, we would recommend the Board formally appoint Edward G. Gannon to serve as the Emergency Management Director for the Town of Auburn. We would further recommend that the appointment be for the same term of office as the appointment as Fire Chief, which would be until March 2018.

If you are in agreement with this action, it would be appropriate for the Board to formally record the following vote:

Move to appoint Edward Gannon as Emergency Management Director for the Town of Auburn for a term to expire in March 2018.

Thank you for your consideration.

Attachment

APPOINTMENT OATH OF OFFICE

To Edward G. Gannon of Auburn in the County of Rockingham

WHEREAS, there is a vacancy for the position of Emergency Management Director in said town and whereas we, the subscribers, have confidence in your ability and integrity to perform the duties of said office, we do hereby appoint you the said, **Edward G. Gannon as Emergency Management Director** of the Town of Auburn and upon your taking the oath of office, and having this appointment and the certificate of said oath of office recorded by the Town Clerk, you shall have the powers, perform the duties, and be subject to the liabilities of such office. Term to expire in March 2018 or upon the selection of your successor.

Given under our hands this 2nd day of May 2016

Selectmen of the Town of Auburn

"I, Edward G. Gannon, do solemnly swear that I will faithfully and impartially discharge and perform all the duties incumbent on me as Emergency Management Director for the Town of the Auburn to the best of my abilities, agreeably to the rules and regulations of the Constitution and Laws of the State of New Hampshire; So help me God."

Signature

Address

Phone

E-Mail

Personally appeared the above named, Edward G. Gannon took and subscribed the foregoing oath.

State of New Hampshire, Rockingham County

.....

On the ____ day of _____ of 2016

Selectman, Moderator,
Town Clerk or Deputy Town Clerk

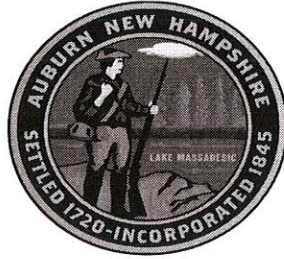
Received and Recorded

.....

Kathleen A. Sylvia, Town Clerk

Town of Auburn

Town Hall
47 Chester Road
P.O. Box 309
Auburn, NH 03032



Town Administrator

William G. Herman, CPM
Phone: (603) 483-5052 Ext. 111
Fax: (603) 483-0518
E-Mail:
townadmin@townofauburnnh.com

To: Board of Selectmen

From: Bill Herman, CPM, Town Administrator

Date: April 28, 2016

Re: Ex-Officio Alternate Member – Planning Board

During the past couple of weeks, it has been suggested to the Planning Board that the Board of Selectmen should appoint an alternate ex-officio representative should the regular ex-officio member not be able to attend a meeting.

State statute is very clear that only the Board of Selectmen can appoint its ex-officio member or alternate member.

NH RSA 673:2, II (b) (1) indicates “. The selectmen shall choose one selectman or administrative official of the town as an ex officio member”

And further, NH RSA 673:11 deals with the designation of alternate members:

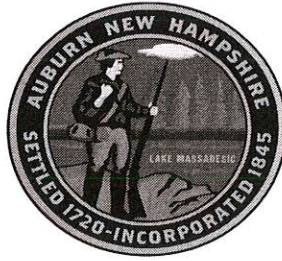
673:11 Designation of Alternate Members. – Whenever a regular member of a local land use board is absent or whenever a regular member disqualifies himself or herself, the chairperson shall designate an alternate, if one is present, to act in the absent member's place; except that only the alternate designated for the city or town council, board of selectmen, or village district commission member shall serve in place of that member.

This apparently was a concern at the Planning Board's April 20th meeting. In conferring with Town Counsel Jennifer St. Hillarie, she advises the Board should appoint a second Board member or an administrative official as allowed by RSA to serve as an alternate ex-officio member in the event the designated ex-officio member is unable to attend a scheduled meeting.

Thank you for your consideration.

Town of Auburn

Town Hall
47 Chester Road
P.O. Box 309
Auburn, NH 03032



Town Administrator

William G. Herman, CPM
Phone: (603) 483-5052 Ext. 111
Fax: (603) 483-0518
E-Mail:
townadmin@townofauburnnh.com

To: Board of Selectmen

From: Bill Herman, CPM, Town Administrator

Date: April 28, 2016

Re: Deaf Child Road Signs

On April 27th, Ryan Ray of Wilsons Crossing Road was at the Town Hall for his motor vehicle registration. During his conversation with the Town Clerk, he inquired about the potential of placing traffic warning signs near his home due to his daughter being deaf.

The Town Clerk took the information and passed it along to the Road Agent, who indicated the decision for the erection of special road signs is for the Board of Selectmen to make.

Attached is a copy of a sample sign that gives you an idea of what would be placed if approved. These signs have yellow backgrounds with black letters and drawing.

We are seeking the Board's determination. If approved, the Town will order the signs and the Road Agent would have them erected.

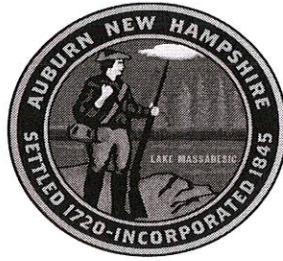
Thank you for your consideration.

Attachment



Town of Auburn

Town Hall
47 Chester Road
P.O. Box 309
Auburn, NH 03032



Town Administrator

William G. Herman, CPM
Phone: (603) 483-5052 Ext. 111
Fax: (603) 483-0518
E-Mail:
townadmin@townofauburnnh.com

To: Board of Selectmen


From: Bill Herman, CPM, Town Administrator

Date: April 29, 2016

Re: Litigation – Return of Surplus Funds by LGC/HealthTrust

In late 2013, the Towns of Durham, Northfield, Peterborough and Salem took the lead for a coalition of 14 municipalities, including the Town of Auburn, to address the issue of return of accumulated surplus funds to member municipalities by the Local Government Center / HealthTrust as ordered by State regulators.

The communities involved in this coalition had been denied any return by the LGC / HealthTrust because all of them had moved their health insurance coverage to other entities at the time the surplus funds were ordered returned. The coalition's position was the surplus funds were built up between 2003 and 2010, which included time when the 14 were premium-paying members of the LGC / HealthTrust, and so they were entitled to their fair share of the return of surplus funds.

Auburn's share of the surplus funds would be fairly small compared to the lead communities in the matter, but the Board of Selectmen agreed to have the Town participate and we paid an initial \$500 towards the legal process.

On April 28th, I received verbal reports from the attorneys representing the coalition communities that the case has been settled, and the coalition communities are going to receive some of the surplus funds.

For the Town of Auburn, the full potential amount of return was calculated to have been \$8,753.89. The settlement provides for half of the maximum amount, which would be \$4,376.95. The law firm handling this effort worked on a contingency basis. They will receive \$1,444.39 of Auburn's settlement amount, leaving a return of \$2,932.56 to be received by Auburn.

I am told we should receive settlement documents next week and a check for the return funds in a couple of weeks.

Thank you for your consideration.



TOWN OF AUBURN

April 27, 2016

Board of Selectmen
Town of Auburn
PO Box 309
Auburn, New Hampshire 03032

Re: Surety Reduction – Daniel's Equipment
Tax Map 1, Lot 16-18

Dear Gentlemen:

The Auburn Planning Board met on April 20, 2016 and discussed reducing the Surety held by the Town of Auburn for Daniel's Equipment, for remaining work to be completed by June 1, 2016 outlined in Stantec's recommendation letter dated February 8, 2016 as well as As-built plans for Tax Map 1, Lot 16-18.

The Planning Board voted to recommend the Selectmen reduce the current surety in the amount of \$21,747.00 be decreased by \$19,247.00, reducing the total surety to **\$2,500.00**.

I have attached a copy of the Planning Board Minutes for April 20, 2016 for your reference.

Please feel free to contact me with any questions.

Sincerely,

Denise Royce, Administrator
Auburn Planning Board

Enc.

Phase I and II Reclamation Surety

"We understand that the Town is currently holding reclamation surety in the amount of \$181,830.00. As noted above, and as shown in the attached Reclamation Surety Estimate for Phase II, we recommend that the current reclamation surety be reduced to \$14,410.00."

Phase I and II Remaining Work Items Surety

"As shown in the attached Roadway Improvements Remaining Work Items Surety Estimate for Phase I and II, we recommend that the Developer provide surety in the amount of \$406,646.90 for the remaining roadway, sewer, and septic work that is to be completed in those two phases, not including the portion of Harvard Avenue, within the limits of Phase II."

Mr. Poltak asked Mr. Tatem if this was something new. Mr. Tatem said no, that it was part of Phase II and is an extension and in the letter he recommends that two (2) building permits are not issued because that couple hundred feet of road would allow two (2) more building units to be built and without that it cannot. Mr. Tatem also indicated that Mrs. Rouleau-Cote is aware of that as well.

Phase III Reclamation Surety

"It is our understanding that the applicant intends to utilize a portion of the Phase III roadway area to stockpile and process ledge, and fill materials. This area is located on Treeline Drive, starting at Station 17+85, extending to Station 13+50. Considering the intended use of this area, we recommend that a separate and additional reclamation surety in the amount of \$25,575, as shown in the attached Reclamation Surety Estimate for Phase III, be provided to the Town prior to the issuance of building permits for Phases I & II."

Mr. Poltak asked if this needed to be three (3) separate motions or could it all be done in one motion. Mr. Tatem believed it could be done in one motion.

Mrs. Marzloff made a motion to approve the surety requests pursuant to Stantec's letter dated February 3, 2016, Village at Mt. Miner Subdivision, Tax Map 9, Lot 28-1, Mr. Grillo seconded the motion. A vote was taken; all were in favor, the motion passed.

Daniels Equipment

**45 Priscilla Lane, Tax Map 1, Lot 16-18
Request Surety Reduction**

Mr. Poltak moved on to the request for surety reduction regarding Daniels Equipment and read a portion of the letter aloud to everyone present which stated "The Town is

currently holding cash surety in the amount of \$21,747.00. After the above noted comments are addressed and the as-built plan is approved, we recommend that the existing surety be reduced to \$2,500 for relocation of the buffer plantings and for the areas that have not been fully stabilized with vegetation.

Mrs. Marzloff believed that part of their approval that they were supposed to remove existing structures, sheds and temporary storage and they are still there. Mr. Tatem stated that there was one shed that was supposed to be relocated onto his property which has been moved and did not recall any other structures that were supposed to be removed as it was not shown on his plan but would check on that. A brief discussion ensued with what was approved on the plan. Mr. Tatem was unaware of the removal of sheds. Mr. Poltak recalled that there was one shed that was too close to the abutter's property and needed to be relocated but other than that did not believe there were any more structures to be moved. Mr. Tatem suggested that the Board condition it upon review from Stantec and that he would then e-mail the town and say that it was okay.

Mrs. Marzloff made a motion to approve the surety reduction from \$21,747.00 down to \$2,500.00 as recommended by Stantec in a letter dated February 8, 2016, with the condition that the plan be in full compliance with the structures on the plan for Daniels Equipment, Tax Map 1, Lot 16-18, Mr. Grillo seconded the motion. A vote was taken; all were in favor, the motion passed.

PUBLIC HEARING

**PD Associates, LLC
Deborah R. Richards Living Trust
Raymond Road, Tax Map 11, Lot 11-1
Major Subdivision – 3 new lots with road
Continued from March 16, 2016**

Mr. Pease presented on behalf of the applicant Deborah R. Richards with a proposal to subdivide three (3) new lots and the existing mother lot that holds the applicants home and horse farm. Mr. Pease passed out copies of the proposed subdivision plan for the Board members to review. Mr. Pease pointed out the location of the property and stated that the cul de sac length would be 250 feet to the end. Mr. Pease stated that they received the comment letter from Stantec and that they have addressed most of the comments and received the comment letter today. Mr. Pease talked about the photo that showed standing water of which they will have to have their wetland scientist take a look at. Also, there was some drainage damage along Raymond Road and asked Mr. Tatem to indicate where it was located. Mr. Tatem commented that there was one wetland on the property which was right up against the road and overflows onto the road. Mr. Tatem informed the Board members that he had spoken to Mr. Dross, Road Agent and that Mr. Dross stated that he has had problems with that for years and asked as a very minor offsite improvement that the ditch line be created to keep the water out of the gravel road. Discussion ensued with regard to the water issue



February 8, 2016
File: 195113002

Mr. Ron Poltak, Chairman
Office of the Planning Board
P.O. Box 309, 47 Chester Road
Auburn, NH 03032-0309

Dear Mr. Poltak:

**Reference: Auburn, NH
Daniels Equipment Expansion – Map 1 Lot 16-18
Recommended Surety Reduction and As-Built Plan Review #1**

At the request of the Town's Building Department, we visited the subject site on November 30, 2015 to view the remaining work items to provide a surety reduction recommendation for the project. In addition, we completed our first review of the as-built plan prepared by Jones & Beech Engineers, Inc. dated January 21, 2016. We have the following comments:

Remaining work items:

1. Four of the seven northern buffer plantings (spruce trees) were planted over the property line and must be relocated to the subject parcel, or four additional trees planted on the subject parcel. We recommend that this work item be completed in the spring.
2. Approximately 25% of the areas that were to be stabilized with vegetation do not have adequate growth at the time of our site visit.

As-Built Plan Review Comments

3. The as-built plan must be stamped and signed by a NH Registered Professional Engineer.
4. There are multiple notes on the plan pertaining to the design plans. These notes should be removed as they are not applicable to an as-built plan.
5. The date of the as-built field survey must be added to the plan.
6. The approved and as-built invert elevations of the detention basin outlet structure must be added to the plan.
7. The rip rap outlet protection apron must be labeled.
8. The outdoor site lighting fixtures that were installed/relocated on the buildings must be added to the plan.
9. The as-built plan shows 11 parking spaces along the northern side of the entrance driveway, while only 10 were approved. The 11th space is with the setbacks and appears to meet the requirements of the site plan regulations. The additional parking space was



February 8, 2016
Mr. Ron Poltak
Page 2 of 2

**Reference: Auburn, NH
 Daniel's Equipment Expansion – Map 1 Lot 16-18
 Recommended Surety Release and As-Built Plan Review #1**

discussed with the Planning Board Chairman and the Building Inspector and it was agreed that the extra space is acceptable to remain.

10. It should be noted that the dumpster pad was rotated to provide better access for the trash removal company. This was discussed with the Town and is acceptable.

The Town is currently holding cash surety in the amount of **\$21,747.00.** After the above noted comments are addressed and the as-built plan is approved, we recommend that the existing surety be reduced to **\$2,500** for the relocation of the buffer plantings and for the areas that have not been fully stabilized with vegetation. We recommend that the remaining work be completed by June 1, 2016 or the surety will be used to complete the remaining work items.

Please call if you have any questions.

Sincerely,

STANTEC CONSULTING SERVICES INC.

J. Daniel Tatem
Project Manager
Tel: 603-206-7539
Fax: 603-669-7636
dan.tatem@stantec.com

c. Ralph Daniels, Owner
 Rene LaBranche, Stantec



TOWN OF AUBURN

April 27, 2016

Board of Selectmen
Town of Auburn
PO Box 309
Auburn, New Hampshire 03032

Re: Surety Reduction – Tenn & Tenn
Village at Mt. Miner, Tax Map 9, Lot 28-1

Dear Gentlemen:

The Auburn Planning Board met on April 20, 2016 and discussed reducing the Surety held by the Town of Auburn for Village at Mt. Miner, pursuant to Stantec's recommendation letter dated February 3, 2016 for Tax Map 9, Lot 28-1.

The Planning Board voted to recommend the Selectmen reduce the current surety as follows:

Phase I and II Reclamation Surety

"We understand that the Town is currently holding reclamation surety in the amount of \$181,830.00. As noted above, and as shown in the attached Reclamation Surety Estimate for Phase II, we recommend that the current reclamation surety be reduced to **\$14,410.00.**"

Phase I and II Remaining Work Items Surety

"As shown in the attached Roadway Improvements Remaining Work Items Surety Estimate for Phase I and II, we recommend that the Developer provide surety in the amount of **\$406,646.90** for the remaining roadway, sewer, and septic work that is to be completed in those two phases, not including the portion of Harvard Avenue, within the limits of Phase II."

Mr. Poltak asked Mr. Tatem if this was something new. Mr. Tatem said no, that it was part of Phase II and is an extension and in the letter he recommends that two (2) building permits are not issued because that couple hundred feet of road would allow two (2) more building units to be built and without that it cannot. Mr. Tatem also indicated that Mrs. Rouleau-Cote is aware of that as well.

Board of Selectmen
Tenn & Tenn/Village at Mt. Miner
April 27, 2016
Page 2

Phase III Reclamation Surety

"It is our understanding that the applicant intends to utilize a portion of the Phase III roadway area to stockpile and process ledge, and fill materials. This area is located on Treeline Drive, starting at Station 17+85, extending to Station 13+50. Considering the intended use of this area, we recommend that a separate and additional reclamation surety in the amount of **\$25,575**, as shown in the attached Reclamation Surety Estimate for Phase III, be provided to the Town prior to the issuance of building permits for Phases I & II."

I have attached a copy of the Planning Board Minutes for April 20, 2016 for your reference.

Please feel free to contact me with any questions.

Sincerely,

A handwritten signature in cursive script that reads "Denise Royce". The signature is written in dark ink and is positioned above the printed name and title.

Denise Royce, Administrator
Auburn Planning Board

Enc.

**UNAPPROVED MINUTES
Town of Auburn
Planning Board
PUBLIC HEARING
April 20, 2016**

Present: Ron Poltak, Chairman; Paula Marzloff, Michael Rolfe & Steve Grillo, Members. Alan Côté & Jeff Porter, Alternates. Minutes recorded by Denise Royce.

Absent: Dale Phillips, Selectmen's Representative.

Mr. Poltak called the meeting to order at 7:04 p.m. and introduced the Board members and Alternate members to everyone present tonight. Mr. Poltak informed everyone that he had a full agenda and thanked Mrs. Marzloff for doing a tremendous job chairing the last meeting held on April 6th.

MINUTES

Mr. Rolfe moved to approve the minutes of April 6, 2016 as written, Mrs. Marzloff seconded the motion. A vote was taken; all were in favor, the motion passed.

ANNOUNCEMENTS/CORRESPONDENCE

➤ None were reviewed at this time.

GENERAL BUSINESS

**Tenn & Tenn/Village at Mt. Miner
Harvard Ave, Tax Map 9, Lot 28-1
Request Surety Reduction**

Mr. Poltak stated that he was in receipt of a request for a surety reduction and has received approval from Stantec and asked Mr. Tatem to speak on behalf of this request. Mr. Tatem began by saying that the first phase of the project that they are looking to pull permits so they are looking at removing the reclamation surety and replace it with the remaining work surety. They are also starting a little portion of Phase II and that would be just reclamation surety. Then on the second portion of Phase I, there is about 300 feet on one of the roads that he was unable to get far enough to with the winter last year of which he has decided not to do that portion so that would also be part of the reclamation surety which is all spelled out in the letter. At this time, Mr. Poltak read a portion of the recommendation letter from Stantec as follows:

Phase I and II Reclamation Surety

"We understand that the Town is currently holding reclamation surety in the amount of \$181,830.00. As noted above, and as shown in the attached Reclamation Surety Estimate for Phase II, we recommend that the current reclamation surety be reduced to \$14,410.00."

Phase I and II Remaining Work Items Surety

"As shown in the attached Roadway Improvements Remaining Work Items Surety Estimate for Phase I and II, we recommend that the Developer provide surety in the amount of \$406,646.90 for the remaining roadway, sewer, and septic work that is to be completed in those two phases, not including the portion of Harvard Avenue, within the limits of Phase II."

Mr. Poltak asked Mr. Tatem if this was something new. Mr. Tatem said no, that it was part of Phase II and is an extension and in the letter he recommends that two (2) building permits are not issued because that couple hundred feet of road would allow two (2) more building units to be built and without that it cannot. Mr. Tatem also indicated that Mrs. Rouleau-Cote is aware of that as well.

Phase III Reclamation Surety

"It is our understanding that the applicant intends to utilize a portion of the Phase III roadway area to stockpile and process ledge, and fill materials. This area is located on Treeline Drive, starting at Station 17+85, extending to Station 13+50. Considering the intended use of this area, we recommend that a separate and additional reclamation surety in the amount of \$25,575, as shown in the attached Reclamation Surety Estimate for Phase III, be provided to the Town prior to the issuance of building permits for Phases I & II."

Mr. Poltak asked if this needed to be three (3) separate motions or could it all be done in one motion. Mr. Tatem believed it could be done in one motion.

Mrs. Marzloff made a motion to approve the surety requests pursuant to Stantec's letter dated February 3, 2016, Village at Mt. Miner Subdivision, Tax Map 9, Lot 28-1, Mr. Grillo seconded the motion. A vote was taken; all were in favor, the motion passed.

Daniels Equipment 45 Priscilla Lane, Tax Map 1, Lot 16-18 Request Surety Reduction

Mr. Poltak moved on to the request for surety reduction regarding Daniels Equipment and read a portion of the letter aloud to everyone present which stated "The Town is



February 3, 2016

File: 195113092

Mr. Ron Poltak, Chairman
Office of the Planning Board
P.O. Box 309, 47 Chester Road
Auburn, NH 03032-0309

Dear Mr. Poltak:

Reference: Auburn, NH

Mt. Miner Subdivision

Surety Recommendations

**Phase I – Harvard Avenue, Station 0+00 to 9+20
Tree Line Drive, Station 22+50 to 17+85
Sunrise Circle, 0+00 to Station 5+60 (Complete)**

Phase II – Harvard Avenue, Station 9+20 to 11+75

Phase III – Tree Line Drive, Station 17+85 to 9+25

At the request of the Town, we visited the subject site to view the remaining work items. We have generated the attached, surety recommendations for the subject project. It should be noted that the Developer has not constructed all of Phase I to the binder course of pavement. According to the Developer, Phase II (Harvard Avenue, from Station 9+20 to 11+75) is not scheduled to be constructed to binder course pavement in 2016. Considering this, we recommend that the current reclamation surety that was provided for Phase I & II, be reduced, leaving reclamation surety in place for the 255 lf of Harvard Avenue (Phase II).

Phase I and II Reclamation Surety

We understand that the Town is currently holding reclamation surety in the amount of **\$181,830.00**. As noted above, and as shown in the attached Reclamation Surety Estimate for Phase II, we recommend that the current reclamation surety be reduced to **\$14,410.00**. Considering the above-note portion of Harvard Drive is not to be constructed this year, we do not recommend that building permits for Condo Units 1B & 2B, as well as the individual Lot #28 be issued until the roadway is completed to binder course pavement and the appropriate remaining work surety is provided and approved.

Phase I and II Remaining Work Items Surety

As shown in the attached Roadway Improvements Remaining Work Items Surety Estimate for Phase I and II, we recommend that the Developer provide surety in the amount of **\$406,646.90** for the remaining roadway, sewer, and septic work that is to be completed in those two phases, not including the portion of Harvard Drive, within the limits of Phase II.

Phase III Reclamation Surety

It is our understanding that the applicant intends to utilize a portion of the Phase III roadway area to stockpile and process ledge, and fill materials. This area is located on Treeline Drive, starting at Station 17+85, extending to Station 13+50. Considering the intended use of this area, we



February 3, 2016
Mr. Ron Poltak
Page 2 of 2

Reference: **Auburn, NH**
 Mt. Miner Subdivision
 Phase I, II, & III Surety Recommendations

recommend that a separate and additional reclamation surety in the amount of **\$25,575**, as shown in the attached Reclamation Surety Estimate for Phase III, be provided to the Town prior to the issuance of building permits for Phases I & II.

Please call if you have any questions.

Sincerely,

STANTEC CONSULTING SERVICES INC.

J. Daniel Tatem

Project Manager

Stantec

5 Dartmouth Drive, Suite 101

Auburn, NH 03032-3984

Phone: (603) 206-7539

Cell: (603) 218-9739

Fax: (603) 669-7636

dan.tatem@stantec.com

- c. Carrie Cote, Denise Royce, Town of Auburn
Jim Tenn, Owner
Rene LaBranche, Seth Potter, Stantec

**TOWN OF AUBURN, NEW HAMPSHIRE
RECLAMATION SURETY ESTIMATE**

Map 9 Lot 28-1 Name of Project: **The Village at Mt. Miner - Phase II**
Harvard Avenue - Station 9+20 to 11+75

Date: February 3, 2015

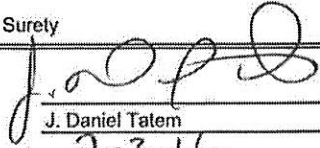
ITEM	QUANTITY	MEASURE	UNIT PRICE	PRICE
1 <u>Reclamation and Erosion Control</u>				
a Silt Fence	450	L.F.	\$4.00	\$1,800.00
b Grading & Stabilization (Loam & Seed)	2,260	S.Y.	\$5.00	\$11,300.00
			SUBTOTAL	\$13,100.00
2 10% Contingency				\$1,310.00
3 Required Surety				
			TOTAL:	\$14,410.00

Signature:

Title:

Date:

Tele. #:


J. Daniel Tatem

2-3-16

(603) 669-8672

TOWN OF AUBURN, NEW HAMPSHIRE
ROADWAY IMPROVEMENTS REMAINING WORK ITEMS SURETY ESTIMATE WORKSHEET

Tax Map 9 / Lot 28-1

Name of Project: The Village at Mt. Miner - Phase I & II

Harvard Avenue - Sta. 0+00 to 9+20

Treeline Drive - Sta. 22+50 to 17+85

Sunrise Circle - Sta. 0+00 to 5+72 (Complete)

Total Road Length - 1,957 lf

Date: February 3, 2016

ITEM	QUANTITY	MEASURE	UNIT PRICE	TOTAL PRICE
1 Site Work				
a Grading	500	S.Y.	\$0.50	\$250.00
b Remove Erosion Control (Silt Fence)	1,920	L.F.	\$2.50	\$4,800.00
2 Paving				
a Excavation (Cuts & Fills)	2,250	C.Y.	\$5.00	\$11,250.00
b Ledge (10% of Cuts/Fills)	225	C.Y.	\$50.00	\$11,250.00
c 12" Bank Run Gravel	170	C.Y.	\$18.00	\$3,060.00
d 9" Crushed Gravel	130	C.Y.	\$24.00	\$3,120.00
e 2.5" Wearing Course Pavement	73	TON	\$85.00	\$6,205.00
f 1" Finish Course Pavement	292	TON	\$85.00	\$24,820.00
g Cape Cod Berm	1,315	LF	\$6.00	\$7,890.00
h Prep & Tack Coat	5,132	S.Y.	\$0.50	\$2,566.00
3 Drainage Work				
a 12" HDPE Drainage Pipe	160	L.F.	\$35.00	\$5,600.00
b Catch Basin / Drain Manhole	2	EA.	\$2,500.00	\$5,000.00
c 5' Dia. Double CB	1	EA.	\$3,500.00	\$3,500.00
d Clean CB sumps	10	EA.	\$150.00	\$1,500.00
e Drain Manhole Inverts	10	EA.	\$500.00	\$5,000.00
f 24" Headwalls w/ Wingwalls	1	EA.	\$3,000.00	\$3,000.00
g Diversion Berm / Swale on Lots 25-29	1	L.S.	\$10,000.00	\$10,000.00
h Complete Large Detention Basin	1	EA.	\$6,500.00	\$6,500.00
i Complete Small Detention Basin	1	EA.	\$4,200.00	\$4,200.00
j 12' Wide Gravel Access Rd to Large Det. Basin	560	LF	\$10.00	\$5,600.00
4 On-site Improvements				
a Signs	7	EA.	\$150.00	\$1,050.00
b Est. Vegetation (Loam Already Placed)	7,259	SY	\$1.00	\$7,259.00
c Est. Vegetation (No Loamed Placed)	3,500	S.Y.	\$4.00	\$14,000.00
d Electrical Utilities	1,750	L.F.	\$20.00	\$35,000.00
e 8" Sewer Main	900	L.F.	\$55.00	\$49,500.00
f Removal of Trench Ledge	200	C.Y.	\$100.00	\$20,000.00
g Sewer Manholes	4	EA.	\$3,500.00	\$14,000.00
h Construct Leachfield #1	2,080	SF	\$15.00	\$31,200.00
i Leach Area #1-Est. Veg. (Loam Placed & Graded)	4,583	SY	\$1.00	\$4,583.00
j Construct Leachfield #3	2,660	SF	\$15.00	\$39,900.00
k Leach Area #3-Est. Vegetation (No Loam Placed)	2,844	S.Y.	\$4.00	\$11,376.00
5 Miscellaneous				
a Granite Bounds	36	EA.	\$200.00	\$7,200.00
b As-built plans	4	Sheets	\$1,000.00	\$4,000.00
c Deeds or Agreements	1	L.S.	\$2,500.00	\$2,500.00
d Temporary Turn-Around on Harvard Avenue	1	L.S.	\$3,000.00	\$3,000.00
SUBTOTAL:				\$369,679.00
6 Contingencies (10% of Subtotal)				\$36,967.90
TOTAL:				\$406,646.90

Estimated by:
Signature:

J. Daniel Tatem

Title:

Project Manager

Date:

2-3-16

Tele. #:

603-669-8672

**TOWN OF AUBURN, NEW HAMPSHIRE
RECLAMATION SURETY ESTIMATE**

Map 9 Lot 28-1 Name of Project: **The Village at Mt. Miner - Phase III**
Treeline Drive - Station 17+85 13+50

Date: February 3, 2015

ITEM	QUANTITY	MEASURE	UNIT PRICE	PRICE
1 Reclamation and Erosion Control				
a Silt Fence	500	L.F.	\$4.00	\$2,000.00
c Grading & Stabilization (Loam & Seed)	4,250	S.Y.	\$5.00	\$21,250.00
SUBTOTAL				\$23,250.00
2 10% Contingency				\$2,325.00
3 Required Surety				
TOTAL:				\$25,575.00

Signature: 

Title: J. Daniel Tatem

Date: 2-3-16

Tele. #: (603) 669-8672



TOWN OF AUBURN

April 27, 2016

Board of Selectmen
Town of Auburn
PO Box 309
Auburn, New Hampshire 03032

Re: Road Acceptance & Surety Recommendation – Tanglewood Subdivision

Dear Board of Selectmen:

The Auburn Planning Board met on December 16, 2015 and discussed the road acceptance and surety recommendation approved by Stantec in a letter dated December 16, 2015 regarding Tanglewood Subdivision, for completion of Tanglewood Drive, Tax Map 4, Lot 19. Unfortunately, the request was past the date of accepting roads and therefore was held until the Board of Selectmen could formally take up accepting the road effective May 1, 2016.

The Planning Board voted to recommend the Selectmen accept the road as complete and to hold surety, equal to 2% of the original surety estimate, in the amount of \$13,164.48 to be held by the Town of Auburn for the required 2-year period for maintenance surety. The Board further recommended that the Selectmen reduce the current surety in the amount of \$15,408.25 be decreased by \$2,243.77, reducing the total surety to **\$13,164.48**.

I have attached a copy of the Planning Board Minutes for December 16, 2015 along with a copy of Stantec's recommendation letter dated December 16, 2015 for your reference.

Please feel free to contact me with any questions.

Sincerely,

Denise Royce, Administrator
Auburn Planning Board

Enc.



December 16, 2015
File: 195111260

Mr. Ron Poltak, Chairman
Office of the Planning Board
P.O. Box 309, 47 Chester Rd.
Auburn, NH 03032-0309

Dear Mr. Poltak:

**Reference: Auburn, NH
Matam Subdivision – Tanglewood Drive, Station 0+00 to 17+75
Road Acceptance & Surety Recommendation**

We visited the site on December 15, 2015 with the Developer, Road Agent and Building Inspector to view the completion of the subject roadway. The remaining work has been completed, with the following administrative items remaining:

1. The roadway ROW deed and associated easements must be provided to the Town for legal review and approval.
2. An acceptable form of surety, equal to 2% of the original surety estimate, in the amount of \$13,164.48 must be provided to the Town for the required 2-year maintenance surety.

It should be noted that four of the nine houses have not been constructed at this time. Typically, most or all of the house construction is complete prior to roadway acceptance. In consideration of this, during the on-site meeting it was agreed, by all attendees, including Mr. Tamzarian, that Stantec recommend that the Planning Board recommend roadway acceptance to the Board of Selectmen, with the condition that items #1 and #2 are completed and reserving the right to extend the 2-year maintenance surety for up to an additional two years, or until the house construction is complete.

Please call if you have any questions.

Sincerely,

STANTEC CONSULTING SERVICES INC.

A handwritten signature in black ink, appearing to read "J. Daniel Tatem", written over a horizontal line.

J. Daniel Tatem
Project Manager
dan.tatem@stantec.com
Tel: (603) 669-8672
Fax: (603) 669-7636

c: Ara Tamzarian, Owner
Mike Dross, Road Agent
Rene LaBranche, Stantec

Mr. Côté moved to grant one more permit for 30 Saddle Hill Drive for JMJ Properties, LLC, Tax Map 8, Lot 2, Lovers Lane Subdivision; Mr. Grillo seconded the motion. A vote was taken; all were in favor and the motion passed.

Matam/Ara Tamzarian

Tanglewood Drive, Tax Map 4, Lot 19

Discuss Road Acceptance & 2 Year Maintenance Bond

Mr. Tatem spoke on behalf of Mr. Tamzarian and stated that they walked that road yesterday and that the road was completed last year. Mr. Tatem informed the Board that he struggled to get one item completed and that item was completed this year. There is one hang up with this and that is he still has 4 houses to build out of 9 and typically the Board does not accept the road until there is one or two (2) lots remaining. Mr. Tatem stated that while they were walking the road that he did bring that up and that Mr. Tamzarian agreed with the idea he had that in order to accept the road that the 2% maintenance surety which is already in the letter is established. Mr. Tatem recommends that the Planning Board reserves the right to extend the 2% maintenance surety for another 2 years to protect the roadway if he is slow in building these houses. Mr. Tatem did not think this should be something to stop the Board from accepting the road. Mr. Tatem reiterated that he would recommend to the BOS that they accept the road with the condition that the Planning Board reserves the right to extend that surety for another 2 years or if all the houses are built to release it. Mr. Tatem stated that the surety amount is approximately \$13,000.

Mr. Côté moved to recommend to the BOS to accept Tanglewood Drive with the conditions depicted in Stantec's letter dated December 16, 2015 and with the recommendation that the Planning Board reserves the right to request the Bond be held for an additional 2 years if the subdivision is not completely built out, Tax Map 4, Lot 19, Tanglewood Subdivision; Mrs. Phillips seconded the motion. A vote was taken; The motion passed by a vote of 3 in favor and 2 opposed.

PUBLIC HEARING

Crown Energy Solutions, LLC

Shawn Thrasher

692 Londonderry Turnpike, Tax Map 1, Lot 11

Zoned Industrial

Minor Site Plan Review (To amend the conditional site plan approval on October 21, 2015, condition #1 – to permit storage of new or reusable empty tanks)

Mr. Thrasher passed out photos of what the proposed tanks looked like to the Board members. Mr. Mitchell presented on behalf of the applicant and began by saying that they were before the Board about a month in a half ago and are now back before the Board at a Public Hearing to amend one of the conditions of approval of the original



December 16, 2015
File: 195111260

DEC 21 2015

Mr. Ron Poltak, Chairman
Office of the Planning Board
P.O. Box 309, 47 Chester Rd.
Auburn, NH 03032-0309

Dear Mr. Poltak:

**Reference: Auburn, NH
Matam Subdivision – Tanglewood Drive, Station 0+00 to 17+75
Road Acceptance & Surety Recommendation**

We visited the site on December 15, 2015 with the Developer, Road Agent and Building Inspector to view the completion of the subject roadway. The remaining work has been completed, with the following administrative items remaining:

1. The roadway ROW deed and associated easements must be provided to the Town for legal review and approval.
2. An acceptable form of surety, equal to 2% of the original surety estimate, in the amount of \$13,164.48 must be provided to the Town for the required 2-year maintenance surety.

It should be noted that four of the nine houses have not been constructed at this time. Typically, most or all of the house construction is complete prior to roadway acceptance. In consideration of this, during the on-site meeting it was agreed, by all attendees, including Mr. Tamzarian, that Stantec recommend that the Planning Board recommend roadway acceptance to the Board of Selectmen, with the condition that items #1 and #2 are completed and reserving the right to extend the 2-year maintenance surety for up to an additional two years, or until the house construction is complete.

Please call if you have any questions.

Sincerely,

STANTEC CONSULTING SERVICES INC.

A handwritten signature in blue ink, appearing to read 'J. Daniel Tatem', with a stylized flourish at the end.

J. Daniel Tatem
Project Manager
dan.tatem@stantec.com
Tel: (603) 669-8672
Fax: (603) 669-7636

c: Ara Tamzarian, Owner
Mike Dross, Road Agent
Rene LaBranche, Stantec



December 16, 2015
File: 195111260

DEC 21 2015

Mr. Ron Poltak
Office of the Planning Board
P.O. Box 309, 47 Chester Rd.
Auburn, NH 03032-0309

Dear Mr. Poltak:

**Re: Auburn, NH
Matam – Tanglewood Estates
As-Built Plan Review #3**

We received revised "As-Built" plans, Sheets 1 through 3, for the subject project, prepared by Duval Survey, Inc., dated September 24, 2014 and most recently revised on October 16, 2015. The revised plans addressed the comments from our October 16, 2015 review letter.

Please call if you have any questions.

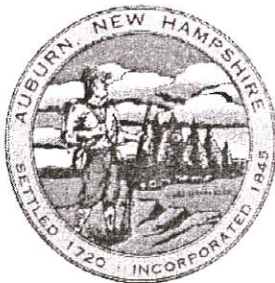
Sincerely,

STANTEC CONSULTING SERVICES INC.

A handwritten signature in blue ink, appearing to read "J. Daniel Tatem", with a stylized flourish at the end.

J. Daniel Tatem
Project Manager
Tel: (603) 669-8672
Fax: (603) 669-7636
dan.tatem@stantec.com

c: Ara Tamzarian, Matam Investments
Carrie Cote, Building Department
Rene LaBranche, Stantec



TOWN OF AUBURN

January 4, 2016

Mr. Ara Tamzarian
Matam Investment Associates
46 West Webster Street
Manchester, NH 03104

Dear Mr. Tamzarian:

At our meeting on December 21, 2015, we received a recommendation from the Auburn Planning Board from their December 16th meeting that the Board of Selectmen accept, on behalf of the Town, Tanglewood Drive as a Town road.


Unfortunately, the request for acceptance came to our Board late in the year and still required a public hearing be held by the Board of Selectmen before an acceptance could take place. This timing is not in conformance with standing Town policy and, therefore, our Board did not accept Tanglewood Drive as a Town road.

Enclosed for your information is a copy of the Town of Auburn "*Policy for Acceptance of Roads*", which specifies "the Town of Auburn shall not accept a road as a Town road after November 1st or before May 1st of any given year." This policy has been in effect since April 1, 2013 and is the basis for the Board's decision. As a result, the Board would be in a position to schedule a public hearing on the acceptance of the road and take action after May 1, 2016.

We are aware you began the process seeking acceptance in June 2015, and we know this is not the result you were seeking. But it is consistent with the standards the Town has set for this process due to less than positive experiences the Town has previously experienced.

Thank you in advance for your consideration.

Sincerely,
BOARD OF SELECTMEN


James F. Headd, Chairman


Richard W. Eaton, Selectman


Dale W. Phillips, Selectman

Enclosure

Cc: Auburn Planning Board
Dan Tatem, Stantec Consulting



TOWN OF AUBURN

April 27, 2016

Board of Selectmen
Town of Auburn
PO Box 309
Auburn, New Hampshire 03032

Re: Road Acceptance & Surety Recommendation – Wethersfield Subdivision

Dear Board of Selectmen:

The Auburn Planning Board met on December 16, 2015 and discussed the road acceptance and surety recommendation approved by Stantec in a letter dated December 16, 2015 regarding Wethersfield Subdivision, Steam Mill Road and Wellesley Circle, for completion of Steam Mill Road and Wellesley Circle and a portion of Pingree Hill Road, Tax Map 2, Lot 3. Unfortunately, the request was past the date of accepting roads and therefore was held until the Board of Selectmen could formally take up accepting the road effective May 1, 2016.

The Planning Board voted to recommend the Selectmen accept the road as complete and to hold surety, equal to 2% of the original surety estimate, in the amount of \$33,418.95 to be held by the Town of Auburn for the required 2-year period for maintenance surety. The Board further recommended that the Selectmen reduce the current surety as follows:

Remaining Work Surety Recommendation

Considering that the Planning Board was in favor of accepting the roads although the above-noted remaining work items had not been completed, we recommend that, upon acceptance of the subject roads (after May 1, 2016), the existing surety be reduced to \$3,450.00 for the remaining work items noted in Stantec's letter dated January 15, 2016.

Stock Yard Reclamation Surety Recommendation

At the Planning Board meeting on December 16, 2015 the Board voted to require the Developer to provide surety for the reclamation of the stock yard off Steam Mill Road, which is currently being utilized by the Developer. We recommend that the Developer provide an acceptable form of surety in the amount of \$38,956.25 (see attached estimate).

Wethersfield Subdivision
Tax Map 2, Lot 3
April 27, 2016
Page 2

I have attached a copy of the Planning Board Minutes for December 16, 2015 along with a copy of Stantec's recommendation letter dated January 16, 2016 for your reference.

Please feel free to contact me with any questions.

Sincerely,

A handwritten signature in cursive script that reads "Denise Royce". The signature is written in dark ink and is positioned above the printed name and title.

Denise Royce, Administrator
Auburn Planning Board

Enc.



April 28, 2016
File: 195110837

Attention: Mr. Ron Poltak, Chairman
Office of the Planning Board
P.O. Box 309, 47 Chester Road
Auburn, NH 03032-0309

Dear Mr. Poltak,

**Reference: Auburn, NH
Wethersfield - Phase III
Borrow Pit/Stock Yard Revised Reclamation Surety Recommendation**

We visited the subject site on April 22, 2016 to view the ongoing reclamation of the borrow pit / stock yard located along Steam Mill Road. During this site visit we estimated that slightly more than half of the area had been graded, and 4" of loam and seed applied. In addition, a majority of the stockpile of loam had been screened in preparation of spreading over the remainder of the remaining area to be reclaimed.

Considering this, we recommend that the reclamation amount of \$38,956.25, which was part of our January 15, 2016 recommendation letter, be reduced to \$19,190.63. Please see the attached, recommended surety estimate.

Please call if you have any questions.

Sincerely,

STANTEC CONSULTING SERVICES INC.

A handwritten signature in black ink, appearing to read "J. Daniel Tatem".

J. Daniel Tatem
Project Manager
Phone: (603) 669-8672
Fax: (603) 669-7636
dan.tatem@stantec.com

Attachment: Revised Reclamation Surety Estimate

- c. Mike Dross, Carrie Cote, Jim Headd, Denise Royce, Kate Lafond, Bill Herman Town of Auburn
Rick Eaton, Developer
Rene LaBranche, Stantec

TOWN OF AUBURN, NEW HAMPSHIRE
RECLAMATION SURETY ESTIMATE

Map 2 Lots 3, 9, 11, 13, & 14

Name of Project: Wethersfield Phase III

Steam Mill Road - Sta. 0+00 to 66+32
Wellesley Circle - Sta. 0+00 to 6+33
Pingree Hill Road - Sta. 52+25 to 56+00
Date: 01-15-16
Revised: 04-28-16

ITEM	QUANTITY	MEASURE	UNIT PRICE	TOTAL PRICE
1 Stock Yard Reclamation				
a Slope and Stock Pile Grading	3,375	S.Y.	\$0.50	\$1,687.50
b Spread & Stabilize Loam With Vegetation	3,375	S.Y.	\$4.00	\$13,500.00
c General Erosion Control	1	LS	\$1,500.00	\$1,500.00
			SUBTOTAL:	\$16,687.50
2 Contingencies (15% of Subtotal)				\$2,503.13
			TOTAL:	\$19,190.63

Signature: _____

Title: Project Manager

Date: 4/28/2016

Tele. #: 603-669-8672



January 15, 2016
File: 195110837

Attention: Mr. Ron Poltak, Chairman
Office of the Planning Board
P.O. Box 309, 47 Chester Road
Auburn, NH 03032-0309

Dear Mr. Poltak,

**Reference: Auburn, NH
Wethersfield - Phase III
Steam Mill Road, Station 0+00 to Station 66+32
Wellesley Circle, Station 0+00 to Station 6+33
Pingree Hill Road, Station 52+25 to 56+00
Remaining Work Items
Roadway Acceptance and Surety Recommendations**

At the Planning Board's request we visited the subject site to view the remaining work items and to quantify the approximate area of the active stock yard off Steam Mill Road. We used this information to generate the attached surety recommendations. In addition, we have provided a recommendation for road acceptance, for the subject roads.

Remaining work Items

1. The paved apron, into the stock yard must be removed, after the area is reclaimed, and replaced with a typical driveway apron for the house to be located on that lot.
2. The treatment swale, located within the limits of the active stock yard must be constructed and stabilized, per the plan.
3. The northern, rear lot corner granite bound must be set for lot 3-59 after the stock yard is graded and reclaimed.

Reclamation Item

1. The stock yard must be graded and reclaimed with vegetation and all construction equipment and materials removed from the site.

Roadway Acceptance Recommendation

At the Planning Board meeting on December 16, 2015 the Board voted to recommend acceptance of the above referenced roads for approval by the Board of Selectmen (BOS); however, at the following BOS meeting, the BOS voted to deny the acceptance request and instructed the developer to request acceptance after May 1, 2016, per the Town's road acceptance policy. This was discussed with the BOS secretary and we understand that the Planning Board does not need to recommend acceptance to the BOS again. We understand that the Developer shall request a follow-up hearing for this request, after May 1, 2016.



January 15, 2016
Mr. Ron Poltak
Page 2 of 2

Reference: Auburn, NH
Wethersfield - Phase III
Steam Mill Road, Station 0+00 to Station 66+32
Wellesley Circle, Station 0+00 to Station 6+33
Pingree Hill Road, Station 52+25 to 56+00
Remaining Work Items
Roadway Acceptance and Surety Recommendations

Remaining Work Surety Recommendation

Considering that the Planning Board was in favor of accepting the roads although the above-noted remaining work items had not been completed, we recommend that, upon acceptance of the subject roads (after May 1, 2016), the existing surety be reduced to **\$3,450.00 for the remaining work items noted above.**

Stock Yard Reclamation Surety Recommendation

At the Planning Board meeting on December 16, 2015 the Board voted to require the Developer to provide surety for the reclamation of the stock yard off Steam Mill Road, which is currently being utilized by the Developer. We recommend that the Developer provide an acceptable form of **surety in the amount of \$38,956.25 (see attached estimate).**

Maintenance Surety Recommendation

As part of the roadway acceptance process anticipated to occur shortly after May 1, 2016, we recommend that the Developer provide an acceptable form of surety, for the required 2-year maintenance surety, in the amount of **\$33,418.95**, which is equal to 2% of the total project surety estimate of \$1,670,947.70 (attached).

Please call if you have any questions.

Sincerely,

STANTEC CONSULTING SERVICES INC.

J. Daniel Tatem
Project Manager
Phone: (603) 669-8672
Fax: (603) 669-7636
dan.tatem@stantec.com

- c. Mike Dross, Carrie Cote, Jim Headd, Denise Royce, Kate Lafond, Bill Herman Town of Auburn
Rick Eaton, Developer
Rene LaBranche, Stantec

TOWN OF AUBURN, NEW HAMPSHIRE
REMAINING WORK ITEMS SURETY ESTIMATE

Map 2 Lots 3, 9, 11, 13, & 14

Name of Project: Wethersfield Phase III

Steam Mill Road - Sta. 0+00 to 66+32
Wellesley Circle - Sta. 0+00 to 6+33
Pingree Hill Road - Sta. 52+25 to 56+00

Date: 01-15-16

ITEM	QUANTITY	MEASURE	UNIT PRICE	TOTAL PRICE
1 Remaining Work Items				
a Remove Driveway Apron For Stockyard Entrance	1	L.S.	\$1,000.00	\$1,000.00
b Construct Treatment Swale in Stock Yard Area	1	L.S.	\$1,800.00	\$1,800.00
c Set Rear Corner Stone Bound in Stock Yard Area	1	L.S.	\$200.00	\$200.00
SUBTOTAL:				\$3,000.00
2 Contingencies (15% of Subtotal)				\$450.00
TOTAL:				\$3,450.00

Signature:

Title:

Date:

Tele. #:

Project Manager

1/15/2016

603-669-8672

TOWN OF AUBURN, NEW HAMPSHIRE
RECLAMATION SURETY ESTIMATE

Map 2 Lots 3, 9, 11, 13, & 14

Name of Project: Wethersfield Phase III

Steam Mill Road - Sta. 0+00 to 66+32
Wellesley Circle - Sta. 0+00 to 6+33
Pingree Hill Road - Sta. 52+25 to 56+00

Date: 01-15-16

ITEM	QUANTITY	MEASURE	UNIT PRICE	TOTAL PRICE
1 Stock Yard Reclamation				
a Slope and Stock Pile Grading	6,750	S.Y.	\$0.50	\$3,375.00
b Spread & Stabilize Loam With Vegetation	6,750	S.Y.	\$4.00	\$27,000.00
c General Erosion Control	1	LS	\$3,500.00	\$3,500.00
SUBTOTAL:				\$33,875.00
2 Contingencies (15% of Subtotal)				\$5,081.25
TOTAL:				\$38,956.25

Signature: _____

Title: Project Manager

Date: 1/15/2016

Tele. #: 603-669-8672

TOWN OF AUBURN, NEW HAMPSHIRE
SUBDIVISION IMPROVEMENTS SURETY ESTIMATE

Map 2 Lots 3, 9, 11, 13, & 14

Name of Project: Wethersfield Phase III

Steam Mill Road - Sta. 0+00 to 66+32
Wellesley Circle - Sta. 0+00 to 6+33
Pingree Hill Road - Sta. 52+25 to 56+00

Date: 01-15-16

ITEM	QUANTITY	MEASURE	UNIT PRICE	TOTAL PRICE
1 Site Work				
a Clearing & Grubbing	9.6	Acre	\$8,470.00	\$81,312.00
b Excavation - Cuts/Fills	23,360	C.Y.	\$4.00	\$93,440.00
c Grading	24,080	S.Y.	\$0.50	\$12,040.00
d Erosion Control	5,850	L.F.	\$5.00	\$29,250.00
e Stone Check Dams	52	EA.	\$45.00	\$2,340.00
f Construction Entrance	3	L.S.	\$1,500.00	\$4,500.00
2 Paving				
a 12" Bank Run Gravel	8,658	C.Y.	\$10.00	\$86,580.00
b 6" Crushed Gravel	4,078	C.Y.	\$24.00	\$97,872.00
c 2" Binder Course Pavement	2,393	TON	\$85.00	\$203,405.00
d 1" Finish Course Pavement	1,156	TON	\$85.00	\$98,260.00
e Prep Work	7,265	L.F.	\$1.00	\$7,265.00
f Tack Coat	19,373	S.Y.	\$1.00	\$19,373.00
g Cape Cod Berm	3,800	L.F.	\$6.00	\$22,800.00
3 Drainage Work				
a 12" HDPE Drainage Pipe	2,345	L.F.	\$30.00	\$70,350.00
b 15" HDPE Drainage Pipe	604	L.F.	\$40.00	\$24,160.00
c 18" HDPE Drainage Pipe	805	L.F.	\$50.00	\$40,250.00
d 24" HDPE Drainage Pipe	195	L.F.	\$55.00	\$10,725.00
e 6" Underdrain	345	L.F.	\$20.00	\$6,900.00
f Catch Basin / Drain Manhole	35	EA.	\$2,000.00	\$70,000.00
g Retention/Detention Basins	6	EA.	\$3,500.00	\$21,000.00
h Outlet Structures	5	EA.	\$3,000.00	\$15,000.00
i Single Headwalls	5	EA.	\$1,800.00	\$9,000.00
j Double Headwalls	2	EA.	\$2,800.00	\$5,600.00
k Flared End Sections	11	EA.	\$400.00	\$4,400.00
l Treatment Swales	1	EA.	\$2,500.00	\$2,500.00
m Rip Rap/Filter Material	26	C.Y.	\$42.00	\$1,092.00
4 On-site Improvements				
a Signs	5	EA.	\$150.00	\$750.00
b Guardrail	138	L.F.	\$18.00	\$2,484.00
c Terminal Ends	2	EA.	\$1,750.00	\$3,500.00
d Loam and Seed	36,360	S.Y.	\$5.00	\$181,800.00
e Overhead Electric	1,250	LF	\$10.00	\$12,500.00
f Underground Electric	2,450	LF	\$20.00	\$49,000.00
g Fiberglass Fire Cistern	30,000	GAL	\$2.50	\$75,000.00
h Driveway Aprons	27	EA.	\$2,000.00	\$54,000.00
5 Miscellaneous				
a Grante Bounds	121	EA.	\$150.00	\$18,150.00
b Drill Holes / Iron Rods	24	EA.	\$100.00	\$2,400.00
c As-built plans	9	Sheets	\$1,000.00	\$9,000.00
d Deeds or Agreements	2	L.S.	\$2,500.00	\$5,000.00
SUBTOTAL:				\$1,452,998.00
6 Contingencies (15% of Subtotal)				\$217,949.70
TOTAL:				\$1,670,947.70

Signature: 

Title:

Project Manager

Date:

1/15/2016

Tele. #:

603-669-8672

The Workshop concluded at 7:18 p.m. and the Public Hearing began.

MINUTES

Mr. Côté moved to accept the minutes of December 2nd, 2015 as written; Mr. Grillo seconded the motion. A vote was taken; all were in favor and the motion passed.

GENERAL BUSINESS

Richard Eaton/Espana Wethersfield Subdivision Discuss Pond Issue

Mr. Eaton talked about a proposed pond that was constructed and that it does not hold any water and is not going to work as it has been there for three (3) years. Discussion ensued with the Board members and they reviewed the plan submitted by Mr. Eaton. Mr. Poltak asked Mr. Eaton what he was asking of the Board. Mr. Eaton indicated that he needed the approval from the Board to remove it from the plan. Mr. Côté did not believe it needed to go for a Public Hearing.

Mr. Côté moved to grant the modification to the original approved site plan to allow for the pond to not be constructed, Tax Map 2, Lot 3, Wethersfield Subdivision; Mr. Grillo seconded the motion. A vote was taken; all were in favor and the motion passed.

Richard Eaton/Espana Wethersfield Subdivision Steam Mill Rd & Wellesley Circle Bond Release & 2 Year Maintenance Bond

Mr. Eaton moved on to talk about the storage area off of Steam Mill Road and the corner of Nutt Road. Lot #59 on Steam Mill Road has not been constructed and every other lot on Steam Mill Road has already been constructed. Mr. Eaton explained that they were just about done down there and have about half of the area reclaimed and ready for topsoil. They have plenty of loam down there. Mr. Eaton talked about a little drainage easement that flows to the wetlands and after talking to Mr. Tatem that he suggested bonding approximately \$1,500 to construct the swale. Mr. Poltak asked if the storage area would be no more. Mr. Eaton said correct. Mr. Tatem stated that Mr. Eaton is looking to get Steam Mill and Wellesley Circle accepted by the town. Mr. Tatem pointed out that they have walked the road yesterday and pointed out that he would recommend that the Board accept the road as long as the Board understands that all the items are not completed yet and would hold a surety amount for two (2) years for maintenance. The Board discussed holding a two (2) year Maintenance Bond

for the storage area. Mrs. Phillips thought surety should be held for a small amount to assure that restoration is completed. Mr. Côté also believed there should be some sort of surety in place. Mr. Tatem commented that he can figure an amount and get it to the Board. Mr. Dandrade asked if there would be anymore material removed from the storage area. Mr. Eaton stated that the sand is used within the development. Ms. Cleary talked about the storage area and stated that it was a pit that was about 20 feet deep. Mr. Tatem stated that all of the slopes have to be 3 to 1 or flatter and need to have 4 inches of loam and seeded. Mr. Tatem believed it would be a beautiful field with a lot of songbirds and have no issues with what Mr. Eaton is doing and believes it is a good thing for the project. Mr. Côté reiterated that he would recommend that a surety be put in place. Mr. Tatem stated that he will be writing a letter stating that the Board accept the road because the road is done and Mr. Eaton meets all the requirements. Mr. Tatem added that he will write a letter with the condition that Mr. Eaton provides the appropriate bonds and that he would get those numbers. Mr. Tatem that the Board could make a motion to recommend to the Selectmen to accept the road with the condition that we provide the surety amounts. The Board believed it sounded reasonable. Mr. Grillo asked Mr. Eaton that when it came before the Board originally if the Board asked for surety to be put in place. Mr. Eaton said no and that it was back in 2002. Mr. Grillo believed it would impact his vote.

Mr. Côté moved to recommend to the BOS to accept Steam Mill Road and Wellesley Circle subject to appropriate surety be put in place to ensure that the storage area be restored and that all outstanding items be completed and the standard 2% maintenance bond be held for 2 years, Tax Map 2, Wethersfield Subdivision; Mrs. Phillips seconded the motion. A vote was taken; The motion passed by a vote of 3 in favor and 2 opposed.

Mr. Eaton explained to the Board members that for the next two (2) years that he would like to keep the delineators that he has placed on Steam Mill Road to keep the plow trucks and the buses on the road. Mr. Eaton further explained that he will remove the delineators once the Bond is released. Mr. Côté indicated that after two (2) years the vegetation should have grown and it will be easier for them to see the road and that he did not have a problem with Mr. Eaton placing delineators on the road. Mr. Eaton stated if after two (2) years he will remove the delineators if the town requests that he remove them.

**JMJ Properties, LLC
Lovers Lane, Tax Map 8, Lot 2
Request One Additional Permit for
30 Saddle Hill Drive**

Mr. Poltak stated that JMJ Properties is requesting one additional permit to complete 30 Saddle Hill Drive. Mr. Poltak indicated that he did not know the numbers and asked Mrs. Rouleau-Côté if they were fine and she stated that it was fine.

PUBLIC NOTICE

PUBLIC HEARING AUBURN, NEW HAMPSHIRE

The Auburn Board of Selectmen will hold a public hearing on Monday, May 16, 2016 beginning at 7:00 P.M. at the Auburn Town Hall for the purpose of receiving public comment concerning the adoption of a proposed "Prohibition and Regulation of Fireworks Ordinance" for the Town of Auburn pursuant to the provisions in NH RSA 160-C: 6.

Immediately following the hearing on the "Fireworks Ordinance", the Board of Selectmen will hold a public hearing for the purpose of receiving public comment concerning the adoption of a proposed "Special Events and Fire Watch Ordinance" pursuant to NH RSA 153:5, V, 154:2, 154:18 and 155-A:3,V.

Immediately following the hearing on the "Special Events and Fire Watch Ordinance", the Board of Selectmen will hold a public hearing for the purpose of receiving public comment concerning the acceptance of Wellesley Circle and a portion of Steam Mill Road as Class V Town-maintained roads pursuant to the provisions of RSA 670:40-a.

Immediately following the hearing on the acceptance of Wellesley Circle and Steam Mill Road, the Board of Selectmen will hold a public hearing for the purpose of receiving public comment concerning the acceptance of a portion of Tanglewood Drive as a Class V Town-maintained road pursuant to the provisions of RSA 670:40-a.

Copies of the proposed ordinances are available for public review and inspection at the Auburn Town Hall, in addition to the Auburn Post Office and on the Town of Auburn web site (www.townofauburnnh.com).

**BOARD OF SELECTMEN
AUBURN, NH
April 28, 2016**

TITLE LXIV PLANNING AND ZONING

CHAPTER 674 LOCAL LAND USE PLANNING AND REGULATORY POWERS

Regulation of Subdivision of Land

Section 674:40-a

674:40-a Delegation of Authority to Accept Dedicated Streets. –

I. Notwithstanding RSA 674:40, a municipality with the town meeting form of government, which has conferred upon a planning board platting jurisdiction in accordance with RSA 674:35, may, by majority vote at an annual or special meeting, under an article in the warrant inserted by the local governing body, or by petition, delegate to the local governing body the authority to accept dedicated streets. Such a delegation may be rescinded by the municipality in the same manner.

II. If such a delegation is made, the local governing body may vote to accept any dedicated street only if the street corresponds in its location and lines with a street shown on a subdivision plat or site plan approved by the planning board, or on the official map, or on a street plat made and adopted by the board. A street which has not received such prior planning board approval shall not be accepted without a vote of the local legislative body pursuant to RSA 674:40, III.

III. The local governing body shall hold a public hearing on the proposed acceptance prior to taking action.

IV. A street accepted under this section shall have the status of a public highway under RSA 229:1. Such street shall be deemed a class V highway, subject to the municipality's duty of regular maintenance as set forth in RSA 231, unless otherwise designated pursuant to statute.

V. In this section, "dedicated street" means a street which has been dedicated to public use under the New Hampshire common law of dedication.

Source. 1993, 80:1, eff. June 22, 1993.