

Legal Notice  
Town of Auburn, New Hampshire  
Planning Board

The Auburn Planning Board will conduct a public hearing on **Wednesday, January 17, 2018** at 7:00 p.m. at the Auburn Town Hall, 47 Chester Road, 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 discussions relative to the proposed amendments.

**Amend Article 4.04(4)** to permit certain structures, with an area of two hundred (200) square feet or less, within side and backyard setbacks, but no closer than fifteen (15) feet to any property line.

**Amend Article 3.13(1)** to require multi-unit dwellings to have minimum lot sizes no less than the acreage requirement per dwelling unit for the zoning district in which the dwelling is to be located.

**By Petition to Amend the Town's Zoning Map** by rezoning those lots identified as Tax Map 10, Lots 19 and 20 (in the area of Route 101 Exit 2) from Residential-Two (R-2) to Commercial-Two (C-2).

**By Petition to Amend Article 2.02(28) "Dwelling Unit, Accessory"** to permit detached Accessory Dwelling Units.

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A complete copy of the text of the proposed changes to the Auburn Zoning Ordinance is available for public inspection at the Auburn Town Offices, 47 Chester Road, Auburn, N.H. and may also be found at the Town of Auburn's website [www.auburnnh.us](http://www.auburnnh.us).

**Dated:** January 4, 2018

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

Leak monitoring shall be accomplished by an in-tank monitoring system consisting of in-tank equipment which provides continuous monitoring of any leakage from the tank two-tenths (0.2) of a gallon per hour or larger, or an approved equal. All piping shall be equipped with a UL approved line leak detector on the discharge side of the pump.

Secondary containment shall consist of a concrete vault, water tight and impervious to leakage. The vault shall be a continuous structure with a chemical resistant water stop at any joint. Only top entry manholes are allowed. The vault shall be designed to withstand all expected internal and external forces. At least one port shall be provided for pumping leakage.

### 3.13 Multi-Family Dwellings

#### (1). New Construction and Conversions of Existing Buildings to Multi-Family Dwelling Units

All new construction of multi-family dwellings and conversions of existing buildings, except for conversion apartments, shall be subject to Town of Auburn Site Plan Review Regulations and the following requirements:

- (a). For each unit of a multi-family dwelling, the floor area per unit shall not exceed five (5%) percent of the minimum lot size, nor be less than eight hundred (800) square feet.
- (b). Each multi-family dwelling shall have a sufficient communal water system and communal sewage system approved by the New Hampshire Department of Environmental Services and the Auburn Building Inspector pursuant to Section 3.06 of this Ordinance.
- (c). No multi-family dwelling shall be closer than eighty (80) feet to another building, except an accessory building.
- (d). A timetable for completion of the development shall be established, and provision made to indemnify the occupants of the development or the Town, should the development not be completed to the satisfaction of the Planning Board.
- (e). Unless identified on the site plan as land available for future development, all areas designated on the site plan as open space shall be permanently maintained as such, and shall be guaranteed as such by a restrictive covenant describing the established open space area.
- (f). The following uses shall be permitted in designated open space areas:
  - (i). Outdoor recreation such as golf, swimming, tennis, skating, hiking and riding trails, and all other forms of predominantly outdoor recreation, except shooting ranges;

- (ii). Accessory buildings and other structures incidental to outdoor recreation, as set forth above, where said accessory structures are necessary to the pursuit of a permitted recreational use on the premises;
- (iii). Where an open area is designated on the Site Plan as a "natural area" or "conservation area," no recreation other than passive uses such as fishing, swimming, hiking and canoeing shall be permitted if it will alter any of the natural features. No land improvements, accessory buildings or other structures shall be permitted in a natural or conservation area.

(2). Conversion Apartments:

- (a). The minimum lot size for a conversion apartment shall be at least two (2) acres, but shall be larger if necessary to adequately support expanded use of water, sewage, parking and other related demands, as determined by the Planning Board after a preliminary determination by the Building Inspector.
- (b). Existing structures being converted may not be expanded more than the lesser of either twenty-five (25%) percent beyond existing floor area or two hundred (200) square feet. The proposed expansion beyond said guidelines shall result in the project being treated as one for a multi-unit dwelling, and subject it to the requirements of Section 13.02 (1) of this Ordinance.
- (c). Sewage disposal systems shall be expanded if necessary to meet the requirements of any additional use of the system, as determined by the Planning Board after a preliminary determination by the Building Inspector.

3.14 Manufactured Housing

Manufactured Housing shall be permitted in the R (Rural), R-1 (Residential-One) and R-2 (Residential-Two) Districts. The Manufactured Housing shall be sited on the lot such that it conforms to all zoning requirements for a single-family dwelling. Additionally, it shall be positioned to obtain the most benefit from natural screening. Only permanent installation where the travel wheels have been removed shall be allowed. Permanent foundations shall be provided in the same manner as for a dwelling. All Manufactured Housing shall comply with and be sited in accordance with N.H. R.S.A. 205-D, Manufactured Housing Installation Standards, Article Six of this Ordinance, (Flood Plain Development Regulations), and the National Plumbing Code. In the event of a conflict in the above statutes or codes, the more stringent provision(s) shall apply.

3.15 Travel Trailer Park/Travel Trailer

- (1). Travel trailers shall not be used for permanent living or housekeeping purposes.
- (2). Travel trailer parks may be allowed by Special Exception, provided that travel trailers shall be used only for vacation and recreational purposes. All travel trailer parks shall require site plan approval by the Planning Board and shall have a density of no more than eight (8) units per acre, excluding wetlands,

- (6). If the land in question cannot be divided to permit conforming lots in the two or more adjoining districts, the entire lot shall be deemed to be in the more restricted district, provided that a minimum of twenty (20%) percent of the lot area falls within the more restrictive district. If less than twenty (20%) percent of the total lot area falls within the more restrictive district, the entire lot shall be considered to fall within the less restrictive area. For purposes of this section, the order of most restricted to least restricted is as follows: R, R-1, R-2, V, C-2, C-1, I.

#### 4.04 District Regulations – General

- (1). Unless already specified as an accessory use in its definition, any permitted use or use allowed by special exception in the district regulations of this Ordinance shall be only for use as a principal use. It may, however, be allowed by special exception as an accessory use to any principal use which is permitted or allowed by special exception in that district, unless such combination of uses is otherwise prohibited by this Ordinance.
- (2). Any and all uses allowed herein shall also be subject to all other applicable ordinances and regulations of the Town of Auburn including, but not limited to, Article 6, Flood Plain Development Regulations, and to the statutes and regulations of the State of New Hampshire.
- (3). All non-residential, commercial and industrial uses, all clustered residential developments and all multi-unit dwellings consisting of more than two dwelling units, regardless of the district in which they are built, shall be subject to Site Plan Review by the Auburn Planning Board prior to the issuance of a building permit.
- (4). The minimum lot sizes, yard and frontage dimensions and maximum heights specified in the district regulation for any particular use are subject to any more restrictive provisions required elsewhere in this Ordinance. No dwelling, structure, or use shall be constructed within the yard setbacks, except for lawful fences, retaining wall, sheds with an area of one hundred twenty (120) square feet or less, gazebos, above ground pools, aprons surrounding inground pools, patios, green houses with an area of one hundred (100) square feet or less, or a permitted sign. Within a cluster subdivision, all structures larger than one hundred twenty (120) square feet, except lawful structures as noted above, shall maintain no less than sixty (60) feet from structures located on abutting lots.

#### 4.05 "R" Rural District

##### (1). Objectives and Characteristics

The Rural District ("R") is designed to permit uses that are compatible with and protective of certain areas that have been and are being used for agricultural and forestry uses, water quality preservation, residential use and public use. This district encompasses those remote areas where intensive development would be premature, given the high public service costs associated with development there.

Changes made

Leak monitoring shall be accomplished by an in-tank monitoring system consisting of in-tank equipment which provides continuous monitoring of any leakage from the tank two-tenths (0.2) of a gallon per hour or larger, or an approved equal. All piping shall be equipped with a UL approved line leak detector on the discharge side of the pump.

Secondary containment shall consist of a concrete vault, water tight and impervious to leakage. The vault shall be a continuous structure with a chemical resistant water stop at any joint. Only top entry manholes are allowed. The vault shall be designed to withstand all expected internal and external forces. At least one port shall be provided for pumping leakage.

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#### (1). New Construction and Conversions of Existing Buildings to Multi-Family Dwelling Units

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(a) (a). The minimum lot size for each multi-unit dwelling shall be not less than the acreage requirement per dwelling unit for the zone in which it is located.

(b) For each unit of a multi-family dwelling, the floor area per unit shall not exceed five (5%) percent of the minimum lot size, nor be less than eight hundred (800) square feet.

(bc). Each multi-family dwelling shall have a sufficient communal water system and communal sewage system approved by the New Hampshire Department of Environmental Services and the Auburn Building Inspector pursuant to Section 3.06 of this Ordinance.

(de). No multi-family dwelling shall be closer than eighty (80) feet to another building, except an accessory building.

(de). A timetable for completion of the development shall be established, and provision made to indemnify the occupants of the development or the Town, should the development not be completed to the satisfaction of the Planning Board.

(ef). Unless identified on the site plan as land available for future development, all areas designated on the site plan as open space shall be permanently maintained as such, and shall be guaranteed as such by a restrictive covenant describing the established open space area.

(fg.) The following uses shall be permitted in designated open space areas:



- (i). Outdoor recreation such as golf, swimming, tennis, skating, hiking and riding trails, and all other forms of predominantly outdoor recreation, except shooting ranges;
- (ii). Accessory buildings and other structures incidental to outdoor recreation, as set forth above, where said accessory structures are necessary to the pursuit of a permitted recreational use on the premises;
- (iii). Where an open area is designated on the Site Plan as a "natural area" or "conservation area," no recreation other than passive uses such as fishing, swimming, hiking and canoeing shall be permitted if it will alter any of the natural features. No land improvements, accessory buildings or other structures shall be permitted in a natural or conservation area.

(2). Conversion Apartments:

- (a). The minimum lot size for a conversion apartment shall be at least two (2) acres, but shall be larger if necessary to adequately support expanded use of water, sewage, parking and other related demands, as determined by the Planning Board after a preliminary determination by the Building Inspector.
- (b). Existing structures being converted may not be expanded more than the lesser of either twenty-five (25%) percent beyond existing floor area or two hundred (200) square feet. The proposed expansion beyond said guidelines shall result in the project being treated as one for a multi-unit dwelling, and subject it to the requirements of Section 13.02 (1) of this Ordinance.
- (c). Sewage disposal systems shall be expanded if necessary to meet the requirements of any additional use of the system, as determined by the Planning Board after a preliminary determination by the Building Inspector.

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require site plan approval by the Planning Board and shall have a density of no more than eight (8) units per acre, excluding wetlands,

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- (2). Any and all uses allowed herein shall also be subject to all other applicable ordinances and regulations of the Town of Auburn including, but not limited to, Article 6, Flood Plain Development Regulations, and to the statutes and regulations of the State of New Hampshire.
- (3). All non-residential, commercial and industrial uses, all clustered residential developments and all multi-unit dwellings consisting of more than two dwelling units, regardless of the district in which they are built, shall be subject to Site Plan Review by the Auburn Planning Board prior to the issuance of a building permit.

The minimum lot sizes, yard and frontage dimensions and maximum heights specified in the district regulation for any particular use are subject to any more restrictive provisions required elsewhere in this Ordinance. No structure or dwelling shall be constructed within the yard setbacks, except for:

- Lawful fences
- Retaining walls
- Above ground pools
- Aprons surrounding inground pools
- Patios
- Permitted sign

**Sheds, gazebos and greenhouses up to two hundred (200) square feet in area shall maintain a minimum building setback of fifteen (15) feet from side and/or rear property lines. Maximum building/lot coverage and front setback requirements under appropriate district regulation(s) shall still be enforced.**

Within a cluster subdivision, all structures larger than one hundred twenty (120) square feet in area, except lawful structures as listed above, shall maintain no less than sixty (60) feet from structures on abutting lots.

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Final Version

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ARCHIVE

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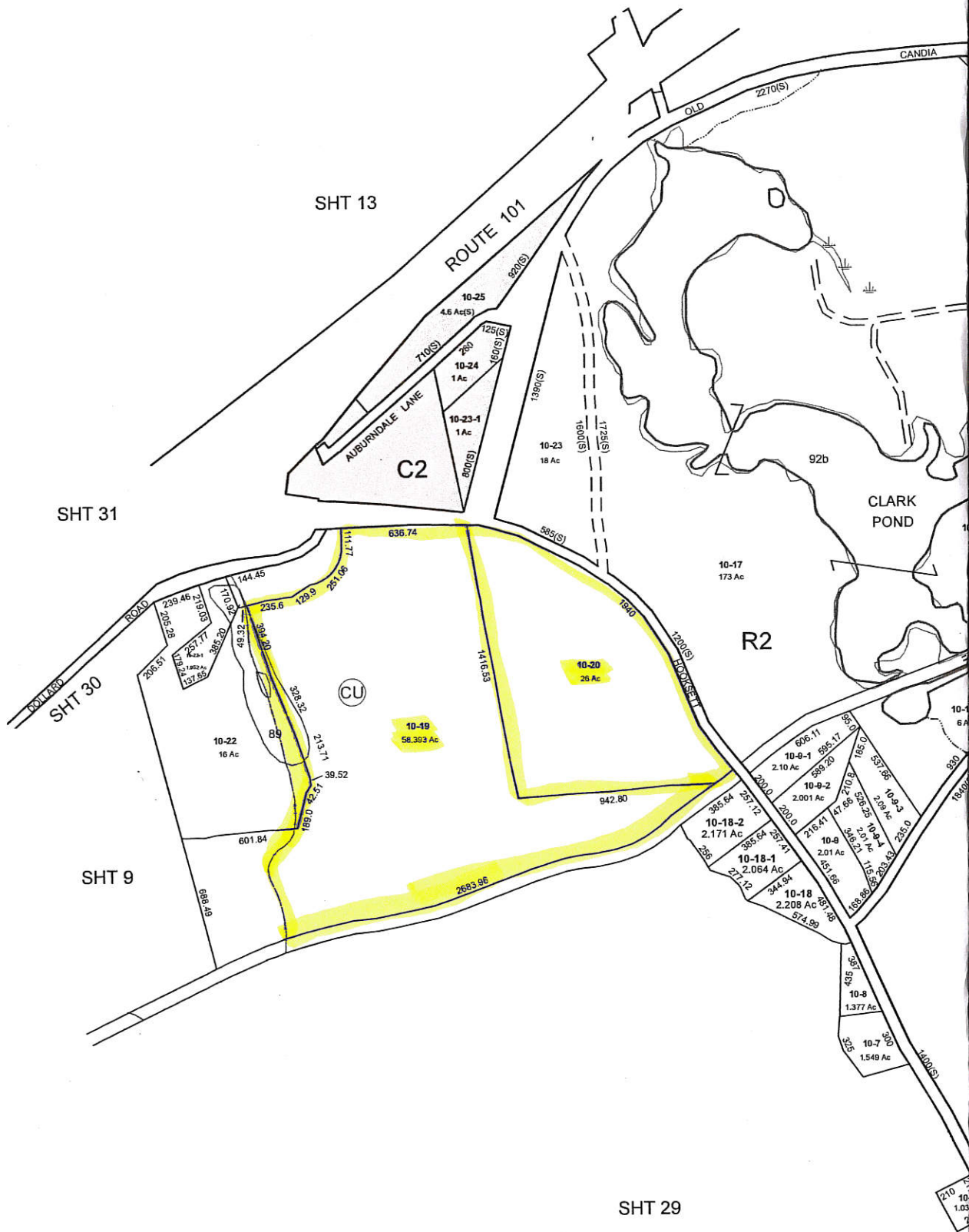
## Petition to Rezone

We petition the Town of Auburn to amend the Auburn Zoning Ordinance to re-zone Tax Map #10, Lots #19 and #20 from current Residential Two District (R-2) to Commercial Two District (C-2) to be consistent with other immediate properties on both sides of Hooksett Road adjacent to Exit 2 of NH Route 101

Printed Name	Signature	Printed Name	Signature
✓ Alan Villeneuve		✓ Sandra Leclair	
✓ Kara Villeneuve		✓ DAVID Weschke	
✓ Laura Villeneuve		✓ MB Lufkin	
✓ Paul Cossécin		✓ Zach Eaton	
✓ Joy Jaworski		✓ Curtis Bridges	
✓ John Jaworski		✓ ADAM Bouchard	
✓ DANIEL J. CARPENTER		✓ Joe Martin	
✓ Kathleen Porter		✓ Amy Binda	
✓ Jeffery B. Porter		✓ Kevin Binda	
✓	Peter Miles	✓ James Tasilto	
✓ MICHAEL DIPIETRO		✓ JOANNE CARPENTER	
✓ Jennifer Anderson		✓ Justin Carpenter	
✓ Jason Torsoli		✓ Barbara Carpenter	
✓ Keith Leclair		✓ DAVID N. YERGEN	
✓ Steve Pereira		✓ Susan H. Anderson	
✓ Deanna Pereira		✓ DAVID. ANDERSON	
✓ Lucy Bouchard		✓ JANICE BAKER	

12/11/17 Susan Dentino - Supervisor of the Checklist 12/11/17  
 Joanne J. Tenpelt 12/13/17 - Supervisor of checklist  
 Barbara J. Copland 12/13/17 - Supervisor of the Checklist  
 Checklist supervisors certify that the above voters are registered in the Town of Auburn.

# TAX MAP 10, Lots 19 + 20



Recd 12-11-17  
KAS

Kenneth and Jennifer Remington  
371 Chester Turnpike  
Auburn, NH 03032

December 12, 2017

Town of Auburn  
Board of Selectmen  
47 Chester Road  
PO Box 309  
Auburn, NH 03032-0309

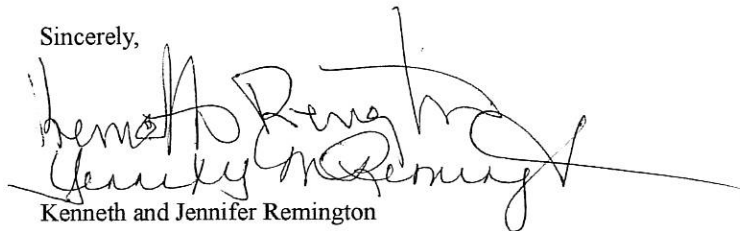
**RE: Citizen Petition to Amend Town of Auburn Zoning Ordinance**

Dear Selectmen:

Enclosed please find a Citizen Petition to Amend Town of Auburn Zoning Ordinance regarding Accessory Dwelling Units, attached hereto. The Petition includes the requisite number of signatures of registered voters.

The purpose and objective of this proposed amendment is to provide increased flexibility with respect to housing alternatives for families in Auburn while maintaining the health, safety, general welfare, aesthetics and quality of the neighborhoods in the Town of Auburn.

Sincerely,



Kenneth and Jennifer Remington

Enclosures

1 - 11, 1-11) 1- 1107863\12961281107863\12961281

**Town of Auburn, New Hampshire**  
**Citizen Petition to Amend Town of Auburn Zoning Ordinance**  
**Regarding Accessory Dwelling Units**  
Submitted: December 12, 2017

**To The Board of Selectmen, Municipal Office of the Town of Auburn, NH:**

We, the undersigned being registered voters of the Town of Auburn, State of New Hampshire, hereby submit this Citizen Petition to Amend the Town of Auburn Zoning Ordinance as provided below and request that you place the following amendment to the Zoning Ordinance on the ballot before the voters for their consideration. The purpose and objective of this proposed amendment is to provide increased flexibility with respect to housing alternatives for families in Auburn while maintaining the health, safety, general welfare, aesthetics and quality of the neighborhoods in the Town of Auburn.

Are you in favor of the adoption of Amendment No. \_\_\_\_ as submitted by citizen petition for the Town of Auburn Zoning Ordinance as follows:

Amend Article 2.02 (28) **Dwelling Unit, Accessory:**  
To amend Article 2.02 (28) to read:

**Dwelling Unit, Accessory:** Residential living unit that is within, attached to a single family dwelling, *or a detached accessory dwelling unit\** and that provides independent living facilities for one or more persons, include provisions for sleeping, eating, cooking and sanitation on the same parcel of land as the principal dwelling unit it occupies.

Accessory Dwelling Units shall be permitted by Special Exception as governed under Article 14.14 of the Auburn Zoning Ordinance in all zoning districts that permit single family detached dwellings.

A Special Exception shall be required for construction and or change of occupancy for creation of an Accessory Dwelling Unit.

The Accessory Dwelling Unit shall meet the following requirements.

- (a). An accessory dwelling unit shall have no more than two bedrooms and shall not exceed seven hundred fifty (750) square feet in living area. ~~and shall be attached to a single family dwelling. Attached means sharing a common habitable space wall.\*~~
- (b). An interior door shall be provided between the principal dwelling and the accessory dwelling unit *if the accessory dwelling is attached to the principal dwelling,\** but it shall not be required that it remain unlocked. The accessory dwelling unit shall have a door with direct access to the exterior, or common space to hallway or exterior door.
- (c). The accessory dwelling unit shall have interconnecting smoke/carbon monoxide/heat detectors with the principal dwelling unit *if the accessory dwelling unit is attached to the principal dwelling unit. If the accessory dwelling unit is detached from the principal dwelling unit, it shall have its own smoke/carbon monoxide/heat detectors.\**



- (d). There shall be adequate provisions for water supply and sewage disposal for the accessory dwelling unit in accord with NH RSA 485-A:38, but separate systems shall not be required for the principal and accessory dwelling units.
- (e). An accessory dwelling unit shall meet all zoning setbacks and all applicable building codes. There shall be adequate parking to accommodate an accessory dwelling unit.
- (f). The property owner must occupy one of the dwelling units as his/her principal place of residence.
- (g). Only one accessory dwelling unit shall be permitted for any single family dwelling.
- (h). Detached Accessory Dwelling Units are *not*\* permitted.

\* *proposed amended sections noted above in bold and italics.*

The intent of this proposed amendment to the above ordinance is that the accessory dwelling unit, in either an attached or detached structure, shall match the character of the existing residential structure and shall meet the requirements set forth within the ordinance.

[PETITION SIGNATURES OF REGISTERED VOTERS FOLLOWS ON NEXT PAGE]

1 = 50, 1=20)0= 1107863\12951499

### Citizen Petition to Amend Town of Auburn Zoning Ordinance Regarding Accessory Dwelling Units

#### REQUIRED SIGNATURES OF REGISTERED VOTERS OF THE TOWN OF AUBURN, NH

	<u>Printed Name</u>	<u>Signature</u>	<u>Address</u>	<u>Date</u>
1.	Jennifer M. Remington	<i>[Signature]</i>	371 Chester Tpk, Auburn, NH	12/9
2.	Kenneth Remington	<i>[Signature]</i>	371 Chester Tpk, Auburn, NH	12/9
3.	Russel D. Johnson	<i>[Signature]</i>	361 Chester Tpk, Auburn, NH	12/9
4.	Ronald R. Correia	<i>[Signature]</i>	361 Chester Tpk, Auburn, NH	12/9
5.	Cynthia Correia	<i>[Signature]</i>	361 Chester Tpk, Auburn, NH	12/9
6.	Julie Spencer	<i>[Signature]</i>	361 Chester Tpk, Auburn, NH	12/9
7.	Michael Spencer	<i>[Signature]</i>	361 Chester Tpk, Auburn, NH	12/9
8.	Kimberly Smith	<i>[Signature]</i>	48 Sag Harbor Dr, Auburn, NH	12/9
9.	MADI SMITH	<i>[Signature]</i>	48 SAGHARBOR DR, Auburn, NH	12/9
10.	DAVID C SMITH	<i>[Signature]</i>	48 SAGHARBOR DR, Auburn, NH	12/9/17
11.	Judy C Stacy	<i>[Signature]</i>	3 Lovers Lane, Auburn, NH	12/9/17

12. ✓ James Stacy 3 Lovers Lane 12/9/17 [Signature]
13. ✓ Jennifer Reardon 31 Sheals Drive 12/9/17 [Signature]
14. ✓ Johnathan Reardon 31 Sheals Drive 12/9/17 [Signature]
15. ✓ Joe & Julie Spuria 391 Chester Tpk 12/10/17 [Signature]
16. ✓ Kim & MARY BETH LUFKIN 398 CHESTER TPK 12/10/17 [Signature]
17. ✓ Deborah Richards 375 Chester Tpk 12/10/17 [Signature]
18. ✓ Scott Richards 335 Chester Tpk 12/10/17 [Signature]
19. ✓ William Cook 378 Clark TR 12/10/17 [Signature]
20. ✓ Kim Canton 378 Chester Tpk 12/10/17 [Signature]
21. ✓ [Signature] 6 Star Cir 12/10 Gary Sanchez
22. ✓ Sierra Sanchez 6 Star Circle 12/10/17 [Signature]
23. ✓ Patrick Parsons 325 Rattlesnake Hill Rd. 12/10/17 [Signature]
24. ✓ Tara Sanchez 6 Star Circle 12/10/17 [Signature]
25. ✓ Don Houlev 160 Buttonwood Dr 12/10/17 [Signature]
26. ✓ Karen Morrison 33 Pond View Dr. 12/11/17 [Signature]
27. ✓ Melissa Kamyck 282 Pingree Hill Rd 12/11/17 [Signature]
28. ✓ Army Cannamucio 13 Spruce Lane 12/11/17 [Signature]
29. ✓ Kenneth Robinson 231 Burke Hill Rd 12/11/17 [Signature]
30. ✓ Jennifer Robinson 231 Burke Hill Rd 12/11/17 [Signature]
31. ✓ Barbara Fowke 117 Buttonwood Dr. 12/11/17 [Signature]
32. ✓ MARK FOWKE 117 Buttonwood Dr 12/11/17 [Signature]
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- 40.

We the Checklist Supervisors certify That the above voters are registered in the Town of Auburn.

Susan D. Jenkins  
Joanne T. Linwood

12/13/17

12/11/17