

**Town of Auburn
Planning Board
PUBLIC HEARING
April 2, 2014**

Present: Ron Poltak, Chairman; Alan Côté, Vice-Chairman, Karen Woods and Paula Marzloff, Member. Jim Tillery and Steve Grillo, Alternate. Russell Sullivan, Selectmen's Representative; Minutes recorded by Denise Royce.

Absent: None

Mr. Poltak called the meeting to order at 7:00 p.m. Mr. Poltak indicated that they had a full board present tonight with both alternates present. Mr. Poltak pointed out that they had three (3) informal presentations tonight.

MINUTES

Mrs. Marzloff moved to accept the minutes of March 19, 2014 as written, Mr. Côté seconded the motion. A vote was taken; all were in favor, the motion passed.

ANNOUNCEMENTS/CORRESPONDENCE

➤ None were reviewed at this time.

GENERAL BUSINESS

**Informal – Andy Isbique
Silver Hill Road, Tax Map 2, Lot 19
Discuss Road Upgrade and Land Development**

Mr. Isbique asked the Board what was required with regard to Silver Hill Road as he was interested in purchasing the property that was for sale. Mr. Poltak indicated that there was a state statute that reads as follows: "in any town that has a planning board with subdivision authority, RSA 674:41 prohibits building on any lot unless "the street giving access" is a Class V highway or better; is shown on a subdivision or other plan approved by the planning board; or is a Class VI highway or "private road" upon which the board of selectmen has voted to authorize building permits under certain specified conditions." Also, Mr. Poltak read a memorandum from the Building Inspector which stated, "In order to be eligible for a building permit, you will need to work with the Auburn Planning Board to develop a plan for minimum road improvements. At a minimum it will include widening of the road, installation of drainage, shoulders, turn around for plow trucks and emergency vehicles, etc... and they may also require paving as well." Mr. Côté also indicated that they would have to go before the Zoning Board of Adjustment to request a Variance to build on an existing lot of record because this was not a subdivision which would be considered a different situation. Mr. Côté believed that they would be looking at minimum standards that the fire and police department would accept. Mr. Côté believed it was the Board of Selectmen's authority to determine what needed to be done and would be looking for Planning Board guidance for what they would require. Mr. Côté talked about recording a document at the Registry of Deeds that indicates that the lot is on a Class VI road and that there was no maintenance done by the town and that they had full responsibility to maintain it

but believed it was the authority of the Board of Selectmen and not the Planning Board. Mr. Côté also believed that if there was a subdivision going in that it would be different and that they would be required to bring Silver Hill Road up to Class V standards. Mr. Côté did not believe that with an existing lot of record that you could necessarily say that you will have to bring the entire road from Pingree Hill Road up to Class V standards. Further discussion ensued with regard to Class V and Class VI roads. Mr. Côté asked for the Selectmen's Representative opinion. Mr. Sullivan stated that it was their understanding that the first part of the road was paved. Mr. Côté indicated that it has never been paved and is an existing gravel road. Mr. Côté indicated that, realistically that the proper channel would be to go before the Board of Selectmen to request relief from RSA 674:41. Mr. Sullivan believed that there was something in the Town of Auburn's Zoning Ordinance that you could not obtain a building permit unless the lot was on a paved road. Mr. Côté believed that you could not create a lot. Mr. Pease pointed out Article 3; Section 3.04 specifically states that all building lots within the Town of Auburn shall have their minimum required road frontage upon a Class V or better road. Mrs. Marzloff reiterated that Mr. Côté talked about recording a release of municipal liability and that provision allows the Selectmen to address pre-existing lots of record that aren't subdivided and brought up to some maintenance standard that is acceptable but something short of a full fledged new road. Mrs. Marzloff asked Mr. Isbique how many acres the lot had. Mr. Isbique stated that it was three (3) acres. Mr. Côté suggested that they talk to the Fire Department to see what they would require. At this time the Board and Mr. Isbique discussed the location of the property and the culvert on that road and whether or not the property was before or after the supposed culvert. Mr. Isbique believed that it was after the culvert. Mr. Côté pointed out that if the property was located after the culvert that he would have serious reservations of letting anything go in there that did not involve the dump body being replaced because they would not want any of their fire trucks to go down there because the fire chief would not be happy.

At this time, Mr. Isbique thanked the Board members for their time and exited the meeting at 7:10 p.m.

Informal – Elmer Pease
Dearborn Road, Tax Map 11, Lot 11-1
Discuss Possible 3 Lot Subdivision

Mr. Pease began by informing the Board members that he was looking at a piece of property owned by Deborah and Scott Richards on Raymond Road and showed the Board members a plan. Mr. Pease began by saying that it was his understanding that Raymond Road was a Class V gravel road and that he wanted to create some lots along this frontage. Mr. Pease talked about paving a portion of Raymond Road. Mr. Pease reiterated that the requirements under Article 3 which states a Class V or better paved road. Mr. Pease pointed out that there is nothing in the Town of Auburn's Zoning Ordinance or Subdivision Regulations that says that he could not put a subdivision on an existing Class V road. Discussion ensued with regard to whether or not it states that the road has to be paved. Mr. Pease stated that there is nothing that states it has to be paved. It was stated that Raymond Road was a collector road. Mrs. Marzloff further indicated that Raymond Road was a four rod road. Discussion ensued with regard to putting in a cul de sac as opposed to paving a portion of Raymond Road.

Ms. Woods wanted to add that they were looking into the frontage and that the Zoning Ordinance indicates that they would have to go before Zoning for a Variance because the regulations indicated that "all new building lots within the Town of Auburn shall have their

minimum required road frontage upon a Class V or better paved road.” Mr. Sullivan believed that Mr. Pease should go to the Zoning Board of Adjustment. Mr. Pease indicated that before he goes to the Zoning Board that he would like a recommendation from the Planning Board. The Board said no.

Discussion ensued with regard to paving and the extent of pavement required. Mr. Pease indicated that he would have to think it through but would like to go before the Board of Selectmen first and then come back before the Planning Board. Mr. Sullivan believed Mr. Pease had three (3) choices which were to pave from Chester Turnpike up, pave from Dearborn Road down or go for a Variance to leave it gravel. Mr. Pease agreed but also pointed out that the fourth (4th) option would be to pop in a cul de sac which would be the equivalent of 400+/- feet of pavement.

Informal – Mike Compitello
On Behalf of First Assembly of God
45 Myles Drive, Tax Map 9, Lot 15
Discuss 20ft x 70ft Garage Addition to Existing Building

Mr. Compitello began by saying that they would like to put an internal storage unit to the right side of the building which would be 18 feet by 60 feet. It would be where there is a grassy area currently. Mr. Compitello stated that he was before the board tonight to see what the board would require from him in order to move forward with a plan. The unit would be utilized as storage for chairs and tables and the like. Mr. Poltak asked to see a plan that is in existence now. Mr. Compitello showed the Board members the existing plan of First Assembly of God and pointed out the location of the proposed addition. Discussion ensued with regard to the location and what was currently in place today. Mrs. Marzloff asked what type of building they would be proposing. Mr. Compitello stated that they have not even thought about it yet. Mrs. Marzloff asked about the unit being permanent and would have a foundation or be temporary. Mr. Compitello believed they would be looking at it being permanent.

The Board discussed and determined that it would require a minor site plan amendment. Mr. Côté believed that all Mr. Compitello would need to do is prepare a one sheet showing the change on it and with regard to the structure that he would have to speak with the Building Inspector. The Board all agreed and Mr. Compitello understood what was being asked.

Mr. Compitello thanked the Board members for their time and exited the building at 7:34pm.

OTHER

Mr. Poltak wanted to make two points which came up under the Class V and Class VI road but relative to the process and the statute that if the Selectmen were going to proceed and approve to any degree of upgrading a road that would eventually lead to a permanent on a Class V or Class VI highway that they would do it according to the statute and that the statute requires that it is not done on a case by case basis but that you come up with some standards by which those would be issued on any Class V or Class VI road in the community. Mr. Sullivan indicated that they have done that in the past. Mr. Poltak wanted to point out to Mr. Sullivan that the Planning Board would like to be consistent with the Board of Selectmen. Mr. Poltak also wanted to point out that, if an applicant were to appeal the Planning Board's decision that they would have to appeal it to the ZBA and if there is no ZBA then they would have to appeal to town meeting by petition.

Mr. Côté talked about the three (3) acre requirement and 300 feet of frontage on Silver Hill Road and considering all the cluster development that is going in within the rural zone and believed that the Board should be revisiting the requirement of 300 feet of frontage per lot. Discussion ensued with regard to possibly reducing the 300 foot requirement in the rural zone. Mr. Côté stated that the reason behind the three (3) acre requirement with 300 feet of frontage was to preserve the rural character of the zone which has been taken over by cluster development as it is allowed in the rural zone. Further discussion ensued with regard to reducing the lot frontage and number of curb cuts on a single road. Mr. Sullivan explained that it was to maintain the rural character and that his only argument with going to narrower frontage would encourage more driveways and that he would like the through streets to have a minimum number of curb cuts.

ADJOURN

Ms. Woods moved to adjourn the Hearing. Mrs. Marzloff seconded the motion. All were in favor, the motion passed unanimously and the meeting stood adjourned at 7:37 p.m.

The Planning Board will not be meeting next week. The next Planning Board meeting will take place on Wednesday, April 16, 2014 and will be held at the Town Hall, 47 Chester Road.