

**APPROVED MINUTES**  
**Town of Auburn**  
**Planning Board**  
**PUBLIC HEARING**  
**January 22, 2020**

**Present:** Ron Poltak, Chairman. Steve Grillo, Vice-Chairman. Michael Rolfe & Jeff Porter, Members. Tom Lacroix & Paula Marzloff & Jess Edwards, Alternates. Keith Leclair, Selectmen's Representative. Minutes recorded and prepared by Denise Royce.

**Absent:** None.

Mr. Poltak called the meeting to order at 7:00pm. Mr. Poltak asked the Board members to introduce themselves to everyone present at tonight's meeting. Mr. Poltak pointed out that, there were three (3) public hearings that were continued from last month scheduled for tonight's hearing along with two (2) general items on the agenda. Mr. Poltak moved on to approval of the January 8<sup>th</sup> meeting minutes.

**MINUTES**

**Mr. Porter moved to approve the minutes for January 8<sup>th</sup>, 2020 as written. Mr. Rolfe seconded the motion. A vote was taken; all were in favor with Mr. Grillo abstaining, the motion passed.**

At this time, Mr. Poltak informed the Board that, Mr. Tatem had sent him a 35-page lighting ordinance around 5:30pm today and would not be discussing that tonight. Mr. Leclair asked if a copy was sent out to the Board members. Mr. Poltak stated that he has not done that yet.

Mr. Poltak moved into the General Business section of the Agenda and indicated that he would take things out of order and began with the request for Crown Energy Solutions, LLC.

**GENERAL BUSINESS**

**Crown Energy Solutions, LLC**  
**692 Londonderry Turnpike, Tax Map 1, Lot 11**  
**Surety Reduction and C.O. Recommendation**

Mr. Poltak began by saying that there was a request for surety reduction for Crown Energy from \$85,382.00 down to \$2,500.00 along with a Certificate of Occupancy recommendation as the pavement was complete. Mr. Poltak handed the letter over to Mr. Grillo for a motion to reduce the surety for the above referenced subdivision.

**Mr. Grillo made a motion to reduce the surety being held for Crown Energy Solutions, LLC – 692 Londonderry Turnpike, Tax Map 1, Lot 11 from \$85,382.00 to \$2,500.00 for the completion of the As-Built plan and monumentation certificate. Mr. Porter seconded the motion. A vote was taken; all were in favor and the motion passed.**

**NH Signs/Don Booth  
On Behalf of CGI Business Solutions  
5 Dartmouth Drive, Tax Map 6, Lot 18-2  
Discuss Additional Signage on Building**

Mr. Poltak turned the meeting over to Mr. Booth of NH Signs who would be presenting on behalf of CGI Business Solutions. Mr. Booth passed out copies of what the sign would look like to each of the Board members. Mr. Booth asked the Board members to turn to the last page where it shows the size of the sign in total. Mr. Booth explained that, if you take the sign in two (2) components with the Logo as being one it would be 12.8 square feet and the Business Solutions part would be 11.0 square feet for a total of 23.7 square feet. It would be placed on the left-hand side of the building. Mr. Poltak wanted to explain to the Board about Dartmouth Drive and its location within the Industrial zone with regard to signage. Mr. Poltak went on to give a little history of Dartmouth Drive and stated that, back in April of 2000 there was a Planning Board meeting where a signage plan for the total development of Dartmouth Drive was agreed to by Elmer Pease who was the principal of that project and the Town of Auburn through its Planning Board for having continuity and consistency throughout the development. Mr. Poltak went on to explain that, since they had multiple floor buildings there and the issue was what type of signage would they allow given that they would have multiple tenants within a building.

Mr. Poltak moved on to read a section of the 2009 Zoning Ordinance where it says “Any increase in total combined square footage beyond sixty (60) square feet, and any increase beyond two signs, shall require a Special Exception from the Zoning Board of Adjustment”. A brief discussion ensued with regard to the number of signs. Mr. Poltak did not have a problem with what they were proposing for signage but stated that, in the event someone else comes in to put up a sign on this building that they would have to go before the Zoning Board of Adjustment for a Special Exception. At this time, Mr. Poltak turned to the other Planning Board members and asked for their thoughts and opinions. Mr. Porter asked about the size. Mr. Booth directed the Board members to the graph on the last page and explained how he measured the sign. There were no further questions for Mr. Booth and therefore, Mr. Poltak asked the Board to move on this because he did not see any issues. Mr. Poltak recalled they were going to light this and wanted to ask Mr. Booth to work with Stantec because he did not want something that would have light spillage and also mentioned the number of lumens allowed within the Town of Auburn. Mr. Booth understood. Mr. Poltak again stated that, he would ask the Board members to make a motion to approve your request with the condition that they work with Stantec with regard to the intensity of the lighting. Mr. Booth again understood what Mr. Poltak was saying.

## **PUBLIC HEARING**

**4 NH Homes, LLC**

**Laurel Stacy**

**208 Bunker Hill Road, Tax Map 8, Lot 5**

**Zoned Residential Two**

**Minor Subdivision, 1 Lot**

**Continued from December 18, 2019**

Mr. Higginson of Higginson Land Services began by saying that they contacted the planning department and that basically all they got out of them was that they requested an authorization letter to speak on behalf of the owner and a Purchase and Sale Agreement if they had one and those were the items that he was told and he has both of those items with him tonight. At this time, Mr. Higginson presented the Chairman with a copy of those items.

At this time, Mr. Poltak asked if there were any abutters present. None were noted. With that said, Mr. Poltak gave a synopsis of the last meeting with regard to a flag that popped up where Mr. Nye mentioned the potential of having underground storage tanks. Mr. Poltak explained that, in speaking with Town Counsel the new lot where the new house would go has lent itself to any problem associated with underground tanks. Mr. Poltak stated that, Town Counsel has advised them that, they are in a position to entertain the subdivision for the purposes of the potential of building a new home on that property. As it regards to underground tanks, they know that there is an above-ground one which he believes has since been removed. A brief discussion ensued with regard to the tank but they were unsure as they had not been by the site to date.

Mr. Poltak explained what had transpired at the last meeting where it was noted that a new home would be built on the new lot and that the existing home lot would be renovated and sold. Mr. Poltak stated that, they still don't know if there is a tank in the ground but it would be dealt with garnering any permit relative to the renovation of the original property as they would have to provide assurance that the property is clean. Mr. Higginson understood it to be that, there would be no impact on the proposed new lot but that the existing house would have to be dealt with as far as the renovation of the existing house. Mr. Higginson understood what the Board was asking of them. Mr. Poltak added that, whoever owns that piece of property thereafter would have a liability if there is something in the ground and that liability lies with the property through its title. Mr. Poltak commented that, they need to know that, this Board would be granting subdivision approval to someone who has legal status of representing the owner of the property. Mr. Poltak asked what the ownership of these two parcels would be. Mr. Higginson presented Mr. Poltak with a deed as the property has since changed hands since the last meeting when it was continued. The property is no longer owned by Mrs. Stacy as the property was closed on last week and is now owned by JCB, LLC and 4NH will be purchasing the new lot once it has final approval. Mr. Gallo commented that, the owner of JCB, LLC has already spoken with someone at DES which is Chris Bouchard. A brief discussion ensued

with regard to who now owns the property. At this time, Mr. Poltak reviewed the deed and noted the address for Mr. Bouchard.

Mr. Poltak wanted to check with the Board members to see if they had any issues with what is being asked of them. None were noted. Mr. Poltak asked Mr. Higginson about the building envelope and driveway access as well as sight distance. Mr. Higginson explained everything about the lot that Mr. Poltak had asked about. Mr. Rolfe commented about the 125 foot well radii and Mr. Higginson stated that it would not be a problem. Mr. Poltak asked when they intended to start construction. Mr. Gallo indicated that, as soon as they have the plan recorded that they would be jumping on this. Mr. Rolfe asked if they received state approval. Mr. Higginson said that, they have not applied for State Subdivision Approval yet as they were waiting for Planning Board approval first.

In conclusion, Mr. Poltak informed the Board that they have already accepted the application and now he would entertain a motion to approve the subdivision proposal. A brief discussion ensued with regard to the existing lot requiring clean up if there was an issue with buried tanks. Mr. Poltak talked about the possibility of there being contamination with the removal of a tank that is thought to be leaking then DES would get involved with the clean-up. Mr. Poltak went on to say that, a full Phase I site assessment would have to be done and then Phase II would be the compliance with State Regulations with regard to the removal of those tanks and the funding thereof.

A discussion ensued with regard to whom the Board would be accepting the application on behalf of. Mr. Poltak believed they were accepting the application on behalf of JCB, LLC. Mr. Leclair noted that the authorization letter was signed but you cannot make out the signature and that the signature was not notarized. Mr. Higginson stated that he could obtain a letter with a signature and a typed name below it and that could be notarized and that he could have it to the Town of Auburn. Mr. Higginson acknowledged what the Board was requiring from them and would obtain all the items that the Board members were requiring. Mr. Poltak indicated that, they could approve the one lot subdivision conditioned upon garnering the appropriate legal documents from JCB, LLC., Chris Bouchard because the property has been sold and that Mrs. Stacy no longer owns the property.

**Mr. Grillo made a motion to approve the one lot subdivision conditioned upon extending the well radius on the plan to 125 feet; updating the plan to show the current ownership of the property; and, obtaining the legal documentation and submitting it to the Town of Auburn for review by Town Counsel for property located at 208 Bunker Hill Road, Tax Map 8, Lot 5. Mr. Rolfe seconded the motion. A vote was taken; all were in favor and the motion passed.**

Mr. Poltak thanked the applicant and informed them to get the legal documents and get them to Ms. Royce at Town Hall and to also revise the application to read JCB, LLC. as opposed to Stacy. Mr. Higginson and Mr. Gallo both understood what the Board was asking of them and the discussion ended.

**NH Audubon Society  
Audubon Society of NH  
26 Audubon Way, Tax Map 4, Lot 5  
Zoned Residential Two  
Minor Site Plan Review  
(Additional Use of Existing Structure)  
Continued from December 18, 2019**

Mr. Poltak believed this would go quick as it was basically all about the septic system. Mr. Jonathan Saulmon said yes and passed out a letter from Franklin Associates, LLC to each of the Board members which states that the septic system should have the capacity to handle the additional use for the proposed Nature Pre-School. The Board members reviewed the letter. Mr. Poltak noted that the septic system was over designed and that it was adequate to accommodate the new use and that the only thing that was changing was the intensity of the use inside the building. Mr. Saulmon said yes. It was noted that the existing parking would remain the same and that the children would be dropped off in front of the building. Mr. Poltak asked what the drop off time would be. Mr. Saulmon stated that the drop off would begin at 8:00am and pick up would end at 5:30pm. Mr. Saulmon stated that they are leaning on only offering a full day pre-school program.

Mr. Poltak asked the Board members if they had any questions. None were noted. With that said, Mr. Poltak noted that, the motion would be to approve the additional usage of the Audubon building for the purposes of a day care center that would accommodate a maximum of 18 students and 3 staff members.

Mr. Poltak asked if there were any abutters present. None were noted. Mr. Poltak asked for a motion from the Board.

**Mr. Grillo made a motion to approve the additional usage of the building for an all-day Nature Pre-School center for 18 students and 3 staff members for NH Audubon Society, 26 Audubon Way, Tax Map 4, Lot 5, minor site plan review. Mr. Leclair seconded the motion. A vote was taken; all were in favor with Mr. Porter abstaining, the motion passed.**

Mr. Poltak thanked Mr. Saulmon and Mr. Saulmon also thanked the Board as well and asked how long they had to begin and asked if it was 2 years before they had to come before the Board again. Mr. Saulmon stated that, they initially thought that they would open up for the fall of this year but they are thinking of opening up the for the fall of next year. A brief discussion ensued with regard to any construction which there would be no construction and therefore Mr. Poltak indicated that they have 2 years to get this going.

Mr. Poltak moved on to the last thing on the agenda for tonight's hearing which is Dr. Smiley, 9 Auburndale Lane, Tax Map 10, Lot 24.

**David & Elizabeth Smiley**  
**9 Auburndale Lane, Tax Map 10, Lot 24**  
**Minor Site Plan Review**  
**(Small Pet Boarding Facility)**  
**Continued from December 18, 2019**

Mr. Franklin began by passing out copies of the proposed plan and indicated that anything in red was proposed and that anything in black was existing. Mr. Franklin stated that, he has gone on every website and that he could not find any regulations for pet boarding facility. Mrs. Smiley indicated that, she has contacted the state and they basically laughed and Mr. Poltak also stated that he has also check and that there are no regulations.

A brief discussion ensued with regard to snow storage and dumpster location. It was noted that, since it would only be 9 dogs that they would dispose of the waste directly into the septic as the septic could handle it. Mr. Poltak stated that he did not have any further questions and asked the Board Members if they had any questions.

In conclusion, Mr. Poltak reiterated that it would be up to 9 dogs and that he had no issues with what they were proposing. There were no abutters present tonight. With that said, Mr. Poltak asked the Board for a motion to approve.

Mr. Franklin did have a question and asked, in the site plan regulations and with a minor minor site plan would it be required to be recorded. Mr. Poltak said yes, it would be appropriate to record this site plan because the use and site plan is changing. Mr. Franklin understood and wanted to make sure that it passed the registry to be recorded.

At this time, Mr. Poltak indicated that he would look for a motion to approve.

**Mr. Grillo made a motion to approve the minor site plan for a small boarding facility for 9 Auburndale Lane, Tax Map 10, Lot 24. Mr. Porter seconded the motion. A vote was taken; all were in favor and the motion passed.**

Mr. Poltak informed Mr. and Mrs. Smiley and Mr. Franklin that they were all set. Mr. Franklin asked how long they had to get it recorded. Mr. Poltak stated that, the sooner the better and that it has to be done before any type of work begins out there. Mr. Franklin thanked the Board members for their time and the discussion ended.

## **OTHER BUSINESS**

Mr. Poltak asked if there was any new business to take care of. None were noted. Mr. Poltak informed the Board that the draft Lighting Ordinance will be sent to them shortly and that they will be required to review and comment on it.

Mr. Leclair asked if there was any response to the lighting issue on Dartmouth Drive. Mr. Poltak stated that there was no response to the e-mail and that a letter would now be sent out. A brief discussion ensued with regard to the lighting issue on Dartmouth Drive.

At this time, Mr. Poltak moved on to ask for a motion to adjourn.

## **ADJOURN**

<p><b>Mr. Porter moved to adjourn the Hearing. Mr. Grillo seconded the motion. All were in favor, the motion passed unanimously and the meeting stood adjourned at 8:00p.m.</b></p>
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***The next Planning Board meeting will be held on Wednesday, February 5<sup>th</sup>, 2020 at 7:00 p.m. at the Town Hall, 47 Chester Road unless otherwise noted.***