

APPROVED MINUTES
Town of Auburn
Planning Board
PUBLIC HEARING
February 5, 2020

Present: Ron Poltak, Chairman. Steve Grillo, Vice-Chairman. Michael Rolfe & Jeff Porter, Members. Tom Lacroix & Paula Marzloff, Alternates. Minutes recorded by Patricia Rousseau and prepared by Denise Royce.

Absent: Keith Leclair, Selectmen's Representative. Jess Edwards, Alternate.

Mr. Poltak called the meeting to order at 7:02pm. Mr. Poltak asked the Board members to introduce themselves to everyone present at tonight's meeting. Mr. Poltak moved on to approval of the January 22nd meeting minutes.

MINUTES

Mr. Grillo moved to approve the minutes for January 22nd, 2020 as written. Mr. Porter seconded the motion. A vote was taken; all were in favor and the motion passed.

At this time, Mr. Poltak informed the Board that, there was a very quick request for a surety reduction for 254 Real Estate Holdings, LLC.

GENERAL BUSINESS

254 Real Estate Holdings, LLC
254 Rockingham Road, Tax Map 25, Lot 45
Surety Reduction and C.O. Recommendation

Mr. Poltak began by saying that there was a request for surety reduction for 254 Rockingham Road which was the building close to the corner of King Street. Mr. Poltak stated that he was going to pass it on to Mr. Grillo for a motion and pointed out that, the letter was from Stantec Consulting and talks about the progress that's being made over there. Mr. Poltak believed that the request was a straight forward one and that there were a few outstanding items remaining but given what has been accomplished to date and the timing of the reduction, they would be reducing the surety from \$18,414.00 down to \$10,439.00 which was more than enough to accommodate the remaining items that need to be completed. With that said, Mr. Poltak was recommending based on Stantec's letter that they reduce the surety accordingly.

Mr. Grillo made a motion to reduce the surety being held for 254 Real Estate Holdings, LLC – 254 Rockingham Road, Tax Map 25, Lot 45 from \$18,414.00 to \$10,439.00 for the completion of the outstanding items listed in Stantec's letter dated December 20, 2019. Mr. Rolfe seconded the motion. A vote was taken; all were in favor and the motion passed.

Lighting Ordinance

Mr. Poltak began with the review of the lighting proposal and wanted to share a few thoughts with the Board members and then turn the meeting over to Mr. Tatem. Mr. Poltak stated that, he met with Mr. Tatem about a week ago and his message to him and they both recognized that this Lighting Ordinance was very detailed. What they would like to do tonight is, answer any questions that the Board members may have and did not want to get bogged down with the engineering side of this stuff regarding Lumens and all the rest of it. Mr. Poltak stated that, their goal is to simplify it and pointed out that there was a spill over to lighting on signs.

Mr. Poltak also talked about the 55 and older developments and commented that, lighting on private streets would be outside of the Board's venue if they do not incorporate it into the lighting ordinance. Mr. Poltak moved on to talk about the residential, commercial and industrial zones in which the lighting ordinance would add clarity to what is allowed in each zone presumably if they can condense these regulations into something that the Board can understand because we are going to have to administer them and also something that our Building Inspector can enforce. Mr. Poltak believed that, this should be their primary goal while reviewing this lighting ordinance. Mr. Poltak stated that, none of them are lighting engineers and therefore the ordinance must be clear and precise and then the backup to it can be the detail necessary to answer the questions that the engineers may have.

At this time, Mr. Poltak turned to Mr. Tatem to comment on the lighting ordinance. Mr. Tatem began by asking the Board members what their thoughts were by having different standards for different zones. Mr. Porter talked about keeping the rural character of the town and having safety lighting for streetlights. Mr. Porter also commented that, one good thing about this is that, it can be shut down and gave an example of the town hall where at 9:00pm the lighting is shut down. Mr. Tatem believed it gave a little more flexibility and protection because it allows more protection for the more rural areas and it allows some flexibility for the commercial and industrial areas. Mr. Tatem talked about the Planning Board always giving waivers to the pole height in the industrial zone. Discussion ensued regarding the lighting ordinance. The Board talked about wall lighting, ambient lighting, maximum pole lights and wattage.

Mr. Tatem directed the Board to look at Page 6, Section “G” where it talks about site plans with more than 20 parking spaces which would have omitted 254 Rockingham Road and 269 Rockingham Road from having to do lighting plans because they have less than 10 spaces. Mrs. Marzloff believed that, whenever they are dealing with a site plan that they should receive a lighting plan because they are using these properties for commercial uses and they can’t control it once they receive approval. A brief discussion ensued regarding the lighting ordinance and the comments received so far. In conclusion, the Board and Mr. Tatem agreed to remove this section and deal with it on a case by case basis.

Mr. Grillo commented on Page 7 where it says, *“illumination levels should not exceed the levels to provide safe conditions.”* The Board all agreed that it was all subjective and should be removed.

Mr. Tatem moved on to Page 8, Section D(ii) *“Ornamental lighting for specific districts or projects shall be permitted by special permit only and shall meet the following up light requirements”* A brief discussion ensued regarding ornamental lighting. Mr. Poltak asked Mr. Tatem what ornamental lighting was. Mr. Tatem stated that he would work on defining that one. Mr. Lacroix believed that (CC) “Temporary Outdoor Lighting” on Page 5 would take care of this and read that to be Christmas lights. Mr. Tatem talked about putting a better definition in there. Mr. Poltak asked if there were going to go page by page and wanted to start on Page One.

Mr. Poltak directed the Board and Mr. Tatem to Page One at the end of paragraph 2. Carrie wanted to know about “as well as new and replacement lighting in those properties” and wanted to know if that would require approval from the Planning Board or her when you replace lights that were previously approved by the application of a subdivision and/or site plan. Mr. Tatem stated that, he was going to say “changes to” instead of “replacement” because if they just change a light bulb but changes to the site plan. The Board liked the word “alteration” better. Mr. Tatem would make that change.

The Board went on to talk about the section about “Curfew” and indicated that, this would not apply if the business never closes.

Mr. Poltak moved on to Page 5, Section 4 “Residential Subdivisions and Site Plans – General Requirements” and stated that, Mrs. Rouleau-Cote did not have a problem with what they are saying here assuming that this is reserved for plan residential development with private roads and not conventional subdivisions with public roads. A brief discussion ensued regarding Residential lighting. Mr. Poltak asked why subdivisions don’t have lighting. Mrs. Marzloff stated that, the Planning Board’s predecessors opposed lighting within a subdivision. Mr. Tatem commented that, some towns only require lighting at intersections, and it is not uncommon and cannot think of a town that requires lighting within a subdivision and the towns that have lighting, must pay that bill.

Mr. Poltak moved on to Page 6, Section (ii) regarding the whole section about “Lighting Plan Specifications” where Mrs. Rouleau-Cote commented that it was way to complex. A discussion ensued regarding this section.

Mr. Tatem directed the Board members to the bottom of Page 7, the chart on the bottom which is basically spill over for property line – illuminance levels in commercial and industrial zones. Mr. Tatem went through the list and explained that he believed these were reasonable. Mr. Poltak asked about the language where it talks about the issuance of a special permit and wanted to know who would issue that permit. Mr. Tatem believed they should remove the words “special permit.” Mr. Poltak also agreed with removing the words “special permit.” The Board and Mr. Tatem talked about lumens and the like.

Mr. Porter asked about Page 8, Section (iv) Outdoor light fixtures producing light directly by the combustion of fossil fuels. The Board and Mr. Tatem suggested leaving this part in as it has been in the regulations for quite awhile already.

Mr. Tatem moved on to Section (v) where it talks about temporary lighting and seasonal lighting provided that individual lamps are less than 10 watts and 70 lumens. A discussion ensued with possibly adding a maximum number of fixtures.

Mr. Tatem went on to Page 11, Section 7 which was at the bottom of Page 11 and the top of Page 12 which talks about exterior illumination levels. Mr. Grillo believed that number 6 on Page 10 could be removed because it was confusing.

A discussion ensued regarding signs and Mr. Poltak brought up Electronic Message Displays and Electronic Reader Boards of which the Town of Auburn has in the front of the building. Mr. Tatem stated that, he believed the lighting ordinance can clearly define how bright the sign can be and how bright in can be during the day and at nighttime but to talk about how quickly the sign is changing is crossing into the sign ordinance. Mr. Poltak agreed with Mr. Tatem. Mrs. Marzloff talked about the sign at the Pingree Hill Fire Station and the issues that occurred. Mr. Poltak was willing to say that this section did not apply to signs as it relates to Page 9. Mr. Tatem pointed out that, item #2 did because it had the word sign in the statement. A brief discussion ensued regarding signs.

Mr. Tatem indicated that they would probably take out the graph at the bottom of Page 10 but that he would be speaking with their lighting specialist to make sure. Mr. Tatem moved on to Page 11, and that there would be some changes to the graph here as well as they were all the same. Mr. Tatem went on to Page 12 and that they could possibly put this in the sign ordinance when they rewrite the sign ordinance. A discussion ensued regarding flashing lights and signs being a certain distance from a residential zone. Mr. Tatem explained that, this ordinance spells out the lighting of signs including Electronic Reader Boards, but the Zoning Ordinance does not allow Electronic Reader Boards. Mr. Poltak just wanted to know that, if they are going to call them Electronic Reader Boards then they need to keep things consistent. The Board discussed what to define a message board that does not change is what they do want and changing message boards is what they don't want. The Board members were all in agreement. Mr. Tatem directed the

Board to Page 13 (b) and did not believe the Town of Auburn would ever have a sign over 100 square feet. Mr. Poltak did not have anything on Page 13 and moved on to Page 14 and was unsure about Security Lighting and having a Security Lighting plan. Mr. Tatem mentioned the school just had one but that the Planning Board could remove it and could apply the National Standards because Auburn does not have it in the standards, or you can leave it in.

Mr. Tatem moved on to Page 15 and explained that this is designed for any potential development that the Town of Auburn may have that include any of the following within the list and that the Board could probably cross out a few of them. Mr. Poltak believed that this could probably go in an Appendix. Mr. Poltak added that, he did not want to have a 15-page ordinance.

Mr. Poltak went on to Page 16, Sports Lighting and asked if anyone believed that they would ever have sports lighting that would not be town owned. The Board recalled the Super Dome and believed that there was a potential of having this at some point. Mr. Poltak commented that, he did not believe it had to be in here as a requirement but that they could just include it as a reference in the Appendix. The Board discussed the Sports Lighting and whether to remove it.

In conclusion, Mr. Tatem explained that he had a bunch of stuff to change and remove and asked the Board if they wanted to meet again in two weeks or did, they want to wait until next month. Mr. Poltak stated that, they were not under the gun to hold a public hearing within a certain timeframe and wanted Mr. Tatem to have enough time that he needed and took his time. Mr. Poltak just informed Mr. Tatem to get back to the Board in a couple of weeks

OTHER BUSINESS

Mr. Poltak went on to talk about the other issues he wanted to mention which pertained to staging areas within the subdivisions and wanted to include "the siting of a staging area shall require consultation with and approval of the Planning Board". Mr. Poltak also mentioned another issue with pre-construction meetings for when developers walk out of here and they cut down trees and moving stuff around prior to a pre-construction meeting. Relative to that, Mr. Poltak wanted to add into the subdivision and site plan regulations "No development activity of any kind shall be initiated until after the pre-construction meeting is completed". Mr. Poltak believed that Mr. Rolfe had another one to add about binder temperatures. Mr. Tatem understood about that one and would prepare language for that one whereby the binder course shall be placed with ground temperatures will be 40 and rising and the wearing course shall be 50 and rising. Mr. Tatem also talked about a state regulation to apply tackle on the centerline seam of the road that will be put in the town regulations as well. Mr. Poltak pointed out to the Board members that, if they have anything else that comes to mind to get it to him because he wanted to have everything on the same hearing dates of adopting this lighting ordinance. Mr. Tatem wanted to

mention one last thing which pertains to construction sites where a sign is placed at the beginning of the road that says "this is a privately maintained road and not maintained by the Town of Auburn, pass at your own risk". This should be a requirement to begin construction and not when a building permit is issued or when a C. O's issued. Mr. Tatem did not think that this was a bad idea to have this type of sign put up sooner rather than later.

A brief discussion ensued regarding storage containers and the time limit to allow storage containers or temporary storage units on a parcel. The Board reviewed the ordinance regarding this section of the ordinance.

Mr. Poltak noted that there was nothing else to discuss tonight and therefore asked the Board members for a motion to adjourn.

ADJOURN

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 8:48p.m.

The next Planning Board meeting will be held on Wednesday, February 19th, 2020 at 7:00 p.m. at the Town Hall, 47 Chester Road unless otherwise noted.