

**UNAPPROVED MINUTES
Town of Auburn
Planning Board
PUBLIC HEARING
September 23, 2020**

Present: Ron Poltak, Chairman. Steve Grillo, Vice-Chairman. Jeff Porter & Tom Lacroix, Members. Jess Edwards, Alternate. Michael Rolfe, Selectmen's Representative. Minutes prepared by Denise Royce.

Also Present: William Herman, Town Administrator, Carrie Rouleau-Cote, Building Inspector. Dan Tatem, Stantec. Joseph Falzone, Scott Cole, Engineer. Rick Burnham, Alan Villeneuve, Janice Baker, Adam Gendreau & Teryn Moy.

Absent: Paula Marzloff, Alternate.

Mr. Poltak called the meeting to order at 7:01pm. Mr. Poltak explained the procedures for tonight's hearing. Mr. Poltak began by reading the Meeting Preamble During COVID-19 Emergency which is as follows:

MEETING PREAMBLE DURING COVID-19 EMERGENCY

Good Evening, as Chairman of the Planning Board, I am declaring that an emergency exists and I am invoking the provisions of RSA 91-A:2, III (b). Federal, state, and local officials have determined that any public gathering of people may pose a substantial risk to our community in its continuing efforts to combat the spread of COVID-19 and is reinforced by Emergency Order #16 issued by the Governor on March 23rd. In concurring with their determination, I also find that this meeting is imperative to the continued operation of Town government and services, which are vital to public safety and confidence during this emergency.

Governor Sununu issued Emergency Order #12 on March 23rd which provides local government boards the ability to conduct business using technology to hold remote meetings and not provide a public place of meeting but provide for the public's ability to listen to the meeting. As such, this meeting will be conducted without a quorum of this body physically present in the same location.

At this time, I also welcome members of the public accessing this meeting remotely. Even though this meeting is being conducted in a unique manner under unusual circumstances, the usual rules of conduct and decorum apply. Any person found to be

disrupting this meeting will be asked to cease the disruption. Should the disruptive behavior continue thereafter, that person will be removed from this meeting.

Please note that all votes that are taken during this meeting shall be done by Roll Call vote as required by RSA 91-A:2, III (e).

Let's start the meeting by taking a Roll Call attendance. When each member is called please state your name, and also please state whether you are physically attending the meeting or are remotely attending the meeting. If you are remotely in attendance, is there is anyone in the room with you during this meeting, which is required under the Right-to-Know law (RSA 91-A:2, III (c)).

Mr. Poltak moved on to the roll call of attendees and began with the Board members and asked them to introduce themselves and to state whether they were alone or if anyone was present with them tonight and began as follows:

Mr. Poltak introduced himself as Chairman of the Planning Board and indicated that no one else was in the room with him and that he consented to this meeting being recorded.

Mr. Steve Grillo indicated that no one else was in the room with him and that he consented to this meeting being recorded.

Mr. Jeff Porter indicated that no one else was in the room with him and that he consented to this meeting being recorded.

Mr. Rolfe indicated that no one else was in the room with him and that he consented to this meeting being recorded.

Mr. Lacroix indicated that no one else was in the room with him and that he consented to this meeting being recorded.

Mr. Poltak moved on to other interested parties and asked Mr. Tatem, Ms. Royce and Mrs. Rouleau-Cote to announce themselves or any abutters.

Mr. Dan Tatem indicated that no one else was in the room with him and that he consented to this meeting being recorded.

Ms. Royce indicated that she was alone and that she consented to this meeting being recorded.

Mrs. Rouleau-Cote indicated that she was alone and that she consented to this meeting being recorded.

Mr. Jess Edwards entered the meeting at this time and indicated that he was alone and that he consented to this meeting being recorded.

Mr. Adam Teixeira indicated that he was with his wife Melissa in their home.

Mr. Joseph Bourgeois of 227 Hooksett Road stated that he was with his wife Claudine.

Ms. Teryn Moy of Appletree Road stated that she was with Steven Lefevre.

Mr. Alan Villeneuve indicated that he was alone and consented to this meeting being recorded.

Mrs. Janice Baker stated that she was alone and that she consented to this meeting being recorded.

Mr. Rick Burnham stated that he was alone, and he consented to this meeting being recorded.

Mr. Poltak commented that the Board had an Informal discussion regarding the 55 and Older Community Development and then we had an actual Public Hearing that was continued from August 5th pertaining to a waiver from a setback from another development here in town. Mr. Poltak went on to say that, before they do that, that they had minutes to approve that have been sent out to everyone. Mr. Poltak asked for a motion to approve would be in order.

MINUTES

Mr. Grillo moved to approve the minutes for September 2nd, 2020 as written. Mr. Porter seconded the motion. A roll call vote was taken as follows: Mr. Grillo voted to approve, Mr. Rolfe voted to approve, Mr. Lacroix voted to approve, and, Mr. Porter voted to approve, all were in favor and the motion passed.

At this time, Mr. Poltak moved into a brief discussion regarding the Capital Improvements Plan and asked Mr. Tatem to talk a little about it. Mr. Tatem stated that Mr. Herman and himself have been working on the 2020 update on the CIP Plan. They had planned on having it completed for tonight but was unable to complete it for tonight's meeting. Mr. Tatem stated that, he would be sending the Board members a draft copy of the CIP by the end of the week. They will be e-mailing it to all members and if anyone would like a mailed copy to please let him know now and they will send out a hard paper copy. Mr. Tatem stated that, they will be discussing it at a Public meeting on October 7th and if the amendments are acceptable, they can adopt it that night. Mr. Tatem stated that, it was pretty straightforward and asked if anyone wanted a hard copy mailed to them. Mr. Rolfe, Mr. Lacroix and Mr. Porter would pick them up at the Town Hall. Mr. Tatem would be providing about 5 or 6 copies to Ms. Royce for distribution. Mr. Tatem reminded the Board to go through each item as they would be voting on each of them at the next meeting.

With that said, Mr. Poltak moved right into the informal discussion regarding to the Age Restricted Residential Development. Mr. Poltak wanted to share with the public along with the abutters and members of the public that are on the phone call, that this was the first effort to having an informal hearing on a development proposal in our community based on a remote basis. With that said, Mr. Poltak welcomed everyone to tonight's informal discussion. Mr. Poltak understood that, some people did not have a plan before them tonight but wanted to let them know that, a plan would be available to everyone by Friday based on the discussions that will take place tonight. Mr. Poltak stated that, they could pick one up by simply calling Ms. Royce to obtain the most updated version. Mr. Poltak explained the procedure for this discussion and at the conclusion of the presentation that, the Board would ask questions and then the abutters and members of the public will have an opportunity to chime in. Mr. Poltak wanted to point out that, this discussion was basically at the beginning stages at this point in time. At this time, Mr. Poltak turned the discussion over to Mr. Falzone and his engineer, Scott Cole of Beal's Associates.

GENERAL BUSINESS

Informal – Joseph Falzone

Auburn Heights

Dollard Road & Hooksett Road, Tax Map 10, Lot 19

Informal Discussion – Age Restricted Residential Development – 81 Units

Mr. Falzone began by saying that, before he has his engineer, Scott Cole that he just wanted to add that, when they started off acquiring the main parcel that they had an access issue on Hooksett Road where it did not line up. They did acquire an additional access which was now on Dollard Road. Mr. Falzone informed the Board that, they have had a detailed meeting with the Fire Department with regard to getting the fire safety issues answered. Mr. Falzone pointed out that, he has done one of these projects in Brentwood, New Hampshire if anyone wants to meet out there and do a tour which would be very similar to this one. With that, Mr. Falzone turned the discussion over to his engineer, Scott Cole of Beal's Association out of Stratham, New Hampshire. Mr. Cole explained the property which contains a 58-acre parcel. Mr. Cole stated that, after looking at the regulations, they took out 7.1 acres of wetlands which is roughly 12%, they calculated out steep grade to be 25% which comes out to 2.4 acres or roughly 4% of the property. After subtracting the unusable portion of the land, they have 44 acres that they would consider to be buildable uplands. Mr. Cole explained that, Mr. Falzone is looking at a proposal to do "Age Restricted Residential Development". After all the calculations, they come up with an allowable development of 81, 2-bedroom age restricted units. Access would be by a private road system and there would be no right of ways which would have a homeowner's association created. Currently they have a preliminary design that contains 4,600 feet of road and would be similar to a project that Mr. Falzone is doing in Brentwood. Mr. Cole also pointed out that, one side of the road would contain a sidewalk for residents to have access along the roadway. There would be a proposed

clubhouse which would be centrally located within the parcel for meetings and activities. Parking for the project, each unit would have one or two interior parking stalls with two exterior parking stalls, and they have added parking pads throughout the design which would total 32 visitor stalls. Mr. Cole commented that, with an age restricted development that some people like to travel so they are have currently proposed an area for RV parking that includes 12 spaces. Mr. Cole noted that, the design does not have any wetland impact at all on the site and have tried to stay away from the buffers as much as possible. Mr. Cole again reiterated that, this is a preliminary plan, so they expect changes to the design to evolve before they come to a full application and with that, turned the meeting back over to Mr. Falzone.

Mr. Falzone added that, each unit would be single family, free standing with 2 bedrooms and that the square footage would be anywhere from 1,500 square feet to 2,000 square feet. The livable area would be the living space on the first floor and second floor and does not include the space in the basement if someone were to finish it off for non-bedroom living space that would be used for an office or a den or something like that. Mr. Falzone stated that most of the units would have a two-car garage and that some would have a one-stall garage because of the lot situation but that there would not be many. Everything would be maintained by the homeowner's association which would include plowing, trash pick-up, landscaping and that the entire project would be sprinkled by another well and not the well for water. Two drilled wells to meet capacity and that, that drilling will start at the end of next week. Mr. Falzone talked about the clubhouse and it having pickle ball courts which is a rage right now for over 55 and there would be horseshoe or bocce courts. They did a swimming pool at the Brentwood project and it has to be tested four (4) times a day which has become a real issue in Brentwood even though a lot of the residents have done that work.

Mr. Falzone talked about extra parking spaces in case someone has an event at their house, or they want to have a family gathering at the clubhouse. Mr. Falzone also mentioned that there would be shared septic systems and not individual septic systems. The sidewalk system will be throughout the project but will not go out to Dollard Road because it would not take you anywhere. They are also planning a trail system to tie into the rail trail which is a really big feature. Again, Mr. Falzone stated that, he has offered to the town and to anyone that wanted to come visits the project in Brentwood that would give everyone a good feel as to how the project will look like. Mr. Falzone talked about having lighting at intersections which would most likely be solar poles that are about \$2,500 each but do not require any energy.

In conclusion, Mr. Falzone asked if anyone had any questions that he would be happy to answer but that was about it from him. Mr. Edwards commented that, if they were setting something up that he would be interested in going. Mr. Falzone said that he would coordinate that with the Planning Board representative. Mr. Tatem asked if they anticipated requesting any waivers from the ordinance as written. Mr. Falzone stated that, they did not need any waivers to construct the road or for drainage. Mr. Falzone added that there would be a 100-foot buffer but would defer to Mr. Cole at this time. Mr. Cole did not know of any at this point, but they do not intend to request any waivers. They

intend to hold the 150 foot from roadways, but they would clarify that. Mr. Poltak asked Mr. Tatem if this was satisfactory to him. Mr. Tatem said yes.

Mr. Poltak asked if there were any other members of the Board that had questions or comments. Mr. Rolfe asked if they would have to update any portion of Dollard Road to handle the capacity of the traffic. Mr. Falzone explained why they are acquiring almost an acre of land from Hooksett Road down Dollard Road is because they already know after consulting with their traffic engineer that they will have to have a right-hand stacking lane. Mr. Falzone believed that they would have the ability to do what they have to do once the traffic study gets reviewed. Mr. Falzone pointed out that, this would be a much better entrance to enter this project because you would be entering before passing by any homes. Mr. Rolfe believed it was ideal. Mr. Falzone believed that half the people would be gone half the time because they would be snowbirds so he believed there would be half the usage.

Lastly, Mr. Poltak asked Mr. Rolfe if Dollard Road was constructed to town road standards. Mr. Rolfe did not know but would check on that but believed that the road went in when the overpass went in which was in the early 70's. A brief discussion ensued with regard to Dollard Road. Mr. Poltak asked Mr. Falzone what the number of feet from Hooksett Road into the project. Mr. Falzone believed it was approximately 250 feet and asked Mr. Cole to confirm the distance. Mr. Cole said it was 250 feet.

Mr. Poltak wanted to point out that, the easiest way to put a list together if anyone wanted to go visit Brentwood would be to call Ms. Royce and she can put a list together and decide on a date to go out there. Discussion ensued with regard to doing a virtual tour as well. Mr. Poltak asked Mr. Falzone if it would be a gated community. Mr. Falzone said no. Mr. Poltak asked Mr. Falzone if there would be 3 to 5 different styles of homes. Mr. Falzone stated that there were between 5 and 6 different types of units. Mr. Poltak liked the fact that, this development would be screened from view. Mr. Falzone said correct, no one would be seeing the development from the road and explained the location of the proposed houses and the clubhouse would be closer to the rail trail.

Mr. Poltak talked about when the Board was writing the ordinance for 55 and older community and the fact that the age was 55 and older and explained that, the federal fair housing act allows someone who is younger than 55 to live there if in fact one of the homeowners is 55 and older. Mr. Falzone noted that, only one person has to be 55 and if you have someone that is 60 and the wife is 48 and the 60 year old dies that you cannot evict the wife who is 48. A brief discussion ensued with regard to 55 and older.

Mr. Poltak asked Mr. Falzone when he was planning on beginning construction on this development. Mr. Falzone said that, he was hoping to start in the summer of 2021. Mr. Falzone also mentioned that, they were going to start drilling the well next week. They would hope to have plans into the Planning Board by the end of November. Mr. Falzone talked about possibly doing a zoom meeting and that he could help the Board with that but right now they are hoping to break ground in the summer of 2021. Mr. Poltak talked

about doing zoom and that the law requires that, any member of the public be acceptable to participate in a meeting, but they will do the best they can.

Mr. Poltak asked if anyone else had any questions. Mr. Tatem asked if Mr. Cole could give a quick explanation of the water and sewer and how they are planning on servicing the units would be something that would be good to talk about. Mr. Cole began by saying that, they have 2 proposed community wells with 100-foot radii of which would be located at the northeast corner of the property. There would be no dwelling units in that radius. There would be a pump house that would be designed by a water company and that it would become the responsibility of the association. Right now, they are looking at community fields and they still need to go out and do test pits to find the best locations. There would be community systems where each unit would tie into them of which would be under the roadways. There would be no municipal sewer and water as this would all be private. Mr. Tatem thanked Mr. Cole. Mr. Porter asked where the systems would be placed. Mr. Cole indicated that, they have none at this time as they still have to go out and do test pits on the site to find the best locations. Mr. Porter asked about the impact to abutters with that level of draw of water and asked what they were planning to do to mitigate impact to abutters. Mr. Cole pointed out that it was state regulated which is what they have to go by. A brief discussion ensued with regard to mitigation. Mr. Tatem pointed out that, as part of their review process, Mr. Cole will probably have to do an analysis probably done by a geologist.

Mr. Poltak asked if there were any abutters or members of the public who had questions. Mr. Steve Lefevre of 49 Auburndale Lane asked about the additional traffic in that area. Mr. Falzone pointed out that, they would have to fully comply with a traffic study and believed that these homes would generate 50% less traffic than a regular house. Mr. Lefevre stated that he has a dug well and asked if they would be able to see any water reports. Mr. Falzone said absolutely as they are required to submit it to the state and to submit it to the town. Mr. Poltak asked if there were any other questions. Mr. Falzone asked the Board if they thought they needed to have another design review and if they were comfortable, they could move forward and start doing all the stuff they have to do. Mr. Poltak thanked everyone for their comments and wanted to reiterate that the plan would be available at the town hall on Friday through Ms. Royce.

Lastly, Mr. Poltak asked if anyone else had anything to add to this discussion. Mr. Falzone commented that, he believed that the Board had to vote acceptance of their design review application. Mr. Poltak stated that, they would not be accepting anything at this time as we have an informal discussion tonight and that they will be coming in at some point with a final application and package to review and accept so that the formal approval process can move forward within the context of the timetable and constraints and this was just an informal discussion with the Board and abutters. Mr. Falzone understood and thanked the Board.

Mr. Poltak asked if there was anyone else at this point. Mr. Tatem asked if they would consider a sidewalk down to the restaurant which is across the street from Dollard Road and the possibility of Manchester traffic and having a bus route to take folks into Manchester who did not want to drive and pointed it out that, it was in the Master Plan.

At this time, Mr. Poltak thanked everyone for their comments and participation in this discussion and they will let the rules, regulation and process take place and thanked Mr. Falzone, Mr. Cole, and the Board members. Mr. Grillo had one question about Mr. Falzone about his prior development and if he saw the need for a dog walking or dog park. Mr. Falzone stated that at least one third of the residents have dogs. Mr. Falzone also commented that the dogs had to be leashed and could not be loose. Mr. Falzone stated that, they had areas broken up and a trail system where most people walk their dogs. A brief discussion ensued with regard to dog walking and dog areas.

Mr. Poltak again thanked everyone and moved on to the Public Hearing for 134 Haven Drive.

PUBLIC HEARING

Adam R. Teixeira
134 Haven Drive, Tax Map 5, Lot 29-1
Minor Subdivision Amendment
Request Reduction in Cluster Buffer
Continued from August 5, 2020

At this time, Mr. Poltak wanted to convene the Public Hearing for 134 Haven Drive that was continued from August 5th regarding the request to utilize the designated cluster buffer portion. First of all, Mr. Poltak wanted to say that he was very impressed with their work in submitting a presentation tonight and turned the discussion over to Mr. Teixeira.

Mr. Teixeira thanked the Board and the Chairman for his comments. Mr. Teixeira began by saying that, originally, they asked for the buffer to be brought out to 50 feet and now they are only asking for the buffer to be brought out to 28 feet. They did meet with a landscape designer and came up with the plans that, he and his wife would like to complete for the future which is in the documents as well. Mr. Teixeira talked about a privacy fence up by the garage and putting in a patio area near their deck and eventually a hot tub a little further back. Mr. Teixeira added that, they have added a fair amount of landscaping already to the property and talked about the landscaping. Mr. Teixeira commented that, there was a good-sized buffer to the neighbor on Pingree Hill Road. Mr. Teixeira also stated that, there were no plans to cut down any trees and that the landscaper did not see any impact to the neighbors or to the land around them. At this time, Mr. Teixeira turned it over to the Board for questions. Mr. Grillo commented that, this was a fantastic presentation and that the package was very well put together. Mr. Teixeira said thank you.

Mr. Poltak had a few questions and asked about the phases and what they meant by phases. Mrs. Teixeira commented that, it was basically chopping this project up into various stages and stated that, the first phase would be to basically getting the pool installed and to spread out the next part of the work for financial reasons and to make sure that they are doing it correctly and doing it in the best way possible. They basically don't want to rush and do everything at once so they would like to first set the pool which would be basically an inground plunge pool/hot tub and then expand the patio and do the privacy fencing. Then once that is done, it would be to work on the space around the deck. They just want to make sure it is done well and not rushing into doing the whole project at once.

Mr. Poltak commented that, he appreciates what they have done with their home as he has been by several times. Mr. Poltak pointed out page 12 and the Improvement outline and asked about the pool being 8 feet by 14 feet and mentioned fencing around the pool. Mrs. Teixeira said yes and that these pools come with lockable covers and would be to town regulations. A brief discussion ensued with regard to doing the patio in landscape blocks and flagstone.

Mr. Poltak explained to the applicant that, they are in the last cluster development that was approved and his reluctance to allowing waivers into buffers and finds that what they have depicted here to be readily acceptable because it will be done right. Mr. Poltak wanted it noted that, this Board does not approve waivers into the setbacks and wanted it made known that this Board will be taking a hard look at any proposals regarding clusters and open space.

Lastly, before the Board takes up a vote, Mr. Poltak wanted to know what would be occurring first. Mrs. Teixeira commented that, the designer that they are working with, Bill Parker gave them a couple of options that, they can either move forward with preparing the space for the pool because they have to get on the list with them to move forward for early spring.

Mr. Poltak asked the Board members for any further comments or he would ask for a motion.

Mr. Grillo moved to approve the request for reduction in the cluster buffer to 28 feet for 134 Haven Drive, Tax Map 5, Lot 29-1 subject to the minor subdivision amendment presentation tonight and shown as Page 12 in the package. Mr. Rolfe seconded the motion. A roll call vote was taken as follows: Mr. Grillo voted to approve, Mr. Rolfe voted to approve, Mr. Lacroix voted to approve, and, Mr. Porter voted to approve, all were in favor and the motion passed.

Mr. Poltak thanked everyone for their time and the discussion ended. Mr. and Mrs. Teixeira also thanked the Board for their time and ended the teleconference.

OTHER BUSINESS

Mr. Rolfe wanted to suggest to Mr. Poltak that, when the application comes in for the 55 and older that we hold an actual public hearing because he would much rather see the presentation in person as opposed to hearing it on the phone because it was tough this way. Mr. Poltak stated that, when an application comes in that, there would actually have to be a formal in person meeting and that he would be willing to go to a public meeting with appropriate social distancing and the guidelines associated with COVID accommodated. A brief discussion ensued with regard to holding a public meeting as opposed to it being remote. Mr. Poltak mentioned that, the only other option is having it at the school, but they would have to pursue it further.

Mr. Poltak informed the Board that, October 7th was their next meeting. Mr. Poltak added that, town counsel informed him that, the Board does have to have a public hearing to adopt the Lighting Ordinance so they will be having a formal hearing on our October 7th Agenda and a few proposals within the town and together we can work together to get this at the school.

ADJOURN

Mr. Poltak asked the Board members if anyone had anything else to add tonight. Ms. Royce wanted to give the Board a heads up on upcoming applications. Mr. Poltak suggested that they put those on the Agenda for October 21st.

At this time, Mr. Poltak thanked everyone for their participation tonight and asked for a motion to adjourn.

Mr. Grillo made a motion to adjourn. Mr. Porter seconded the motion. A roll call vote was taken as follows: Mr. Grillo voted to approve, Mr. Porter voted to approve, Mr. Rolfe voted to approve, and Mr. Lacroix voted to approve, all were in favor and the meeting stood adjourned at 8:44pm.

The Planning Board's next scheduled meeting would be for October 7th, 2020 at 7:00 pm. Due to Governor Sununu's Emergency Order #12 on March 23rd, all meetings will be held via teleconference until further notice.