

**UNAPPROVED MINUTES**  
**Town of Auburn**  
**Planning Board**  
**PUBLIC HEARING**  
**February 17, 2021**

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

**Also Present:** Keith Martel, Sharon Leblanc, Jill Dross, Matthew Peterson, Scott Tickler, Kathy Doyle

**Absent:** None

Mr. Poltak called the meeting to order at 7:00pm. Mr. Poltak explained the procedures for tonight's hearing and 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 23<sup>rd</sup>. 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 23<sup>rd</sup> 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 called on each of them individually and began as follows:

Mr. Poltak introduced himself as Chairman of the Planning Board. Mr. Poltak called on Mr. Grillo. Mr. Grillo was present. Mrs. Marzloff was present. Mr. Lacroix was present. Mr. Rolfe was also present.

Mr. Poltak moved on to the applicants and abutters and asked Mr. Martel to start the process. Mr. Keith Martel stated that, he was present on behalf of Liberty Woods and he was alone. Mr. Matthew Peterson of Keach Nordstrom was in his office by himself. Sarah Chartier who lives on Tanglewood Drive was present. Samantha Keyes of Tanglewood Drive. Sharon Leblanc of Tanglewood Drive indicated that she was alone. Bruce Dionne of Sonya Drive. Scott Tickler of Rockwood Terrace. Kathy Doyle of Grove Court. Jill Dross of Bunker Hill Road. Jason Chartier of Tanglewood Drive. Ed Midura of Tanglewood Drive. Walter Milne of Londonderry Turnpike.

Mr. Poltak began the meeting by asking the Board for an approval of the last meeting minutes which was January 20, 2021 and stated that a motion to approve would be in order.

## **MINUTES**

**Mr. Porter moved to approve the minutes for January 20<sup>th</sup>, 2020 as written. Mr. Grillo seconded the motion. A roll call vote was taken as follows: Mr. Porter voted to approve, Mr. Grillo voted to approve, Mr. Rolfe voted to approve, and, Mr. Lacroix voted to approve, all were in favor and the motion passed.**

## **GENERAL BUSINESS**

At this time, Mr. Poltak moved into tonight's agenda and asked everyone to please mute their phones unless they were speaking. Mr. Poltak began with the first item on the agenda.

**Keith Martel**  
**Liberty Woods Subdivision**  
**Freedom Lane, Tax Map 8, Lot 42**  
**Request Surety Reduction &**  
**Request Additional Building Permits**

Mr. Poltak explained that there was a request for a reduction as well as a request for two (2) additional building permits and asked Mr. Martel to verify that, he was requesting only two (2) additional building permits. Mr. Martel indicated that, that was correct. Mr. Poltak stated that, the Board has received a letter from Stantec recommending that the roadway improvements surety but reduced from \$175,890 to \$72,380 as noted in the letter dated December 15, 2020. With that said, Mr. Poltak recommended a motion to reduce the surety with regard to the work that has been completed unless there needed the Board wanted to have a discussion.

**Mr. Grillo made a motion to request a deduction in surety from \$175,890 to \$72,380 for Liberty Woods Subdivision, Freedom Lane, Tax Map 8, Lot 42. Mr. Porter seconded the motion. A roll call vote was taken as follows: Mr. Porter voted to approve, Mr. Grillo voted to approve, Mr. Rolfe voted to approve, and, Mr. Lacroix voted to approve, all were in favor and the motion passed.**

With that said, Mr. Poltak indicated that, the motion carries and moved on to the request for two (2) additional permits. Mr. Martel said yes. Mr. Poltak explained to the Board and everyone present tonight about the permits that were issued this year which was 18 permits. Mr. Martel stated that, he has five (5) houses left to do with three (3) foundations left to do. A brief discussion ensued with regard to the growth control and the number of permits issued to date. Mr. Poltak believed that he would entertain a motion to approve the two (2) additional permits for Liberty Woods.

**Mr. Grillo made a motion to approve two (2) additional building permits to be made available to Keith Martel of Liberty Woods for Liberty Woods Subdivision, Tax Map 8, Lot 42. Mr. Rolfe seconded the motion. A roll call vote was taken as follows: Mr. Porter voted to approve, Mr. Grillo voted to approve, Mr. Rolfe voted to approve, and, Mr. Lacroix voted to approve, all were in favor and the motion passed.**

Mr. Poltak thanked Mr. Martel and the discussion ended and Mr. Poltak moved on to the next item on the agenda.

**Wayne Kenney**  
**Severance Brook Condominium**  
**11 Rockingham Road, Tax Map 31, Lot 19**  
**Discuss As-Built Plan & Release of Surety**

Mr. Poltak began by explaining what has transpired with this project and that everything had been completed except for the final As-Built plan which had a few corrections to be made on it. Mr. Poltak talked about the planting of the trees which has been completed and that now they have a recommendation from Stantec recommending a surety reduction from \$13,589.40 to \$3,500 and with that said, Mr. Poltak recommended a motion to reduce the surety for 11 Rockingham Road, Tax Map 31, Lot 19.

**Mr. Grillo made a motion to request a deduction in surety from \$13,589.40 to \$3,500 for 11 Rockingham Road, Severance Brook Condominium, Tax Map 31, Lot 19. Mr. Rolfe seconded the motion. A roll call vote was taken as follows: Mr. Porter voted to approve, Mr. Grillo voted to approve, Mr. Rolfe voted to approve, and, Mr. Lacroix voted to approve, all were in favor and the motion passed.**

**Tristan Smiley**  
**9 Auburndale Lane, Tax Map 10, Lot 24**  
**Discuss Potential Site Plan**

Mr. Poltak indicated that, what was to occur tonight was to have an informal discussion with Tristan Smiley for property located at 9 Auburndale Lane which was previously Dr. Smiley's Veterinary Clinic and explained that Mr. Smiley has some ideas for the use of the property and turned the discussion over to Mr. Smiley. Tristan Smiley began by saying that, that was exactly what he was trying to do today was to figure out what he needed to do. Mr. Smiley stated that, what he is, is a brewer and that he was the head brewer at Border Brewery in Salem, New Hampshire currently and has been working there for three (3) years now. Mr. Smiley added that, what he would like to do is open up a small brewery and he believes that the property located at 9 Auburndale Lane would be a good spot. He basically wanted to meet with the Board to see what he needed to do to make this happen. So basically, what he would like to know is what he would need to do to go through the process to make his dream a reality.

Mr. Poltak wanted to share some information with Mr. Smiley and believed that, Mr. Smiley has met with Mrs. Rouleau-Cote, the Building Inspector and Ms. Royce, our Land Use Administrator. Mr. Smiley stated that, he did speak to them last fall a little bit which was pretty general in nature. Mr. Poltak commented that, that piece of property was zoned Commercial Two and would be eligible to allow for the type of use that Mr. Smiley is suggesting but what would be required would be some serious thought on his part regarding what he would like to place on the property and the number of clientele and number of customers and what steps would be needed to come into compliance. Mr. Poltak suggested that he put some sort of design concept together and that the Board

would work with him with getting this accomplished. Mr. Poltak did not know how far Mr. Smiley wanted to go with this but that the Board would be receptive to what he would have in mind. Mr. Smiley added that, he has the site plan in front of him and did not believe that much would have to be done with regard to the exterior and that nothing new would be erected. Mr. Smiley went on to say that, just the interior of the building would have to be modified. Mr. Smiley has looked at some of the RSA's with regard to restaurant and the number of seats and believes that he could have enough for 20 to 24 seats on the ground floor. Mr. Smiley understands that some modifications would have to be made to the restrooms and the like and storage of the kegs. Mr. Smiley also talked about the existing garage was 22 by 20 feet with a loft which was the perfect dimensions for a one-to-two-barrel system which a barrel would hold approximately 31 gallons. Mr. Smiley pointed out RSA 175:12 and pointed out that, he would like to start out smaller with light production. Mr. Smiley mentioned Title XIII – Alcoholic Beverages, Chapter 178 – Liquor Licenses and Fees, Section 178:13 – Brew Pub License and read a section of the language as follows: "A brew pub license shall authorize the licensee to manufacture beer or cider in quantities not to exceed 2,500 barrels annually for sale." Mr. Smiley indicated that 2 barrels per batch will in no way exceed 2,500 barrels annually. Mr. Smiley believed there was the perfect amount of space inside that barn/garage and all he would need to do is modify some of the interior for that garage to be receptive to a brewing system but the building itself would not have to be modified.

Mr. Smiley moved on to discuss parking and believed that he could easily add 5 more parking spaces and again reiterated that, there would be more than enough parking on the property to not have parking on the roadway. With that said, Mr. Smiley asked the Board members what exactly he would need to move forward with this process. Mr. Poltak asked if anyone on the Board wanted to comment. Mr. Edwards commented that, in addition to being an alternate on the Planning Board that he was one of the State Representatives and would like to speak with Mr. Smiley off-line about some of the State issues that are going on. Mr. Edwards gave Mr. Smiley his number and Mr. Smiley said that he would be happy to give him a call.

Mr. Rolfe had a question or two and asked how many employees he planned on having. Mr. Smiley said that, as it currently stands, they would only be open on Friday and Saturdays with the hours being noon to 9:00pm and serving some lighter food being farm to table with just food and beer that he would produce. There would be no liquor or wine. Mr. Smiley went on to say that, he was looking at two (2) employees which would include himself. Mr. Rolfe understood as he was looking to start small.

Mrs. Marzloff stated that, she heard of possible parking on the street and wanted to remind Mr. Smiley that, the Town of Auburn does not allow street parking and wanted to make it aware to Mr. Smiley. Mr. Smiley commented that, his intention is to add in parking spots on the property so that there will not be any street parking. Mr. Smiley talked about the driveway which was half paved and half dirt and indicated that, he planned on paving the whole thing and that would possibly triple the parking that is currently there. Basically, his goal is to not have any street parking as he was aware of the neighbors.

Mr. Rolfe asked if he thought he had enough water for brewing and cleaning. Mr. Smiley explained that, to brew even on barrel of beer to amount to 30 gallons worth of product will probably take about 50 gallons worth of water. Mr. Smiley pointed out that, the property does have a dug well and that he knows that he will have to look at the water quality before starting anything. Mr. Rolfe was all set and believed the well could handle that amount of water.

Mr. Grillo commented that, he believed the next step would be to get something that was a little more detailed in place with hours of operation along with a few other things. Mr. Grillo asked Mr. Smiley if he knew what his next step would be because he wanted to make sure that Mr. Smiley knew what he needed to do. Mr. Smiley believed that, this meeting has been really encouraging and that he knew that he needed a plan so that he could present. He has notes written out and if he could figure out what would be necessary to produce a detailed plan for the Board to look at and he was not 100 percent sure of what he needed. Mr. Poltak stated that, for Mr. Smiley's take home was that the proposal has merit and was eligible within the land use regulations within the Town of Auburn. Mr. Poltak added that, regarding operation it would have to comply with our Site Plan Regulations and with regard to operation itself that building codes would come into play as well especially when you are entertaining the public and the building will be converted to a commercial use. Additionally, you will have to give some thought to hours of operation, what your deliveries will be and what your clientele is anticipated to be. Also, the requirement for off-street parking and paving of the same and the septic system may need to be upgraded. Mr. Poltak also informed Mr. Smiley to work with Mrs. Rouleau-Cote, Building Inspector and Ms. Royce, Land Use Administrator and prepare a plan to be presented to this Board relative to what you are proposing would be your next step. Mr. Poltak informed Mr. Smiley that the Board would work with him moving forward. Mr. Smiley asked where he could find the Site Plan Regulations. Mr. Poltak stated that, Ms. Royce would be able to direct you to where you can find them and suggested that Mr. Smiley give them a call. Mr. Grillo also wanted to mention that, when he looks at the property and he takes a look at those Site Plan Regulations that he would want to make sure that, some of the things that are on that property even though you're not making changes to them that it might need to be changed to come up to our current codes today because some of things on the property may be outdated and need to be corrected. Mr. Rolfe also explained that, especially when you're dealing with the public.

With that said, Mr. Poltak asked Mr. Smiley if that satisfied him with what has been said tonight. Mr. Smiley said yes, that was very helpful and thanked the Board members for their time and the discussion ended. The Board members thought it was a good idea.



## **PUBLIC HEARING**

**Tanglerock Holdings, LLC  
Russell C. Sullivan & Tanglerock Holdings, LLC  
207 Spofford Road, Tanglewood Drive, and,  
Rockwood Terrace, Tax Map 4, Lots 13-4 & 16  
Lot Line Adjustment & Lot Consolidation**

Mr. Poltak moved on to the next discussion which is a Lot Line Adjustment and Lot Consolidation and turned the discussion over to Mr. Peterson. Mr. Peterson introduced himself to everyone and began by referencing the colored drawings that the Planning Board members received earlier. Mr. Peterson indicated that the properties are located within the Residential One and Residential Two zones. Mr. Peterson pointed out that there were two (2) parcels that they are proposing to do a Lot Line Adjustment between the two (2) lots. Mr. Peterson talked about the first lot which was Tax Map 4, Lot 13-4 which consisted of approximately 47.19 acres with frontage on Spofford Road. Mr. Peterson went on to the second lot which was Tax Map 4, Lot 16 which consisted of 60.068 acres which was located at the end of Tanglewood Drive and Rockwood Terrace. Basically, they are taking approximately 17.495 acres out of Tax Map 4, Lot 13-4 and add it to Tax Map 4, Lot 16. The new lot Tax Map 4, Lot 16 will be approximately 77.56 acres in size which will come off of Tanglewood Drive and Rockwood Terrace. Mr. Peterson informed the Board members that, that was basically all he was before the Board to do tonight which was a Lot Line Adjustment and understood that the majority of the abutters that were present tonight probably have more concerns with other stuff but for tonight, this is only a Lot Line Adjustment. Mr. Peterson stated that, his client will be coming up from Florida and they will be sitting down to discuss what he would like to do once they got the Lot Line Adjustment moved forward. So tonight, it was pretty straight forward which was the swapping of 17 plus acres of land between the two (2) properties. At this time, Mr. Peterson opened it up to questions and comments but believed it was pretty straightforward. Mr. Peterson thanked the Chairman for his time and the conversation ended.

Mr. Poltak turned it over to members of the Board. Mr. Rolfe asked if the Lot Line Adjustment was more than 25 percent increase in swapping of land. Mr. Rolfe read the following regulation:

***“Lot Line Adjustments: This classification includes any subdivision involving a minor relocation of a lot line between two properties where the lot areas do not change more than twenty-five (25%) percent and no new lots are being created.”***

At this time, a discussion ensued with regard to the percentage of land being swapped. It was determined that the percentage was 29%. A brief discussion ensued with regard to the percentage of land being swapped. Mr. Peterson understood that, it would then be called a subdivision even though no new lots were being created because the lot line adjustment involved more than 25%. Mr. Peterson indicated that, he would make the changes and come back before the Board members which would need to have all the

abutters renoticed again. Mr. Poltak asked Ms. Royce when the next meeting would be. Ms. Royce stated that, the next Planning Board meeting is scheduled for Wednesday, March 3<sup>rd</sup>. Mr. Peterson stated that, March 3<sup>rd</sup> would be great as there is only a few changes to be made to the plan and he could get everything to Ms. Royce by tomorrow. Mr. Poltak commented that, they would not be continuing this hearing as it would have to be a whole new hearing. Everyone understood what was going to be occurring and the discussion ended with regard to this hearing. Ms. Leblanc wanted it noted that, there was a lot of concern of what would be occurring on this property with the abutters. Mr. Poltak explained that, he understood all that and that he believed that they all anticipate a potential subdivision to be on the property and when the time is appropriate the discussion associated with the nature of that subdivision will take place at that time. Ms. Leblanc just wanted it noted with everyone living there with the anticipated traffic and everyone that is going to be affected by this development. Ms. Leblanc also had concerns with regard to the number of houses that may be going in and the roadway. Mr. Poltak stated that, all of that would be done through the subdivision process. Ms. Leblanc thanked the Board and the Board thanked everyone for participating.

Mr. Grillo asked what needed to occur and if there was a withdrawal of this application or do we need a motion to deny it. Mr. Poltak did not believe anything needed to be done at this time. Mr. Poltak explained to the Board that it was still a Lot Line Adjustment but that it needed to be called a subdivision with no new lots being created due to the percentage of the increase. The Board understood and moved on. With that said, Mr. Peterson believed that the Lot Line Adjustment would be a one meeting thing and that they would attempt to speak with the abutters prior to holding a formal meeting regarding any future subdivision.

## **OTHER BUSINESS**

At this time, the Board and Ms. Royce discussed the upcoming Planning Board dates and the date of Town meeting. A brief discussion ensued with regard to the changes being made in Board members at the March Town meeting where two (2) of the Board members will be replaced. Mr. Peterson added that, he could not do any wetland studies until at least April 1<sup>st</sup> and calculations and the like. Mr. Poltak agreed to leave it scheduled for the next hearing which would be Wednesday, March 3<sup>rd</sup>. Mr. Peterson thanked the Chairman and stated that he would have everything to Ms. Royce tomorrow. The discussion ended.

Mr. Poltak asked the Board members if there was any other business that the Board wanted to take up. None was noted. Mr. Poltak just wanted to thank everyone for their due diligence tonight. Mr. Poltak also wanted to inform the Board members that, in March, April and May that there could possibly be two or three major proposals that will be coming before the Board such as the 55 and Older community off of Dollard Road and this subdivision proposal and one other one may be coming before us in the near future as well.



## **ADJOURN**

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. Rolfe voted to adjourn, Mr. Porter voted to adjourn, Mr. Lacroix voted to adjourn, Mr. Grillo voted to adjourn, and, Mrs. Marzloff voted to adjourn, all were in favor and the meeting stood adjourned at 7:56pm.**

**The Planning Board's next scheduled meeting would be set for March 3<sup>rd</sup>, 2021 at 7:00 pm. Due to Governor Sununu's Emergency Order #12 on March 23<sup>rd</sup>, all meetings will be held via teleconference until further notice.**