

UNAPPROVED MINUTES
Town of Auburn
Planning Board
PUBLIC HEARING
April 21, 2021

Present: Ron Poltak, Chairman. Jill Dross, Michael O'Callaghan & Jeff Porter, Member. Paula Marzloff & Jess Edwards, Alternates. Michael Rolfe, Selectmen's Representative. Minutes prepared by Denise Royce.

Also Present: Bill Herman, Town Administrator. Joe Falzone, Scott Cole and Attorney Mark Johnson. Todd Bedard & Keith Leclair, Board of Selectmen. Dan Tatem, Stantec.

Absent: None

Mr. Poltak called the meeting to order at 7:00pm. Mr. Poltak explained the procedures for tonight's hearing and began by saying that, this was the first meeting of the Planning Board in a Public setting after almost 14 months. Mr. Poltak pointed out that there would be an informal discussion regarding Auburn Heights which was the 55 and older community. Mr. Poltak also explained that, there would be a Public Hearing for the Lot Line Adjustment regarding Auburn Heights would also be taking place tonight. This property is located on Hooksett Road of which was the land owned by the Auburn School Board.

Mr. Poltak also mentioned that, he has read the thread that was going on on Facebook and that there was so much misinformation going around and he was hopeful would be taken care of after tonight's meeting and hopefully everyone will leave here somewhat satisfied with how the Board conducts its meeting.

Mr. Poltak introduced himself as Chairman of the Planning Board and asked the other Board members to introduce themselves and then the alternates to introduce themselves next. Michael Rolfe, Selectmen's Representative, Jill Dross, Planning Board Member, Jeff Porter, Planning Board Member, Michael O'Callaghan, Planning Board Member, Jess Edwards, Alternate and Paula Marzloff, Alternate.

Mr. Poltak began by saying that, the Board was supposed to have another Public Hearing tonight and suggested that they take up some of the other items first and then move into the informal discussion regarding the 55 and Older Community proposed.

With that said, Mr. Poltak asked for a motion to approve the minutes of the last meeting which were mailed out to each of the Board members.

MINUTES

Mr. Rolfe moved to approve the minutes for April 7th, 2021 as written. Mr. Porter seconded the motion. A vote was taken, all were in favor and the motion passed.

PUBLIC HEARING

**Eric Mitchell
On Behalf of Matthew Scott
HQ Properties Realty Trust
15 King Street, Tax Map 25, Lot 47
Zoned Industrial
Major Site Plan Review**

Mr. Poltak moved into the King Street proposal and explained a little bit about the project and the location of the property. Mr. Poltak informed everyone present tonight that, they have requested, through Eric Mitchell's office to be continued until our meeting of May 19th. So, they are requesting a continuance of which he had no problem with and pointed out that Mr. Tatem, who was present tonight and who would be working closely on this project with Mr. Mitchell. With that said, Mr. Poltak asked for a motion to continue the Public Hearing on the site plan proposed for the King Street property until May 19th.

Mr. Porter made a motion to continue the Public Hearing for Major Site Plan Review for King Street, Tax Map 25, Lot 47 to May 19th, 2021. Mr. Rolfe seconded the motion. A vote was taken, all were in favor and the motion passed. This Public Hearing is continued until May 19th.

**Wayne Kenney
Kenney Site Plan
11 Rockingham Road, Tax Map 31, Lot 19
Discuss Release of Surety**

Mr. Poltak continued with the release of surety currently being held by the Town of Auburn as the project is now completed. The Town of Auburn is currently holding \$3,500 of which \$491 is needed to replenish the Stantec escrow for the completion of Stantec's review. The total surety to be released would be \$3,009 plus interest. At this time, Mr. Poltak asked for a motion to release the surety on the Wayne Kenney property in the amount of \$3,009 plus interest would be in order.

Mr. Porter made a motion to release the surety currently being held by the Town of Auburn for the Wayne Kenney project located at 11 Rockingham Road, Tax Map 31, Lot 19 be released in the amount of \$3,009.00 plus interest. Mr. Rolfe seconded the motion. A vote was taken, all were in favor and the motion passed.

GENERAL BUSINESS

**Informal - Joseph Falzone
Auburn School District c/o SAU #15
Dollard Road, Tax Map 10, Lot 19
Discuss Development for Age Restricted
Residential Development**

Mr. Poltak explained that, he suggested, along with Mr. Falzone that it would be a good idea to hold an informal meeting on the proposal that will be coming before the Planning Board for a formal hearing with regard to development of the property located off of Dollard Road. Mr. Poltak explained that there have been no approvals to date whatsoever on this property. Tonight, the Planning Board as well as everyone here will hear a presentation relative to what is intended. Mr. Poltak informed the public that, at the end of the presentation that, everyone would have a chance to ask and questions or comment with any concerns you may have. With that said, Mr. Poltak also pointed out that, the Board would be dealing with the Lot Line Adjustment that relates to this project as well. Mr. Poltak explained in depth the procedure and the process that the Planning Board will take with regard to the Lot Line Adjustment. In conclusion, Mr. Poltak stated that, if they meet all the criteria that, it was illegal for the Board to deny the Lot Line Adjustment if they meet all local zoning criteria.

At this time, Mr. Poltak turned the meeting over to Mr. Falzone to begin the presentation. Mr. Falzone stated that he had Scott Cole, Engineer for the project from Beal's Associates and Attorney Mark Johnson present as well who will be handling the legal documents such as the HOA and deeds. With that said, Mr. Falzone turned it over to Scott Cole. Mr. Cole began by pointing out the location of the property and stated that, the property consisted of 58.4 acres. Mr. Cole went through the proposed plan which has a lot of steep slopes. Mr. Cole indicated that the proposal currently shows 78 units. Mr. Cole also stated that, Mr. Falzone has done a similar development in Brentwood. This development would be a private development that will have an Association in which the road will be taken care of by the HOA. Mr. Cole talked about the number of parking spaces per unit which would include two (2) interior spots and two (2) driveway spots. There would also be visitor parking spots available. Mr. Cole also talked about the retention ponds and drainage and that there would be a club house as well as sidewalks on one side of the road. There would be granite curbing and all the drainage would be sustained on the lot. Mr. Cole also mentioned that, the Board was supplied with copies of different types of homes proposed in this development. With that said, Mr. Cole indicated that, he would be happy to answer any questions that anyone may have.

Mr. Falzone stated that, he would have the traffic system once it is complete, and a copy would be submitted to the town. A brief discussion ensued with regard to the traffic study and how it would be increased because of Covid and that there just wasn't as much traffic as there was prior to Covid. Mr. Falzone also pointed out that, the sidewalk did not go all the way down to Dollard Road because they did not see the need for anyone to cross

Hooksett Road. Mr. Falzone also stated that, there would be a parking area for RV's and Boats that would be self-contained for people who have those items which would be located out of sight. Mr. Falzone also stated that, there would be pickle ball courts of which are located in their other developments which is a big draw. Mr. Falzone went on to talk about the water system which would consist of artesian wells approximately 450 feet deep of which the state has been involved. There was a pump test done and that they have way more capacity than they could possibly use domestically. There would be a separate irrigation well. All the lawns will be sprinklered with that well. Mr. Falzone went on to talk about the septic system and lighting would be discussed down the road as they get there. Mr. Falzone commented that, if anyone wants to go through these units in Brentwood that he would be happy to personally walk them through one of those units. Mr. Falzone stated that, he would be happy to answer any questions.

Mr. Poltak stated that he would go through the members of the Board first and then would move on to abutters or interested parties for comment. Mr. Poltak asked Mr. Falzone that, one of the concerns of the Board and the abutters is the increase in traffic flow on Dollard Road to the intersection of Hooksett Road. Mr. Poltak's question to Mr. Falzone was, what has he learned with regard to traffic patterns from the residence that he has in his previous developments. Mr. Falzone pointed out that, this development is age restricted and that the total trips per day with these 78 homes would be 445 trips in and out in a day. With the age restricted development, you don't have as much peak hour traffic going in and out as you would have in a conventional subdivision. Mr. Falzone reiterated that, he would have the traffic study shortly and that all of that would be presented to the Board. Mr. Falzone also commented that, over a third of the residents aren't there during the winter months as they are either in Arizona or Florida and that there would be different peak traffic during those winter months.

Mr. Poltak moved on to ask Mr. Falzone about water usage throughout a development such as this. Mr. Falzone stated that, they are required under the State of New Hampshire to carry 125 gallons a day for the wells and the state doubles that. This project is 1,400 to 1,500 gallons. A brief discussion ensued with regard to water usage, and it was noted that, in Brentwood they were on a municipal water system. Mr. Porter had a concern with the draw of water as Dunkin Donuts well goes dry every now and then. Mr. Falzone believed that, this system has more than enough capacity to handle the draw. Mr. Falzone pointed out that, there was a requirement in the State of NH that, any well within a thousand feet of where they are drawing water, they had to give certified notice to those people and ask those people if they wanted them to come in and test their well as to what their draw is and only one person asked them to do that. Mr. Falzone stated that, the water tested better than he imagined and needs no treatment.

Mr. Edwards asked about the club house and how big it would be. Mr. Falzone stated 2,200 square feet upstairs and 2,200 square feet below which would house the gym and bathrooms and a kitchen that would meet all the fire code requirements. Mr. Edwards asked if he saw that the club house would ever be rented. Mr. Falzone said no because everyone needs to pay an HOA fee and it will not be rented out.

Mr. Poltak asked about the sizes of the individual homes. Mr. Falzone stated that they would be approximately 1,280 square feet to 2,000 square feet which is the maximum square footage allowed with 2 bedrooms and all on one level. A brief discussion ensued with there being an exclusive area around each home that would be yours to utilize. They cut the lawn, fertilize and sprinkler their lawn and shovel your walkway and plow. If someone wants a garden or patio and then the rest of the space becomes common area. A brief discussion ensued with regard to the rail trail system and what would happen if someone wanted to sell their unit. Attorney Mark Johnson commented that, it is all listed in the condominium documents and in the master deed and the Declaration of Covenants which lists the provisions for 55 and older and they want to be sure that they are always in compliance. Attorney Johnson informed the Chairman that he would be happy to leave him with a copy of what they have used in the past for documents. They want to be sure that people know what they are buying. Mr. Poltak explained that, all those documents will be needed to be reviewed by Town Counsel.

Discussion about one person needs to be 55 and the spouse can be younger and if the spouse passes away that the wife still has the right to stay there but once she moves, it will need to come back into compliance. It was mentioned about the Federal Fair Housing Act.

The HOA will maintain all the infrastructure on the property once Mr. Falzone turns it over to the Homeowners Association and Mr. Falzone did not believe that the HOA would manage this as they would probably outsource it to a company to handle all of that.

Mr. Poltak turned the discussion over to Mr. Tatem. Mr. Tatem indicated that, he has discussed the project with Mr. Cole and Mr. Falzone during his review process and stated that there was a list of technical features that they would need to make modifications to. There were a couple of waivers that were minor and asked Mr. Poltak if they wanted to discuss it now. Mr. Tatem explained that, one of the waivers was regarding the several detention basins and that the regulations require them to be fenced and it has been waived a number of times, so he suggested that they seek a waiver to that. Mr. Tatem went on to say that, Mr. Falzone has to go through the State for permitting for the wells and that one of the well radii goes over the property line by a sizeable amount and he would like them to discuss it with them with regard to a possible easement. Mr. Tatem also mentioned possible upgrades to Dollard Road which will be discussed after the traffic study. Mr. Tatem stated that, the last thing was a waiver that was already submitted which was to allow one foot of freeboard in the detention basins at the 100-year storm event. Their thought is to look at them on a case-by-case basis.

Mr. Poltak asked Mr. Falzone that, relative to off-site improvements was with respect to the intersection of Hooksett Road and Dollard Road about the possibility adding a turning lane which would lessen the burden with people in the cue. Mr. Falzone stated that, he will let the traffic consultant determine all of that and that he has dealt with them for over 40 years.

Mr. Poltak turned to the public for comment and the comments were related to what was previously stated above with regard to traffic flow of which a traffic study will be presented to the Town of Auburn when it is completed. If there would be a burden on the school or emergency response and the need for input from Police and Fire. Sight distance was mentioned and access location. The homes would be set back from the rail trail and would not be seen from the rail trail and would be setback approximately 150 feet from the rail trail. The biggest issue is waiting for the traffic study and would be explained when a formal application is submitted at which time abutters would be noticed again.

In conclusion, the concerns of abutters are the location of the access to the development, traffic study, water draw from abutting wells. All of these concerns would be addressed in the review and at the formal hearing. Mr. Poltak thanked everyone for all their input and again reiterated that, all the abutters would be notified of the Public Hearing when the time comes.

PUBLIC HEARING

Joseph Falzone

Auburn School District c/o SAU #15

Paola Farina

Dollard Road, Tax Map 10, Lot 19 & Tax Map 31, Lot 13

Lot Line Adjustment

Mr. Poltak moved into the Lot Line Adjustment and stated that, the Lot Line Adjustment that is being proposed tonight is in compliance with the Town of Auburn's Zoning Ordinance, our Site Plan Regulations and our Subdivision Regulations. With regard to what would be potentially occurring in the future in regard to that LLA is none of our business. So, what we have here is a situation where a lot with a house on it was a non-conforming lot and did not meet the 2-acre requirement and with the land exchange will now be a conforming lot and house. Mr. Poltak asked everyone present if anyone had any input as to why this LLA should not occur with respect to non-compliance with our ordinances. No one responded. With that said, Mr. Poltak turned to Mr. Cole to go through the Lot Line Adjustment request. Mr. Cole explained that it was basically a simple Lot Line Adjustment whereby making a non-conforming lot with 1.73 acres become a conforming lot with 2.07 acres. At this time, Mr. Cole asked if there were any comments from the Board and would ask the Board to approve the Lot Line Adjustment. Mr. Tatem wanted to point out that, if the Board were to approve the Lot Line Adjustment that they approve it with the condition that they address Stantec's comments in Stantec's letter dated April 23rd. Mr. Poltak understood.

At this time, Mr. Poltak turned to the Board and asked for a motion to approve the Lot Line Adjustment with the condition that that address Stantec's comments in Stantec's Letter dated April 23rd.

Mr. Porter made a motion to approve the Lot Line Adjustment between Tax Map 10, Lot 19 and Tax Map 31, Lot 13 conditioned upon the applicant addressing the comments in Stantec's letter dated April 23, 2021. Mr. Rolfe seconded the motion. A vote was taken, all were in favor and the motion passed.

Mr. Poltak wanted to reiterate that, the Board will be scheduling a Public Hearing on this proposal of which they will have to come into an agreement with regard to date and time to schedule this meeting. Mr. Poltak informed the abutters that, the abutters will be notified in advance of such meeting and that everyone will be well aware of this meeting whether it is scheduled for May 19th or June 2nd. Discussion ensued with regard to the next available date. Again, Mr. Poltak reiterated that, all the abutters would be notified of when the Public Hearing will be held regarding this proposal and that it will also be published on the website in the Agenda.

OTHER BUSINESS

ADJOURN

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

Mr. Rolfe made a motion to adjourn. Mr. Porter seconded the motion. A vote was taken, all were in favor and the meeting stood adjourned at 8:50pm.

The Planning Board's next scheduled meeting would be set for May 19th, 2021 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.