

**UNAPPROVED MINUTES**  
**Town of Auburn**  
**Planning Board**  
**PUBLIC HEARING**  
**June 16, 2021**

**Present:** Ron Poltak, Chairman. Jill Dross, & Jeff Porter, Members. Paula Marzloff & Jess Edwards, Alternate Members. Michael Rolfe, Selectmen's Representative. Minutes prepared by Denise Royce.

**Also Present:** Joseph Falzone, Attorney Mark Johnson, Christian Smith, Beal's Associates.

**Absent:** Michael O'Callaghan, Member.

The meeting was being held at the Auburn Village School. Mr. Poltak called the meeting to order at 7:02pm. Mr. Poltak moved on to ask all the Board members to introduce themselves to everyone present tonight.

Mr. Poltak began the meeting by asking the Board for an approval of the last meeting minutes of June 2, 2021 (wrong date was first stated as being May 19, 2021) and stated that a motion to approve would be in order.

**MINUTES**

**Mr. Porter moved to approve the minutes for June 2<sup>nd</sup>, 2021, as written. Ms. Dross seconded the motion. A vote was taken, and all were in favor and the motion passed.**

Mr. Poltak moved into the only item on the agenda which was for Auburn Heights, 55 and older community. Mr. Poltak wanted to talk about old business before beginning with the Public Hearing. Mr. Poltak talked about the informal that was brought before the Board at the last meeting which was on Londonderry Turnpike which had gone before the Zoning Board of Adjustment previously for a Variance which was granted, and the Variance was to allow two (2) duplexes to be developed on that piece of property. This property is located within a rural zone which requires 3 acres and 300 feet of frontage and the purpose of the discussion with the developers was because they now plan to build 6 townhouses as opposed to two (2) duplexes. This Board so noted that, they would have to go back before the ZBA for approval of the same. Mr. Poltak explained that, during that discussion, Mrs. Marzloff brought up the zoning requirements for that zone was 3 acres and 300 feet of frontage. Mr. Poltak just wanted to further endorse as a Board so that he can message the ZBA that it is the sentiment of our Board that the 300 feet of frontage and the 3 acres should be adhered too. Mr. Poltak added that, with that said in a 13-acre piece that four (4) units would be the maximum number of units they could get

that our zoning allows for. A Variance has already been granted for two (2) duplexes and it is the feeling of this Board that 6 townhouses is too many on a 13-acre piece in a rural zone. The Board members all agreed.

The second item Mr. Poltak wanted to bring up pertains to Deb Richards, 3 lot subdivision and believed that Ms. Richards was no longer working with Mr. Matte and that Stantec's review of what is necessary in terms of 5 years coming and going which is an expiration of sorts on vesting to the 3-lot subdivision that she had approved 5 years ago. Mr. Poltak asked Ms. Royce if it was correct that she has agreed to come forward with the \$1,500 that Stantec estimates as the cost of the review that is necessitated as it relates to changes in our land use regulations in our community over the course of the last 5 years. Ms. Royce indicated that Ms. Richards has in fact delivered the check to the town hall and is ready to move forward. Mr. Poltak stated that, they will be reviewing that and then taking action accordingly once we receive Stantec's review.

Mr. Poltak moved on to talk about the fact that, the Governor has announced that, the State of Emergency is no longer in place and as a result the masking requirement and the social distancing has now been vacated. Mr. Poltak pointed out that, the Board has a few major proposals that will be coming before them in the near future. Basically, Mr. Poltak informed everyone that, this is the last time we can meet at the school until school is back in session in the fall. Mr. Poltak stated that, he will not go into the basement of the town hall if there is a large crowd there of which is a personal choice for him. Mr. Poltak stated that, the next two (2) meetings will be held at the Safety Complex on Wednesday, July 7<sup>th</sup> and Wednesday, July 21<sup>st</sup> and pointed out that, these meetings will be held absent the State of Emergency.

Mr. Poltak mentioned that they have not elected a chairman and he has taken the liberty to share with Mr. Porter that he would be willing to continue as the Chairman and asked him if he would be willing to take on the roll and responsibility of being Vice Chairman. Mr. Poltak asked the other Board members if they would be acceptable to that and asked if someone could make a motion to that effect.

**Mr. Porter made a motion to accept Ron Poltak as Chairman of the Planning Board. Mr. Rolfe seconded the motion. A vote was taken, and all were in favor and the motion passed.**

Mr. Poltak believed that they would now take up the position of Vice-Chairman and asked for a motion.

**Mr. Rolfe made a motion to accept Jeff Porter as Vice-Chairman of the Planning Board. Ms. Dross seconded the motion. A vote was taken, and all were in favor and the motion passed.**

## **GENERAL BUSINESS**

No General Business to discuss tonight.

## **PUBLIC HEARING**

**Joseph Falzone**

**Auburn School District c/o SAU #15**

**Dollard Road, Tax Map 10, Lot 19**

**Major Site Plan Review**

**Auburn Heights (78 Lot Condominium Subdivision)**

**78 Single Family Detached – 55 and Older Housing**

**(Continued from May 19, 2021)**

Mr. Poltak began by saying that, with the State of Emergency Order in place, it changes the rules that, a chairman of a local Board has with respect to the timing of submissions and deadlines of applications for development proposals. With that said, Mr. Poltak indicated that, this Board has received an application over two (2) months ago and they've had an informal meeting and they have had a formal hearing of which tonight's meeting is a continuation of that hearing. Mr. Poltak indicated that the clock has started and suggested that the Board should make a motion to accept the application as complete at this time.

**Mr. Rolfe made a motion to accept the application for Auburn Heights, Major Site Plan Review, Tax Map 10, Lot 19. Mr. Porter seconded the motion. A vote was taken, and all were in favor and the motion passed.**

Mr. Poltak explained that, tonight they are going to go through the design and the proposal on the ground of what is going to happen. Mr. Poltak stated that, the next two (2) meetings are scheduled for July 7<sup>th</sup> and July 21<sup>st</sup> and believed that they would have conditional approval no later than July 21<sup>st</sup>. With that said, Mr. Poltak turned the meeting over to Mr. Falzone and his team. Mr. Christian Smith, Principal Engineer with Beal's Associates was here tonight representing the applicant, Mr. Joseph Falzone along with Mark Johnson, Attorney for the Applicant. Mr. Smith began by discussing the entrance relocation onto Hooksett Road as opposed to Dollard Road. Mr. Smith pointed out the configuration for the internal roadways and drainage structures. Mr. Smith talked about the septic system/leachfield locations which would have ejector pumps. Mr. Smith also explained that they have included approximately 8 RV parking spots which would be on a gravel area. Next, Mr. Smith pointed out the clubhouse location which would include the pump house to pump the water supply wells. Mr. Smith pointed out to the Board that, they cannot necessarily indicate what type of house will be in any one location as that may change to what the customer is looking for so as long as they meet setbacks, and they were looking for input from the Board in that regard. So basically, there might be a shuffling of house types so they can interchange those and better serve the folks that are actually buying these homes.

Mr. Smith moved on to indicate that they have requested two (2) waivers of which they have already supplied to the Board in their package. Mr. Smith stated that, they have provided a full response to Stantec's review along with some landscape plans as well as a lighting plan which was done by a lighting professional. Mr. Smith commented that the total roadway is approximately 4,100 linear feet of which will be private roads with a sidewalk on one side. The proposed parking is for one interior and two (2) exteriors for each unit with 38 visitor stalls and all utilities will be underground and serviced by a community well and septic. Mr. Smith believed that was about it and would be happy to answer any questions that the Board may have.

Mr. Poltak wanted to ask Mr. Tatem to speak regarding the two (2) waiver requests. Mr. Tatem began by saying that the two (2) waivers were both drainage related. The first waiver is to not require fencing around the detention basins and that was a regulation that was put in in 2017 which has been waived every time and we should look at taking it back out when we update the regulations next. The second waiver is to not require the one foot of freeboard at a 100-year storm event and gave an explanation that, they were only a foot deep so you can't have one foot of freeboard if they're only a foot deep. Mr. Tatem commented that, those were the two (2) waivers of which they take no exception to either of them. Mr. Poltak asked Mr. Tatem to continue if he had anything further to add. Mr. Tatem indicated that he had a list of high points from the review that they have mostly completed and stated as follows:

- Meters at each house for water – not in favor of not including these meters on each individual house.
- New intersection design across from Old Candia Road - Two (2) turn lanes – one in each direction – AASHTO sight distance to be followed.
- Landscaping plan for one unit or two units and to be added to the plan set.
- Septic fully designed, submitted and approved by DES and to be part of the plan set. To be done prior to the Chairman signing the plans.
- Beal's has a note on the plan that they would like to have removed from the plans regarding missing plans and unsure.
- Note on the plan pertaining to setbacks and to have curb cuts to remain in place and not relocated at a later date.
- Well Radius Easement noted on the recorded plan along with a written Easement.

Mr. Poltak asked Mr. Tatem when they can plan to see a review letter from Stantec. Mr. Tatem stated that, they would receive it before the end of the week.

At this time, Mr. Poltak wanted to first turn to the Board members and then he would turn to members of the audience for questions or comments. Mr. Porter asked about singles and doubles. Mr. Falzone stated that there would not be any doubles and that there would only be single units in this development. Mr. Falzone explained that they have a mixture of small units and bigger units which will all comply with the maximum of 2,000 square feet of living space and capped at 2 bedrooms. They just want the capability of

moving different style units around as they have 6 different styles to choose from to accommodate the buyer. Mr. Falzone stated that, the square footage runs between 1,400 square feet to 2,000 square feet. Mr. Falzone also commented that, some lots will need more landscaping than others but that they won't know that until they get out there doing the ground work. Ms. Dross asked if they would be two-story buildings as she believed they were to be single story. Mr. Falzone stated that they would be a story and a half. Mr. Falzone believed that 75% of the units would be single story and 25% would be a story and a half.

Mr. Rolfe wanted to discuss road specifications and Mr. Tatem pointed out that, the road specifications are different with private roads but that he would check on that. Mr. Rolfe asked about a cistern. Mr. Falzone and Mr. Tatem both stated that, there would be no cistern. Mr. Rolfe asked about propane tanks and where they would be placed. Mr. Falzone stated that, they would all be underground. Mr. Rolfe asked about generators for each unit. Mr. Falzone stated that, approximately 25% of them will have one. Mr. Rolfe asked about decks and the like. Mr. Falzone said yes that people will expand their decks or have a patio if they have a walk-out. Mr. Rolfe asked how much the homeowner would own around the house. Mr. Falzone stated that, he would have to look into that. Mr. Rolfe asked if sheds were allowed. Mr. Falzone said no sheds were allowed and will be in the covenants.

Mr. Poltak asked Mr. Edwards if he had any questions. Mr. Edwards was curious on how they would handle the potential of abandoned cars or RV's. Mr. Falzone stated that, they cannot have unregistered cars period and not a permanent storage site for RV's either as it must be seasonal. Mr. Falzone commented that, once it gets turned over to the HOA that they will be monitoring everything very closely. A brief discussion ensued with regard to RV's parked on site and possible vandalism being so close to the rail trail.

Mr. Poltak assumed the project would be phased and asked about hours of operation which was mentioned 7:00am to 4:30pm and was unsure of 7:00am being too early. Mr. Poltak asked about the phasing and the timing. Mr. Falzone stated that they would be doing the big loop to have access to the clubhouse and then the next phase would be down to where the camper storage is, and the last phase would be the cul de sac so three (3) phases. A brief discussion ensued with regard to phasing and Mr. Falzone believed it would take 3 to 4 years. Mr. Poltak wanted to talk about emergency vehicles and stated that, he was a little concerned with the little road section with five (5) homes on it. Mr. Falzone stated that, it meets the fire department requirements. Mr. Poltak asked if the clubhouse could be rented out. Mr. Falzone indicated that, it's for people who live there who can utilize it and the capacity is set by the fire department on what the square footage will be. Mr. Poltak asked about the community water system and who would be handling that. Mr. Falzone pointed out that, it was a state requirement to hire a licensed person and that they already have someone. Mr. Falzone commented that, he would not do a pool again because the state requires that they test the water four (4) times a day.

Mr. Poltak stated that, he has not looked at the lighting plan yet and asked at what height and what type of fixtures with regard to the streets. Mr. Falzone stated that, he would have to look that up, but the houses are not spaced far apart from each other like the houses throughout town. Mr. Smith took a look at the lighting plan and wanted to mention that there are two (2) of the larger 20-foot mounted streetlights on either side of the RV parking area and believed they would be on some sort of motion sensor. Mr. Poltak asked about fences. Mr. Falzone commented that they were not proposing fencing. Mr. Poltak did not want to see a development in our community that hasn't accommodated the options for storage and the overflow that happens when people move in. Secondly, in his experience with these developments which Mr. Falzone has not run into this because of the strict rules and whatnot and understood that each and every home has a one car garage correct. Mr. Falzone said, two (2) car garage so it would be two (2) in the garage and two (2) outside. Mr. Poltak mentioned the fact that, one stall usually becomes a storage facility. Mr. Poltak commented that, the biggest headache after the developer leaves is the little fences and gardens that go into the open space and then someone complaining about their neighbor for doing something. Mr. Poltak asked Mr. Falzone that, when in the process does he give the Board all of the HOA materials. Mr. Falzone and Attorney Johnson stated that the Board already has them but if not that they would resend the documents.

At this time, Mr. Poltak turned to members of the public or abutters for any questions or comments that they may have. One abutter commented that, she asked about blasting because she lives across the street from this project and stated that, she has an underground spring that feeds her well and that her well is only 6 feet deep and it was a dug well. She's worried about the blasting. Mr. Poltak asked her if she was present at the last meeting when they had a lengthy discussion regarding blasting. She indicated that she was present for that meeting but was wondering when they would get the letters out and come and test the well and whatever they had to do. Mr. Falzone responded by saying that if she is a direct abutter and believed he knew where she was located that, she would receive a notice that says "will you allow us to go in and measure your well and see how it is operating and inspect your house" so they will photograph it in case there is any cracks. She asked when that would happen. Mr. Falzone stated that as soon as they receive all their approvals and prior to them doing any work they would do the inspections first. Mr. Falzone further added that, they could put a seismograph meter on her property as well that would measure the shock that came to her lot. A brief discussion ensued with regard to the blasting. Mr. Smith added that, Maine Drilling & Blasting has a specific area in which they have to inspect prior to doing any blasting.

Mr. Poltak asked if there was anyone else that would like to speak. None were noted. Mr. Poltak asked Mr. Falzone about any signage that would be put in place. Mr. Falzone commented that, there would be no lite sign but would have a marketing sign at the entrance of the development that would be approved by the town and then another marketing sign inside the development when the next phase opens up. Mr. Falzone again stated that, they are not lite, and they were nicely done, and they have a little box on them so if you want to take a pamphlet. Mr. Tatem asked Mr. Falzone if he would have a marble sign at the entrance to the site with landscaping around. Mr. Falzone explained



that, previously they've done like a "Welcome Home" sign at the entrance, and it may be a piece of granite with the name of the subdivision and tastefully decorated. Other than that, you'll have your stop signs and directional signs to the clubhouse. Mr. Rolfe asked about the mailbox bank and if it would be at the clubhouse. Mr. Falzone stated that, that was where they put the other one but that the final say would be done by the post office. Mr. Tatem indicated that, if the post office for some reason says it can't go there then they'll need another structure either by the entrance then that structure will be added to the plan. Discussion ensued with regard to placement of the mailboxes which cannot be done until Mr. Falzone receives approval. Mr. Falzone liked the fact of having up by the clubhouse because they usually have a little house and people can post their notices on the board because people go there every day.

Mr. Poltak asked if anyone else had anything to add. None were noted. Mr. Poltak explained that, where they see things going is that Mr. Tatem will be doing the technical review and getting that back to us within a week. Mr. Poltak added that, they have a meeting scheduled for the 7<sup>th</sup> and the 21<sup>st</sup> of July. The meeting on the 7<sup>th</sup> will have Mr. Scott and they will have the Tanglewood proposal and if they are prepared and were prepared as we'll get together with Mr. Tatem, and they can probably put them on the agenda for the 7<sup>th</sup> or the 21<sup>st</sup> of July and take up the subject of conditional approval given that there is nothing insurmountable associated with the coordination of the technical side as well as the planning side. Mr. Poltak asked Mr. Falzone when he would get all his state permits. Mr. Falzone stated that, he cannot obtain any permits until they obtain conditional approval. Mr. Falzone pointed out that, what they do need tonight is for the Board to take up the two (2) waivers. Mr. Poltak indicated that he was planning on taking up the waivers. A brief discussion ensued with regard to permits needed. Mr. Falzone stated that it was the alteration of terrain permit, the subdivision permit, and the septic design. Mr. Smith explained that they usually submit all these permits simultaneously so that they can review everything all together. Mr. Poltak stated that, we will see if we can make it work in terms of the next meeting to the conditional approval possibility on the 7<sup>th</sup> with this taken up first and put the Tanglerock discussion last and give them a time limit. Ms. Royce understood what Mr. Poltak was saying. In conclusion, Mr. Poltak informed Mr. Falzone that we would take this up on the 7<sup>th</sup> and if Mr. Tatem can get the letter out to us in a week, we will have an opportunity to do that. Mr. Tatem commented that, if the Board notices this for the 7<sup>th</sup> and they run into a snag then they can ask for a continuance until the 21<sup>st</sup>. Mr. Poltak said yes. Mr. Falzone agreed as well.

With that said, Mr. Poltak asked the Board to take up the two (2) waiver requests with a motion.

**Mr. Porter made a motion to approve the waiver request from Subdivision Regulation Article 10.07.40 to not have the required minimum 4-foot-high fence around all drainage ponds for Auburn Heights, Major Site Plan Review, Tax Map 10, Lot 19. Mr. Rolfe seconded the motion. A vote was taken, and all were in favor and the motion passed.**

**Mr. Porter made a motion to approve the waiver request from Subdivision Regulation Article 10.07.09 to not have the required one foot of freeboard in all ponds during a 100-year storm event for Auburn Heights, Major Site Plan Review, Tax Map 10, Lot 19. Mr. Rolfe seconded the motion. A vote was taken, and all were in favor and the motion passed.**

The discussion ended with regard to Auburn Heights. Mr. Poltak informed Mr. Falzone that they would see him back on July 7<sup>th</sup> and that the meeting would be held at the Safety Complex, 55 Eaton Hill Road. Mr. Falzone understood and thanked the Board for their time.

### **OTHER BUSINESS**

There was no other business to discuss.

### **ADJOURN**

At this time, Mr. Poltak thanked everyone for their participation tonight and indicated that a motion to adjourn would be in order.

**Mr. Porter made a motion to adjourn. Mr. Rolfe seconded the motion. A vote was taken, all were in favor and the meeting stood adjourned at 8:31pm.**

**The next Planning Board meeting is scheduled for July 7<sup>th</sup>, 2021 at 7:00 pm. This meeting will be held at the Safety Complex, 55 Eaton Hill Road.**