

UNAPPROVED MINUTES
Town of Auburn
Planning Board
PUBLIC HEARING
March 16, 2022

Present: Ron Poltak, Chairman. Jeff Porter, Vice-Chairman. Jill Dross, Member. Paula Marzloff, Alternate Member. Michael Rolfe, Selectmen's Representative. Minutes prepared by Denise Royce.

Also Present: Tristan Smiley. Dan Tatem, Stantec. Doug MacGuire & David Haddad.

Absent: Michael O'Callaghan, Member. Jess Edwards, Alternate Member.

The meeting was being held at the Auburn Safety Complex. Mr. Poltak called the meeting to order at 7:00pm.

Mr. Poltak moved on to elevate Paula Marzloff to full voting status in the absence of Michael O'Callaghan. Mr. Poltak asked the Board members to introduce themselves to everyone present at tonight's hearing.

Mr. Poltak moved on to the items on the agenda and stated that there were a couple of informal discussions and one update along with two (2) Public Hearings tonight and began with Mr. Chadwick and 266 Rockingham Road and indicated to Ms. Carrier that she would be next on the agenda.

GENERAL BUSINESS

Informal – George Chadwick
On Behalf of 22 Dartmouth Drive, LLC
266 Rockingham Road, Tax Map 25, Lot 44
Zoned Industrial
Discuss Major Site Plan Review (Contractor Bays)

Mr. Chadwick began by passing out copies of the proposed plan. Mr. Chadwick informed the Board that Mr. Eaton was also present tonight who would be helping on the project. Mr. Chadwick went on to point out the location of the proposed property and talked a little bit about the previous applications that have been before the Board previously regarding this property. Mr. Chadwick explained that what they are proposing is to have two (2) buildings and that Mrs. Rouleau-Cote, Building Inspector/Code Enforcement Officer has classified it as a "Commercial Service Establishment". A Commercial Service Establishment is not allowed in this zone and that he has submitted an application to the Zoning Board of Adjustment and will be heard on March 29th. Mr. Chadwick pointed out

that the box at the top is identical to the previous Danais projects that the Board has seen. The platform is the same and the only difference is that it is broken into two (2) buildings and the parking is a little different, but the platform is the same. All the drainage is the same along with the driveway entrance. Mr. Chadwick stated that he will be asking for a waiver for the driveway entrance which was approved by the Board the last time and they are proposing the identical driveway. Mr. Chadwick did not have anything else to add and believed this was pretty clear. Mr. Chadwick indicated that they would be asking for three (3) waivers. One waiver was for the driveway, next would be the light pole height. Mr. Tatem explained it was only if the property abutted a residential property. Mr. Chadwick believed that they would not need to ask for this waiver. Mr. Chadwick went on to the next waiver request which would be for the interior landscaping of the green space within the parking area. They do have a landscape plan that meet all of the town's requirements but what they are proposing was to not have landscaping near the parking area as there would be no islands in this proposal. Mr. Chadwick went on to say that they are required to have sixty-seven parking spaces of which they have sixty-seven parking spaces and therefore will not require a parking waiver. Mr. Chadwick again pointed out that this would be a Commercial Service Establishment with no retail components but resembles what was approved on King Street. This would be Contractor Bays for plumbers, electricians and the like. The septic is designed accordingly and has been increased in size since the last requirements that they have seen and does meet the requirements of the state. Because the drainage is staying the same except for the distribution to get it to the drainage areas that they will be submitting an amended plan to the state. Mr. Chadwick also informed the Board members that he has included the grading plan and a landscaping plan and presented it to the Board members. At this time, the Board reviewed the 3-page plan presented to them.

In conclusion, Mr. Chadwick stated that they will have to go before the Conservation Commission and the Zoning Board of Adjustment. Mr. Chadwick also commented that they would also be looking for a Conditional Use Permit because they will be well under 1,000 square feet and they will be going before the Conservation Commission as well.

Mr. Poltak asked the Board if they had any questions or comments. Mr. Rolfe mentioned that they would need a mailbox bank. Mr. Chadwick stated that he has spoken with Ms. Royce and Mrs. Rouleau-Cote, and they informed him of that as well.

A lengthy discussion ensued regarding potential retail, and it was suggested by the Board that a note be placed on the plan that there is to be no retail sales permitted as that would affect traffic in and out of the property which the area could not handle. Mr. Chadwick also pointed out that he would be more specific at the public hearing and that it could be a condition of approval with the Zoning Board of Adjustment that there is to be no retail sales permitted. Mr. Poltak asked if these would be condominiums and Mr. Chadwick said no that it would be owned by Mr. Midolo and leased to individual tenants which would include plumbers and electricians and no wholesale products. Mr. Chadwick also pointed out to the Board members that there was only two hundred square feet which would amount to two (2) offices. Mr. Chadwick added that, any request for change would have

to go through the Building Inspector/Code Enforcement Officer and would have to go back before the Planning Board for approval.

Mr. Porter asked about trucks and being able to turnaround. Mr. Chadwick pointed out that it was 120 feet between buildings and believed a truck should have no problem turning around and there is a turning movement plan as part of the site plan.

Mr. Poltak reiterated that there would be a lot of problems with having retail situated in this area and added that, that was why it has to be stipulated that there is to be no retail sales permitted. Mr. Chadwick understood what Mr. Poltak was saying.

Mr. Poltak asked Mr. Tatem for comments. Mr. Tatem asked about the old driveway and that when they previously came before the Planning Board that they were supposed to do away with the existing driveway and let grow up naturally. Mr. Chadwick agreed and stated that the existing driveway would be eliminated and left to grow up naturally and the new driveway would come off of Dartmouth Drive and would be noted on the plan as well.

At this time, Mr. Poltak thanked Mr. Chadwick and the discussion ended and Mr. Chadwick exited the building.

**Informal – Alden Beauchemin
On Behalf of Kara Carrier & John McGrath
218 Old Candia Road, Tax Map 13, Lot 25
Discuss Potential One Lot Subdivision (Non-Conforming)**

Mr. Beauchemin presented on behalf of Ms. Carrier and Mr. McGrath and began by saying that they just purchased the property and that the tax card has always shown it as 4.2 acres for years and thought this would be a simple subdivision and they did some work and discovered in the process that the lot is actually a total of 3.7 acres. Mr. Beauchemin went on to say that they currently have an application for Variance with the ZBA and the hearing is at the end of the month and thought this would be an opportunity to go before the Planning Board for a conceptual and how they are running the line and why they are doing what they are doing. Mr. Beauchemin explained that there is an existing house on the property with an existing drilled well that is in good shape. The septic system was in pretty rough shape, so they put together a septic design and received approval from the town and the state for that. Mr. Beauchemin pointed out on the plan the location of the septic system and where the proposed property lines for the new lot would be. Mr. Beauchemin commented that, they made the existing lot with the house a conforming lot with 2 acres and that the new lot would consist of 1.7 acres. Mr. Poltak asked Mr. Beauchemin that they did not know that when they bought it. Mr. Beauchemin said no and that it has been taxed for 4.2 acres for years and where the other acreage went, they do not know. Mr. Beauchemin stated that they have an application before the ZBA and all their research they believed it would be consistent with all the abutting lots in the neighborhood. With that said, Mr. Beauchemin asked if there were any questions.

Mr. Poltak commented that, the process of what they are looking for tonight is what. Mr. Beauchemin commented that, they wanted to see if the Board would be receptive to this lot line that they are proposing, and he did it that way to keep the septic system on the existing lot. Mr. Poltak explained that it was highly irregular to come to the Planning Board before they go to the ZBA because the ZBA has a quasi-judicial role assigned to them by state statute in terms of ruling in regard to departure with the letter of the law which is 2-acre zoning in Auburn. Mr. Poltak wanted to caution this Board to be very careful tonight because he did not want in any way anything here expressed to be utilized to influence the decision of the Zoning Board of Adjustment. Mr. Poltak understood what Mr. Beauchemin was planning to do but informed him that no decision was going to occur tonight. Mr. Poltak further explained that there have been concessions when they were a few feet short of frontage but that the Town of Auburn has been very strict in regard to adherence to the 2-acre minimum lot size. Mr. Poltak also pointed out that, when the cluster ordinance was thrown out that the town's people had spoken.

Mr. Porter wanted to point out the level one wetland and the wetland buffer should show a 125-foot wetland buffer. A brief discussion ensued with regard to the wetlands and wetland buffers. Mr. Beauchemin did point out that they do have the 125-foot wetland buffer noted on the next page.

Mr. Poltak asked Ms. Carrier what type of house they would be proposing to build. Ms. Carrier said that it would be a spec house which would be a 3-bedroom colonial with a garage. Mr. Poltak thanked Ms. Carrier and Mr. Beauchemin and the discussion ended and the applicants exited the meeting.

Mr. Poltak moved on to Mr. Smiley and 9 Auburndale Lane.

PUBLIC HEARING

Tristan Smiley

9 Auburndale Lane, Tax Map 10, Lot 24

Discuss Minor Site Plan Amendment

Continued from February 16, 2022

Mr. Poltak pointed out that this was continued from February and asked if there were any abutters present tonight. None were noted.

Mr. Smiley began by saying that he dropped off at the town hall late yesterday revised plans. Mr. Smiley also explained that he has removed the composting toilets and put the well radius on the design as to be seen on the plan. Mr. Smiley added that Mr. Franklin was unable to complete the septic design at this time. Mr. Smiley also commented that, Katie Curtis who he submitted documentation for a public water system approval is also requesting a copy of the septic design before she can move forward. Mr. Smiley mentioned a transient non community public water system and reiterated that Ms. Curtis

has requested the septic design be completed before she can finalize that process. With that said, Mr. Smiley stated that he would be looking for a continuance. Mr. Rolfe asked what the name of the brewery would be. Mr. Smiley stated that it would be "Prodigal Brewing Company." Mr. Poltak commented that he was hoping to give conditional approval tonight and asked the Board for their thoughts. Mr. Rolfe asked if the building that was located on Manchester Water works land has been removed. Mr. Smiley said no that Mr. O'Neil stated that he would be doing a boundary survey done and get back to him and he has not gotten back to him yet.

Mr. Poltak wanted to go over with Mr. Smiley what was outstanding right now which was the septic system approval, public water system which concludes the DES portion of it and then it is just the licenses of which he cannot proceed forward with until approval at the town level. Mr. Poltak asked what the time limit would be with the state with obtaining approvals. Mr. Smiley believed a month. It was noted that any issues between Mr. Smiley and MWW has been hashed out. Mr. Poltak asked Mr. Smiley if he consented to the Board granting him another continuance at this time. Mr. Smiley said yes. Mr. Poltak asked Mr. Smiley when he would be comfortable coming back in as he would like to be in a position at that time to grant conditional approval and asked if he would be looking at the second meeting in April which would be April 20th. Mr. Poltak asked the Board for a motion to continue the Public Hearing.

Mr. Porter made a motion to continue the Public Hearing for Tristan Smiley, 9 Auburndale Lane, Tax Map 10, Lot 24, Minor Site Plan Amendment until April 20th, 2022. Mrs. Marzloff seconded the motion. A vote was taken, and all were in favor and the motion passed.

Mr. Poltak thanked Mr. Smiley and Mr. Smiley also thanked the Board members for their time. The discussion ended and Mr. Smiley exited the meeting.

Mr. Poltak moved on to Mr. MacGuire and Londonderry Turnpike.

**David Haddad
Londonderry Turnpike, Tax Map 1, Lot 27
Major Site Plan Review
6 Townhomes
Continued from February 16, 2022**

Mr. MacGuire passed out copies of the proposed plan for the proposed townhomes that will be located off of Londonderry Turnpike. Mr. MacGuire began by saying that Mr. Haddad who is the owner of the property was also present tonight. Mr. MacGuire stated that, the plans he just handed out were very similar to the original plans submitted and these plans basically reflect all the updates and addressing Mr. Tatem's comments. Most of his comments were minor in nature and there were a few that had drainage modifications which are implemented on the plan. Mr. MacGuire quickly went through some of them and started with Sheet #3 which was the condominium plan of which the

original plan did not have a condominium plan which is necessary. Mr. MacGuire also pointed out that the title of the front plan has changed to indicate "Auburn Woods Condominium of which was reviewed and approved at the state level as well. Mr. MacGuire went on to talk about the mailbox location was added along with the street sign.

Mr. MacGuire moved on to Sheet #5 and pointed out that they made some modifications and added catch basin #5 and thought it was a good suggestion, so they added it in. Mr. MacGuire indicated that they added a sediment forebay into the pond which required some tweaking of the pond shape. Mr. MacGuire stated that, that was basically it and that everything else was the same. They added in some items which were required in the Town of Auburn's Regulations such as the roadway profiles and drainage profiles but did not reflect any changes to those items.

Mr. MacGuire talked about the landscaping plan and that they added some additional evergreens around the front face of the pond and also proposing deciduous trees to provide some natural buffering. A brief discussion ensued with regard to the landscaping.

Mr. MacGuire went on to say that he was not aware that the Board wanted to see the septic plans and they were able to get those complete and included in the plan set with verified test pits onsite. The last item is that they did not have elevations of the building and we now have that shown on the last sheet of the plan set. Mr. MacGuire also passed out a copy of what the townhomes would look like which would be high end condominiums. Mr. MacGuire pointed out that these can be seen off of Post Road in Hooksett. Mr. MacGuire explained the layout of each unit and believed they would be a very nice product for the town. Mr. MacGuire also passed out a sight line exhibit sheet of what it would look like from Wilsons Crossing Road. Mr. MacGuire believed it would be eight hundred feet to the first set of units. A brief discussion ensued with regard to the sight line exhibit sheet.

In conclusion, Mr. MacGuire turned it over to the Board for questions. Mr. Poltak asked if there were any questions or comments from the Board. Mr. Rolfe asked about the foundation drains and if they were going into the catch basins. Mr. MacGuire indicated that the highest units would have foundation drains because the other units would be a slab. Mr. Rolfe did not think it was a good idea to have the foundation drains going into the catch basins. Mr. Tatem believed it would be cleaner and it would be better for infiltration. A brief discussion ensued with regard to foundation drains. Mr. Rolfe asked Mr. MacGuire how many wells they would be putting in. Mr. MacGuire stated that they would be putting in one well. Mr. MacGuire explained that Mr. Tatem brought up the issue of how they would be handling the water supply and they do recognize that this would require some level of storage. Mr. MacGuire explained that Mr. Tatem's recommendation which he agrees with is to show a place holder for a well building that could house the technology and the equipment and they cannot put that on the plan until they know what the well yield is. A brief discussion ensued with regard to possibly putting a doghouse style attached to the building.

Mr. Rolfe also mentioned trash pick up and suggested ABI which picks up trash throughout the Town of Auburn. Mr. Porter asked at what level does it make it a public water supply. Mr. Tatem stated that it was how many gallons per day. Mr. MacGuire added that it was anything less than 10 units does not require a public water supply so if you have 9 or less there is no need for a public water supply.

Mr. Tatem commented to the Board that, if the Board chooses to conditionally approve this tonight that he did not recommend the Planning Board sign the plans until the well system is designed and approved. A brief discussion ensued with regard to the well supply. Mr. MacGuire stated that, if the plans are approved conditionally that the conditional approval may not allow for financing to allow the product to move forward and wondered if there was a condition like say no building permits or certificate of occupancy will be issued until the well system is designed and approved. A brief discussion ensued with regard to conditional approval and having the plan signed. Mr. Poltak believed that well yield was important and usually exploratory wells are done to make sure you have adequate water supply. Mr. MacGuire agreed that you can't issue building permits but would ask that we allow for that to be a condition of the building permit potentially rather than not having the Chairman sign the plan. Mr. Poltak asked how he can sign a plan without knowing where the wells will be located. Mr. Porter added that it may be possible that they may have to move building locations to drill the well. A lengthy discussion ensued with the visual from the road.

Mr. Poltak asked if there were any abutters present tonight that wanted to speak. Mr. Desfosses of Londonderry Turnpike commented that he believed the Board was approaching it in the right manner and they need an adequate water supply.

Mr. Curtis Morrill of Westford Drive asked if they anticipated doing any blasting for rock removal for the well. Mr. MacGuire said no they did not anticipate having to do any blasting but they'll never know until they get in there. Mr. Morrill asked about lighting and if it was a town requirement to have the buildings lit. Mr. Tatem answered by saying yes that it was a town requirement. Mr. Morrill asked about the dash lines on Sheet 9 of 14. Mr. MacGuire answered by saying that any area of sight distance that your not on pavement that you could have an accumulation of stone they just want to make sure that your not going to have a snow drift. Mr. Tatem added that, that was a state road and was plowed by the state. Mr. Morrill asked about the 400-foot sight distance. Mr. MacGuire stated that it was per DOT Regulations. Mr. Morrill asked if they submitted for a driveway permit. Mr. MacGuire said yes they already have submitted for a driveway permit. Mr. Morrill asked if the driveway was going to be maintained by the HOA (Homeowners Association). Mr. MacGuire said yes, it would be maintained by the HOA as it was a private development all on one lot with no right of way or for it to ever be accepted for a town road. Mr. Morrill asked about the proximity of the detention pond to the By-pass. Mr. MacGuire explained that there will be a pretty robust landscape buffer which will be on the high side of that berm. There is also a very defined roadside swale along the DOT right of way as well. A brief discussion ensued with regard to the detention pond and height and the 100-year storm. Mr. Poltak thanked Mr. Morrill for his comments and moved on to the requirements that the Board would be looking for.

Mr. Poltak asked the Board if they had any questions. None were noted at this time. Mr. Poltak began by saying where they need to be and began with the following:

- 1) Water system design yield and the like needs to come to closure.
- 2) Septic plans – Mr. MacGuire commented that they have not received state approval to date.
- 3) Condominium documents – need to get them to Ms. Royce to be reviewed by town counsel.
- 4) Landscaping plan agreeable by the Board – Mr. Poltak stated that they're a real stickler on this and would like to keep as much of it natural.
- 5) Stantec's comments and Engineer working with Engineer.

Mr. Porter did not believe it was adequate and suggested that they put in 15-foot arborvitae. Mr. Poltak and Mr. Tatem stated that the townhomes on Rockingham Road put in 12-foot arborvitae. Mr. MacGuire informed the Board members that there were evergreens that grow very quickly. Mr. Porter commented that, this is what they would be looking for when they get their final landscaping plan put together. Mr. MacGuire and Mr. Porter discussed landscaping in detail and Mr. MacGuire concluded that he believed it would all be done right. Mr. Tatem made some good comments by saying that maybe they remove the three trees in the corner and believed that they could delete two of those and put the extra money into the taller ones in the front along the road to get what the Board wants. Mr. MacGuire thought that was a good idea and that he would speak with their landscaper and work with Mr. Tatem.

Mr. Poltak turned to Mr. Tatem and asked him at what point was he with Mr. MacGuire. Mr. Tatem stated that he has worked with Mr. MacGuire for 12-years now and if he says he can accommodate everything that he was okay with it and the only thing he had a problem with was the water system. Mr. MacGuire talked about putting the doghouse attachment that could be a 6-foot bump out or an 8-foot bump out to hold the water system components at the far end facing the woods that will tie into the building facade.

Mr. Poltak reiterated what he outlined above and wanted to suggest to the Board members that they grant conditional approval based on all of Stantec's comments being addressed inclusive of the water system, septic, condo docs and any state approvals and landscaping. Mr. Poltak asked Mr. MacGuire for a date specific. Mr. MacGuire was comfortable with a 90-day conditional approval. Mr. Poltak explained the state statute with regard to timing. Mr. Poltak indicated that June 15th would be the 90-day timing. Mr. MacGuire asked if they were complete prior to the 90-days could they come earlier. Mr. Poltak informed Mr. MacGuire that he definitely could come back before the Board earlier.

Mr. Porter made a motion to grant conditional approval with the conditions being met by June 15th for David Haddad, Londonderry Turnpike, Tax Map 1, Lot 27, Major Site Plan Review – 6 Townhomes. Mr. Rolfe seconded the motion. A vote was taken, and all were in favor and the motion passed.

Mr. Poltak thanked Mr. MacGuire and Mr. Haddad. Mr. MacGuire also thanked the Board and the discussion ended.

**Update - 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**

Mr. Poltak wanted to explain the process for the above referenced project that Mr. Falzone has met all of the conditions of the town rules and regulations and that we are now at the point where state approvals are being rendered and the only thing left is to submit the final plan and numbers garnering state approvals have to be assigned on that final plan. There is a number that goes with each permit and he does not have the numbers yet. Mr. Poltak turned to Mr. Tatem for comment. Mr. Poltak indicated that he needs a motion to grant final approval and to authorize as Chairman to sign the plans once provided with the state approval numbers. Mr. Tatem said that is correct, they finished the review of the final set of plans and there were a few minor issues that have been cleaned up today. Mr. Tatem indicated that Fish & Game is the one that is holding everything up and once they say yes then the rest of them will be issued as they are just sitting there waiting and believed they were short staffed and that was the reason for the hold up.

Mr. Tatem wanted to clear something up with the Board and said that he spoke with Mr. Falzone about the ownership of the property and that Mr. Falzone is going to develop the project to the completion of it but he has a partner called “Chinburg Builders”. So the final set of plans will say Chinburg Builders as Chinburg will be building all the houses and Mr. Falzone will be involved during the duration of the construction.

Mr. Porter made a motion to grant final approval and to authorize the Chairman to sign the final plans once provided with the state approval numbers for Joseph Falzone/Auburn School District c/o SAU #15, Dollard Road & Hooksett Road, Tax Map 10, Lot 19, Major Site Plan Review – 78 Single Family Detached – 55 and Older Housing. Mrs. Marzloff seconded the motion. A vote was taken, and all were in favor and the motion passed.

MINUTES

Mr. Porter moved to approve the minutes for February 16th, 2022, as written. Mr. Rolfe seconded the motion. A vote was taken, and all were in favor and the motion passed.

OTHER BUSINESS

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. Mrs. Marzloff seconded the motion. A vote was taken, all were in favor and the meeting stood adjourned at 8:57pm.

The next Planning Board meeting is scheduled for Wednesday, April 6th, 2022 at 7:00 pm. This meeting will be held at the Auburn Village School Gymnasium, 11 Eaton Hill Road. This date is subject to change.