

UNAPPROVED MINUTES
Town of Auburn
Planning Board
PUBLIC HEARING
June 15, 2022

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

Also Present: Doug MacGuire, Bill Purington & David Haddad. Tristan Smiley.

Absent: None.

The meeting was being held at the Safety Complex. Mr. Poltak called the meeting to order at 7:00pm and asked everyone to introduce themselves to everyone present tonight.

Mr. Poltak moved on to approval of the minutes of the last meeting which was May 18th.

MINUTES

Mr. Porter moved to approve the minutes for May 18th, 2022, as written. Mr. Rolfe seconded the motion. A vote was taken, and all were in favor and the motion passed.

Mr. Poltak wanted to take up the discussion with Mr. Smiley with regard to 9 Auburndale Lane first.

PUBLIC HEARING

Tristan Smiley
9 Auburndale Lane, Tax Map 10, Lot 24
Discuss Minor Site Plan Amendment
Continued from April 20, 2022

Mr. Poltak began by saying what he would like to share with him and the Board on what he would like to accomplish tonight. Mr. Poltak stated that, he would like to think that they might be able to move forward with final approval with conditions but there are a few matters outstanding. Mr. Poltak understood that he did receive state approval for the well and that he submitted well in advance of this meeting the septic plan and that the person up at the state went on vacation and as a result he did not have the septic approval yet. Mr. Poltak added that, that could be one of the conditions. Mr. Poltak indicated that there were some potential issues that he wanted to share with Mr. Smiley and then have the

Board ask any questions that they may have as well. Before Mr. Poltak went that route, he wanted Mr. Smiley to have an opportunity to share with the Board anything that he would like to add.

Mr. Smiley began by asking for a copy of the Zoning Determination that Mrs. Rouleau-Cote had issued to go over the checklist. Ms. Royce gave Mr. Smiley her copy of the Zoning Determination for Mr. Smiley to address the Board with. Mr. Smiley thanked Ms. Royce and stated that the well approval has been granted and the septic system which is awaiting approval. There was a requirement of a building inspection prior to opening to the public which was required. Mr. Smiley also pointed out that the composting toilets have since been removed off of the site plan. Mr. Poltak asked for a copy of the site plan. Ms. Royce presented the Board with a copy for review. Mr. Smiley went on to say that the well board did reduce the size of the well radius from 100-feet to 75-feet. Mr. Rolfe asked about the Lean-to and if it has been removed. Mr. Smiley stated that the Lean-to has not been removed yet because Mr. O'Neil stated that he was doing a boundary survey and he has never completed that survey. Mr. Smiley stated that he did remove the wire fence, but he has not yet removed the Lean-to.

Mr. Poltak wanted to continue with his comments and began by saying that, he has asked Mrs. Rouleau-Cote and Ms. Royce to update him on the plan that is before the Board tonight dated March 2022. Mr. Poltak reiterated that he would like to get to final approval tonight and noted that they would need a final plan and wanted to go through Mrs. Rouleau-Cote's questions. Mr. Poltak asked Mr. Smiley the following questions:

- 1) Will he have areas outside for patrons. Mr. Smiley said NO. Mr. Smiley indicated that he did not want to carry a tray of drinks outside.
- 2) Hours of operation would be Friday and Saturdays only, no weekdays. Mr. Smiley said that was correct that he would be open only Friday and Saturday. Mr. Poltak stated that any changes that he would need to come back before the Board.
- 3) Animals outside in an area. Mr. Smiley said yes, he was planning to bring his goats in an area that will be depicted on the plan. 10-foot by 12-foot shed to be used for shelter.
- 4) Fencing and the Lean-to on Manchester Water Works property needs to be removed. Needs to be removed prior to him signing the plan.
- 5) Mr. Poltak was satisfied with the lighting plan and wanted Mr. Smiley to explain. Mr. Smiley pointed out one additional light to be placed on the property on the corner of the brewhouse and pointed to the parking spaces along with parking lights on an overhead pole.
- 6) Landscaping. Mr. Smiley said NO.
- 7) Pursuing and addressing Mrs. Rouleau-Cote's concerns regarding all the licensing that he will need and the food side of the equation. Mr. Smiley pointed out that he needed 3 licenses.
- 8) Need a note on the plan that there will be no parking on the roadway out front which will be needed added to the site plan. Mr. Smiley's preference as well.

Mr. O'Callaghan asked what the septic would support. Mr. Smiley indicated that it would support 20 patrons and 4 employees including himself which is listed on the note section of the septic plan.

Mr. Poltak asked the Board if they had any questions. Mr. Rolfe asked if it should be shown the 10-foot by 12-foot goat enclosure. Mr. Poltak stated that it is depicted relative to intent and purpose on the more recent plan. Mr. Edwards asked about parking on the road. Mr. Poltak pointed out that there were residential homes on that road. Mr. Poltak also pointed out that Mr. Smiley is limited to the number of patrons and the number of parking which is what they are approving tonight.

With that said, Mr. Poltak asked the Board to offer a motion which would be final approval based on what they have learn tonight but conditional upon the State Septic Approval being forthcoming and the changes he suggested tonight regarding the animal enclosure, the MWW property encroachment being removed, the no on street parking.

Mr. Porter asked if he had to obtain relief from the well radius. Mr. Smiley said it was reduced because they went from full service to paper service only. It went from 40-gallons per seat to 30-gallons per seat which reduced the well radius. Mr. Porter believed the plan should reflect the reduction in the well radius. Mr. Smiley was aware of that.

Mr. Poltak asked the Board if they were comfortable with what he was proposing with final approval. Mr. Poltak also pointed out to Mr. Smiley that he would be revising the final plan with the Board's requested changes in order for him to sign it everything mentioned above would have to be in order. Mr. Smiley understood what Mr. Poltak was saying.

Mr. Porter made a motion for final approval for Minor Site Plan Approval for 9 Auburndale Lane, Tax Map 10, Lot 24 with the following conditions: 1) that the animal enclosure be noted on the plan; 2) that State Septic Approval is obtained; 3) that the reduction of the well radius be noted on the plan; 4) No on street parking is allowed; and, 5) that the Lean-to on MWW property be removed. Mr. Rolfe seconded the motion. A vote was taken, and all were in favor and the motion passed.

Mr. Porter thanked the applicant and wished him luck and the discussion ended.

GENERAL BUSINESS

Informal - Maine Drilling & Blasting

Rattlesnake Hill, LLC

88 Gold Ledge Avenue, Tax Map 1, Lots 5, 18-3 & 18-4

Discuss Site Plan Review

Mr. Doug MacGuire presented on behalf of Maine Drilling & Blasting and began by passing out copies of a site plan proposal to each of the Board members. Mr. MacGuire

pointed out that they were before the Board with a Lot Line Adjustment of which the Board did approve and that they will be coming in with the mylar for recording of that LLA soon. Mr. MacGuire informed the Board that nothing would be done until after the ZBA case which will be before the ZBA at the end of the month.

With that said, Mr. MacGuire stated that he would go thorough the plan and would seek any questions or comments from the Board as well as comments from Mr. Tatem of Stantec once it is before him for review. Mr. MacGuire began by saying that, this was a complete set of plans and wanted to go through it with the Board. Mr. MacGuire began with Sheet #2 – Existing Conditions which shows the full extent of Lot 17-4. Mr. MacGuire explained that the intent of this site plan would be to provide access to Lot 17-4 for storage laydown space for MD & B for their newer venue that they are working on. Mr. MacGuire went on to say that they have a driveway utilizing the LLA that they did to allow them to go up the existing woods road to provide access and avoiding wetland impacts which will be part of the case that they will be providing to the ZBA. Mr. MacGuire moved on to Sheet #6 – Site Plan B you can see what the intent is which shows three (3) tiers which would be built like a construction phase type manner with the middle tier starting first simply because it is at grade. They are all similarly spaced that are 2+ acres each. Mr. MacGuire moved on to Sheet #7 – Grading, Drainage & Utility Plan-A which shows the grading to bring them up and in at a reasonable grade. Mr. MacGuire went into detail with the Board regarding grading and cuts to be made which would be approximately 1½ to 2%. Mr. MacGuire pointed out that they would be gravel pads and talked about the drainage swales they are proposing. Mr. MacGuire also mentioned the discussion which took place with the Conservation Commission where they talked about staggering the silt fence which they are going to do and other than that the Board seemed pretty content with the proposal that they have. Mr. MacGuire moved on to talk about the Lighting Plan for the winter months where it gets dark early which can be shown on Sheet #11. A brief discussion ensued with regard to lighting and possibly placing it on a timer and also utilizing security lighting. Mr. MacGuire directed the Board to Sheet #13 – Road Profile Plan and talked about it being nothing more than 8% proposed. With that, Mr. MacGuire wanted to turn it over to the Board for questions or comments and understood that it was the first time that the Board was seeing this plan and noted that this discussion was totally an informal discussion. Mr. MacGuire added that, this meeting was basically to get the Board's blessing to start this project and move forward with Stantec with the review process.

Mr. Poltak talked about surface water runoff standards with regard to a gravel base and asked what standards are used to protect water quality from the use of that technology. Mr. MacGuire talked about tiered gravels which was intended to infiltration purposes which is essentially compacted. Mr. MacGuire stated that it was very close to impervious and that impervious was 98 and that they would be using something in the 80's which was very close to impervious. Mr. MacGuire explained that the drainage analysis would be calculated showing that, that water is essentially runoff and being collected and distributed at the low side of the property. A brief discussion ensued with regard to stormwater runoff. Mr. MacGuire also mentioned that this would require an AOT permit which means they will have to meet treatment criteria per their regulations. Mr. Poltak

asked what they would have to worry about what is stored at the top of the property. What will contaminate the groundwater from Pad #1, #2 & #3. Mr. MacGuire explained that it was mostly laydown space for actual components like mechanical components. Mr. Purrington explained in detail that it was pipe that would be going into the ground in the future and there would be accessories that are carbon steel pipes and a bunch of different accessories that would go with it.

Mr. MacGuire went on to talk about DES for AOT permit would be looking at certain treatment practices are allowed for different uses. Mr. MacGuire further stated that, they limit the type of treatment practices and gave an example of you can't have an infiltration pond right up board of a gas station collection site of all its catch basins because it's a high load use. This storage of this material is not classified as a high load use. Mr. Poltak asked who would oversee and maintain this. Mr. MacGuire indicated that, they would have to clarify on the plan what is allowed and what is not allowed on the plan and if there were a violation the Board would have the power to rescind the site plan approval which could lead to other legal avenues. Mr. MacGuire pointed out that MD&B has been a good neighbor and believed they would do the right thing going forward. Mr. Poltak also pointed out that Mr. Tatem of Stantec would be reviewing this project as well. Mr. MacGuire pointed out that this being a private site it is their responsibility to maintain this and there is going to be an operation and maintenance full booklet that is a requirement of AOT which will be a requirement of their stormwater management system. Mr. MacGuire also stated that, it could be referred to on the plans and there is a maintenance schedule that involves them with inspections and checking on the basins to make sure things are overflowing and other things that are required to maintain. Mr. Poltak understood where they were coming from but would require a note on the plan with regard to maintenance and oversight would be the responsibility of MD&B.

Mr. Poltak asked the Board if anyone had any questions. Mr. O'Callaghan asked if there were any thoughts about expansion onto Leppert Way. Mr. Purrington said No that there were issues with the right of way on Leppert Way and also there would be more impact to the wetlands. Mr. MacGuire mentioned that it would require a Variance from the ZBA for wetland crossings by going this route.

Mr. Purrington also asked the Board about Connex Boxes being put on the property and understood that a permit would be required but wanted to know if they would be required on this site. A brief discussion ensued with regard to Connex Boxes. Mr. Poltak stated that they should be noted on the plan. Mr. Purrington stated that, putting the accessories in a Connex Box would keep everything out of the elements and would potentially have 2 or 3 Connex Boxes on site. Mr. MacGuire stated that they would talk about it further and add it to the plan.

In conclusion, Mr. Poltak stated, to sum up the conversation, the access road, the identification of minimizing wetland impact and acquiring the Variance that he did not see any reason why they could not proceed forward. Mr. MacGuire asked the Board's permission to send this over to Mr. Tatem to get the fee estimates for them to move forward. Mr. Poltak said yes.

Mr. Edwards asked about signage. Mr. MacGuire stated that there was no need for signage. Mr. MacGuire reiterated that, he would put the plan together and get it to Mr. Tatem and hopefully get an application together to see the Board in August. Mr. Poltak agreed and thanked the applicant for their time and the discussion ended.

Mr. Poltak moved on to the Public Hearing portion for Londonderry Turnpike, Mr. Haddad, and Mr. MacGuire.

PUBLIC HEARING

David Haddad
Londonderry Turnpike, Tax Map 1, Lot 27
Major Site Plan Review (Final)
6 Townhomes
Discuss Final Approval

Mr. MacGuire passed out copies of the final plan to each of the Board members for review. Mr. Poltak began by saying to the Board that, he believed they saw the letter stating that Stantec has completed the review of the proposal of the development and has no major concerns and that we are here tonight whereby the applicant is seeking final approval of the plans. Mr. Poltak wanted to explain to everyone that a Notice of Intent is not a permit to cut, and it never has been and never will be. An Intent to Cut given to the Selectmen indicates a timber tax parcel that will be cut under the DRA Statute. Mr. Poltak stated that, you do not do anything until you have a pre-construction meeting. Mr. Poltak commented that, he was not happy when he saw that the trees were cut. A discussion ensued with regard to the stump pile and the utilization of the neighbor's driveway. Mr. MacGuire explained that Mr. Haddad initially was going to come in through his frontage to bring the well rig in. When Mr. Haddad did the cutting, the intent was that, being a conditionally approved plan and the well rig drilling had to be done of which he has pretty good experience with getting the well trucks in there and based on where he was going to have to bring the road in and they would not come in on a side slope like there is. Mr. MacGuire further explained that Mr. Haddad was looking at the amount of work that it would need to bring the well truck in, and he got to talking to his neighbor who was open to working with him and they developed a relationship and an agreement that he would do some work in cleaning up on his way out while coming in that way. It was a substantially shorter distance to come in that way and required less stumping. The only area that is really stumped is the area going up to the well location which is a full drilled well and received an exceptional yield which was a requirement of the Board's conditional approval to drill that well to make sure that this development could work. They also added the water building based on his discussions with Hampstead Water and Mr. Tatem on the sizing that it needed to be based on that yield which is now reflected on the plan which is a 10-foot by 10-foot structure that is on the back side of the building to the left. Mr. Poltak commented that this is a residential proposal that we have approved but it's a commercial situation as it relates to site plan approval. Mr. Poltak asked if they would be using that driveway in the future and if they were that they would need an agreement between Mr.

Haddad and the neighbor due to the liability to the town. Mr. Haddad understood what was being asked of him by the Board. Mr. MacGuire indicated that, the next step would be to go through the pre-construction process and establish his construction entrance. This was done just for the well purpose. Mr. MacGuire also pointed out that, in discussions with Mr. Haddad and his review of the site out there that, Mr. Haddad is willing to put up a 6-foot vinyl fence along the rear of the abutter's property with a raised 2 to 3-foot berm which will be a mutual benefit to both parties. Mr. MacGuire further explained what they were proposing which will be added to the plan as it was not added to the original plan. Mr. MacGuire also pointed out that Mr. Tatem would be reviewing it for approval. Mr. Poltak stated that his intent tonight was to issue final approval on this proposal. Mr. MacGuire added that the contours run perpendicular to the property lines, so they are not damming anything it was a great location to do a berm without any issue.

Mr. Poltak asked the Board if they had any questions. The Board had no concerns with what is being proposed. Mr. Poltak endorsed the Landscaping Plan. Mr. MacGuire pointed out that the fence was added to the Landscaping Plan as well.

Mr. Poltak asked if there were any further questions. Mr. Edwards asked what the general price range that these townhouses would go for. Mr. Haddad stated approximately \$475,000 to \$500,000. Mr. MacGuire added that, they are fairly good size units with 3 bedrooms and windows bumped out and decks in the rear which costs more than the flat fronts. It was noted that this would be owned and maintained by the HOA which documents would be reviewed by Town Counsel. Ms. Dross asked if the units would be sprinkled. Mr. MacGuire said yes that anything more than a duplex is required to have suppression. Mr. O'Callaghan asked about the leachfield which is 16 feet from the back building and asked if it was a pump-up system. Mr. MacGuire said yes. Mr. Rolfe asked what the yield on the well was. Mr. Haddad stated that it was almost 10 gallons a minute.

Mr. Poltak concluded by saying that the Board gave conditional approval and that conditions have been met and the only nuance tonight is the berm and a fence, but they will be going to a pre-construction meeting with Mr. Tatem and having discussions with Mr. Tatem prior to that date that the pre-con is being set up so he would be looking for him to respond. With that said, Mr. Poltak stated that a motion for final approval would be in order.

Mr. Porter made a motion for final approval for David Haddad, Londonderry Turnpike, Tax Map 1, Lot 27, Major Site Plan Review for 6 townhomes. Ms. Dross seconded the motion. A vote was taken, and all were in favor and the motion passed.

Mr. MacGuire thanked the Board. Mr. Poltak asked Mr. Haddad when he planned to be in there with intensity after the pre-con meeting. Mr. Haddad indicated that he would like to start as soon as possible. Mr. MacGuire asked if they could schedule a pre-con meeting. Mr. Poltak said yes and that he will be there if he can.

OTHER BUSINESS

At this time, Mr. Poltak thanked everyone for their participation tonight and reminded the Board that they would not be meeting in July and that their next meeting is scheduled for August 3rd which will be to discuss Tanglerock subdivision. Mr. O'Callaghan informed the Board that he will not be available for the August 3rd meeting. Ms. Royce so noted Mr. O'Callaghan's statement. Mr. Poltak stated that he has not seen any plans to date.

Mr. Poltak stated that a motion to adjourn would be in order.

ADJOURN

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| Mr. Porter made a motion to adjourn. Mr. O'Callaghan seconded the motion. A vote was taken, all were in favor and the meeting stood adjourned at 8:16pm. |
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The Planning Board will not be meeting during the month of July. The next Planning Board meeting is scheduled for Wednesday, August 3rd, 2022 at 7:00 pm. This meeting will be held at the Safety Complex, 55 Eaton Hill Road. This date is subject to change.