

**UNAPPROVED MINUTES**  
**Town of Auburn**  
**Planning Board**  
**PUBLIC HEARING**  
**November 2, 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:** Gerry Demirjian & Alan Villeneuve. Julie & Michael Tourville.

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

The meeting was being held at the Town Hall. Mr. Poltak called the meeting to order at 7:00pm and moved on to first elevating Mrs. Marzloff to a full voting member in the absence of Mr. O'Callahan. Mr. Poltak explained that the first item on the agenda tonight is the approval of the minutes.

**MINUTES**

**Mrs. Marzloff moved to approve the minutes for October 19<sup>th</sup>, 2022, as written. Ms. Dross seconded the motion. A vote was taken, and all were in favor and the motion passed.**

**GENERAL BUSINESS**

**Demirjian Realty Group, LLC**  
**269 Rockingham Road, Tax Map 25, Lot 40**  
**Minor Site Plan Amendment**

Mr. Demirjian began by saying he would like to put up an accessory maintenance shed at 269 Rockingham Road. Mr. Demirjian pointed out that, at the last meeting there was discussion that if it were 200 square feet or less that it would eliminate the need to go to the Zoning Board of Adjustment. After speaking with Mrs. Rouleau-Cote she indicated that he still needed to go to the Zoning Board of Adjustment for a Variance from the front setback. Mrs. Rouleau-Cote suggested that, since he was already going before the Zoning Board of Adjustment for the setback that he may as well go with the bigger size shed that he wanted to go with originally. He presented to the Board the location of the shed that he is proposing to construct. Mr. Demirjian stated that, he went from 200 square feet to 280 square feet.

Mr. Demirjian added that, if it's acceptable to the Board then he'd like to meet with the ZBA to obtain a Variance from the front setback for the shed. The Board reviewed the visual of what the shed would look like which would mimic the look of the existing building. The Board also reviewed photos of surrounding properties that have trailers utilized for storage along with tractor trailer bodies and dump trucks. Mr. Demirjian indicated that, this informal is to give the Board a complete overview of where it is and what it's going to look like so he can then proceed to meet with the ZBA.

Mr. Poltak turned it over to the Board members for questions for Mr. Demirjian. Mr. Porter pointed out that there were wetlands in the back and asked what he would be doing for drainage and if he had any detention or infiltration areas. Mr. Villeneuve was present and commented that, the wall was high in the back and slopes forward to the property, so stormwater has to come all the way to the front and then go around the wall. Discussion ensued with regard to the wall in the back of the property. Mr. Porter asked about the pitch of the roof on the shed and noted that one side would be towards the wetlands and the other side would be away from the wetlands. Mr. Villeneuve pointed out that this shed was far enough away from the wetlands. Mr. Porter wanted to know how they would be capturing the runoff from the roof. Mr. Villeneuve stated that, it would be going the same place as it was before. Mr. Porter wanted to see something on the plans how they will capture the runoff from the roof because they were putting in more impervious surface. Mr. Villeneuve added that, he could put a gutter on the backside of the building and draw the water forward, but it will still end up to a place it always has which is into a Class III wetland that was created when they put 101 in and it's basically nothing but a ditch. Mr. Villeneuve did say that it is a wetland absolutely and there are protections in place with the development of that property. Mr. Villeneuve also added that there are existing Variances to be far closer to that wetland which he believed to be 12-feet and stated that the shed is at least 35-feet from the wetland. A brief discussion ensued with regard to the drainage that is currently on the property.

Mr. Poltak asked Ms. Royce to go back to the first slide that showed the site plan. Mr. Poltak asked about access to the shed and if he would be having an additional driveway. Mr. Demirjian stated that, he would like to finish it because he does not want to track mud into the building. Mr. Poltak indicated that, it was not depicted on the site plan presented and further asked what he would be installing. Mr. Demirjian stated that he would like to pave that area or place stone blocks. A brief discussion ensued with regard to paving the area. Mr. Poltak explained to Mr. Demirjian that he will need a site plan amendment and as a result, Stantec would have to get involved and would be looking at runoff and drainage. Mr. Poltak asked Mr. Demirjian if he was scheduled to go before the ZBA anytime soon. Mr. Demirjian stated that he is on the agenda for Tuesday, November 15<sup>th</sup>. Mr. Poltak asked when he planned to move ahead with this. Mr. Porter commented that there was a ZBA 30-day appeal period where he could not start the project. Mr. Poltak pointed out that, the site plan amendment would need to address drainage and runoff, which is part of our rules and regulations in town. Mr. Poltak believed he would have to think hard if he was going to put pavement in there and he would obviously have to depict

where the runoff is going now and what additional contribution that this would make to that runoff.

Mr. Poltak moved on to speak with Mr. Villeneuve about the wall and how they have waited 11-months for an engineering letter regarding the wall of which has yet to be received. Mr. Poltak added that, the letter is needed to complete and close the file on the initial site plan approval. Now Mr. Demirjian is looking for a second site plan approval which is an amended site plan, we need to finish the first site plan that was approved by the Board. Mr. Poltak explained that Stantec has sent a letter to Mr. Villeneuve and believed it was some time last week. Mr. Poltak went on to say that, that letter put an ultimatum in the letter of November 30<sup>th</sup>. The certification by the site engineer relative to the integrity and the construction of the wall to be submitted by that deadline. Mr. Poltak spoke with Mr. Villeneuve about the letter and wanted to know when they would be receiving the certified letter because nothing else can happen until that letter is submitted. Mr. Poltak indicated that, they would not get this site plan approved until the first site plan is completed which means the letter. Mr. Poltak pointed out that he has extended the deadline for the letter another 30 days which comes to December 30<sup>th</sup>. Mr. Poltak said, they cannot put a shovel in the ground because he has to come back before the Planning Board for site plan amendment to show what the ZBA has approved. Basically Mr. Demirjian would not be starting this until January. Mr. Demirjian informed the Board that he then would not be starting anything until spring and until then he would be placing a container or trailer on the property until this is resolved.

Mr. Poltak reiterated what he said previously about not being able to approve an amended site plan until the first site plan is complete. Mr. Villeneuve also pointed out that, this property already has Variances to distance from wetland and the like and asked why he needed more Variances. Mrs. Marzloff stated that, it would depend on how the Variance was established and how it was defined, and it may be relevant to the existing building and not the building that is being added now.

Mr. Demirjian asked the Board that, if he keeps the shed at 200 square feet, would it do anything at all. Mr. Poltak commented that, his real issue is going to be drainage of which is an engineering decision which will happen with Stantec's overview, and the other issue is getting a Variance from the setback. Mr. Poltak believed the size that Mr. Demirjian was going with would be no more disruptive to the character of the area. Mr. Poltak believed Mr. Demirjian could continue down the path he is going, and the real question is going to be whether you can pave that access area or not relative to surface water runoff. Mr. Rolfe pointed out porous pavement and the Board had a brief discussion with regard to porous pavement. Mr. Demirjian had one more question and asked the Board how they felt if he were to put in three-quarter inch stone would it help the situation. Mr. Demirjian added that it would be a pain for him because you can't snow blow over it without hitting things.

Mr. Demirjian thanked the Board and the discussion ended.

**Keith Martel**

**Copley Court (Illsley Hill), Tax Map 8, Lot 29 (\$9,484.13)**

**Nathaniel Way (Tilton Place), Tax Map 5, Lot 104 (\$19,948.40)**

**Release of 2-year road surety for both roads**

Mr. Poltak moved on to the release of surety for Copley Court and explained that Stantec has walked the road and indicated that the seal cracking has been done and now recommends the release of the 2-year road surety being held by the Town of Auburn.

**Mr. Porter moved to approve the release of the 2-year road surety for Copley Court (Illsley Hill), Tax Map 8, Lot 29 in the amount of \$9,484.13 plus interest. Mrs. Marzloff seconded the motion. A vote was taken, and all were in favor and the motion passed.**

Mr. Poltak moved on to the second request for relief of surety for Nathaniel Way (Tilton Place) and asked for a motion to release the 2-year road surety.

**Mr. Porter moved to approve the release of the 2-year road surety for Nathaniel Way (Tilton Place), Tax Map 5, Lot 104 in the amount of \$19,948.40 plus interest. Mrs. Marzloff seconded the motion. A vote was taken, and all were in favor and the motion passed.**

**George Chadwick**

**On Behalf of Leacoir Holdings, Inc. (NH Signs)**

**66 Gold Ledge Ave, Tax Map 1, Lot 18-5**

**Discuss Drainage Issues**

Mr. Chadwick was unable to attend tonight's meeting and therefore this discussion has been placed on hold.

## **PUBLIC HEARING**

**Michael & Julie Tourville**

**It's a Child's World, LLC**

**341 Wilson's Crossing Road, Tax Map 2, Lot 6-3**

**Minor Site Plan Review**

Mrs. Tourville began by saying that the Board gave some great input the last time she was before the Board informally and now she was before the Board tonight formally. Mr. Poltak stated that this was a Public Hearing whereby abutters have been notified. Mr.

Poltak explained that the applicant will present and then they'll get right down to what they will be doing. Mr. Poltak stated that they would be talking about the construction portion of what she would like to do. Mrs. Tourville stated that she has made changes after meeting with the Board at the last hearing and after receiving feedback. Mrs. Tourville passed out copies of what she is proposing.

Mrs. Tourville went on to say that she has gone before the Zoning Board of Adjustment on October 25<sup>th</sup> and received approval for a Special Exception. Mrs. Tourville explained that the property currently sits as Residential with the daycare as being accessory and what they requested to do is flip that around so that the residence becomes accessory to the daycare. Mrs. Tourville informed the Board members that she has been working with her immediate abutters and has obtained some good input. Mrs. Tourville further explained that they were previously going to add on to the building to the right but since the discussion with the Planning Board at an informal meeting, she is not changing the way that it looks because she wants it to look like a home. Mrs. Tourville stated that, she chose to enclose the garage rather than add on to the building so they would not be doing any construction to that extent. Mrs. Tourville showed the location of the ramp and portico that would be constructed, that would be the only outside construction and the rest would be done inside the building. Mrs. Tourville talked about removing some trees. Mrs. Tourville also talked about the island in the front and that they are looking to remove 13-feet off of the island and still have 12-feet of island there. Mrs. Tourville also pointed out that, the existing sign would remain as she did not want to have high visibility. Mrs. Tourville went on to discuss the location of where the employee parking would be and stated that they would just continue the gravel over there to keep it very simple and liked the idea of not having the cars to the front.

Mrs. Tourville stated that they have staggered drop offs and pick-ups and we don't have more than 4 or 5 cars at one time. There would be a car pulling out as a car is pulling in, so they never have a lot of cars as they are staggered throughout the day.

Mrs. Tourville stated that, the abutters did not have any issue with the children being there and believed that Ms. Prince called the Planning Board Office and had no issue. Mrs. Tourville informed the Board that they are looking at between 40 and 44 children which is less than what she had previously stated to the Board. This does allow them to make that move from where they are now located on Hooksett Road back to this location. Mrs. Tourville explained that they may have 40 children but it's not 40 families as it is significant the number of siblings as they are working with babies as much as 6 months old to about 4 or 5 years old. They are anticipating an additional 12 cars from what they already accommodate on Wilson's Crossing Road. Mr. Poltak asked 12 more cars daily. Mrs. Marzloff stated 12 more cars twice a day. Mrs. Tourville said yes as they start at 7:00am and all of the children are dropped off by 9:30am and it takes about 4 to 6 minutes for drop off and a little bit longer for pick up about 6 to 8 minutes. Mrs. Tourville commented that, this location will have a little more room than what they have at 32 Hooksett Road.

Mrs. Marzloff was curious to see the turning radius in the driveway as she has driven by the location and believed it would be tight. Mrs. Tourville stated that was why they would be removing some trees so that the driveway would be larger.

Mr. Poltak asked Mrs. Tourville if this site plan was to scale, and she said mostly. Mr. Poltak did not believe it was to scale. Mr. Poltak explained that he did pull into her driveway and talked about the massive pine tree in the island and turned out and agreed that cars were flying down Wilson's Crossing Road. Mr. Poltak commented that he did not want cars cuing up in the front area in the driveway as it would be very dangerous. Mr. Poltak believed she could put a circular driveway instead of an island. Mrs. Tourville stated that she was trying not to change the character looking from the street but understood what Mr. Poltak was saying. Mrs. Tourville stated that her thought process was of opening this area up more. This will be pending her submitting a new septic plan which will then highlight this piece and agree with Mr. Poltak with the turnaround. A brief discussion ensued with regard to entrance being a circular driveway as opposed to having an island. Mr. Poltak commented that, they would like to see a technical plan for this and believed we were still talking conceptual tonight. Mrs. Marzloff added that, the Board would like to see a plan with distances and detail, and this was just a sketch, and we can't vote on something that does not include all the requirements. Mr. Poltak asked where the ADU would be. Mrs. Tourville pointed out that the ADU is above the garage which is a one-bedroom apartment with a study.

Mr. Poltak turned the discussion over to the Board members. Mrs. Marzloff stated that, she sees the traffic pattern and asked what she would be doing with the parents who pull up to the front door and park. Mrs. Tourville explained that, when they enroll, they will have a drop off and pick up time and they would go over their parking. A brief discussion ensued with regard to drop off and pick up. In the end, Mrs. Tourville stated that, they do not have more than 4 or 5 cars at one given time. Mrs. Marzloff had another question which was based on the number of employees did see meet the requirement for employee parking. Mrs. Tourville pointed out the location of employee parking and stated that there are 6 employee parking spaces as she only has 6 employees at a time. Discussion ensued with regard to parking. Mrs. Tourville believed she had met the parking requirement but would check with Mrs. Rouleau-Cote as she is one of the employees and her car would be there no matter what.

Mrs. Tourville asked the Board if there was anything else that the Board wanted to add. Ms. Dross asked about the garage as she could not recall anything being said. Mrs. Tourville commented that, they would be living in the one-bedroom apartment above the garage and that they would be utilizing the garage space for the daycare which is already existing.

Mr. Porter had a problem with the change in use because you are now changing it from residential to a business you will be following the business requirements which will include the following:

- Traffic Study



- Sight Distance
- Stantec Review
- Septic
- Parking
- Lighting

Mr. Porter went on to say, the traffic study, parking and the turnaround design will all be reviewed. Mr. Porter commented that, he had a problem with zoning by exception which is one of the points he has a hard time with. Mr. Porter believed she would be changing the use of the area from residential to a business and he has a real problem with that. Mrs. Tourville pointed out that, the ZBA did read through what was allowed in the zone and that she was allowed to do this by Special Exception. Ms. Dross stated that she already has a daycare there now. Mr. Porter still had a problem with that as he believed it was changing the dynamics of the zoning. Mr. Porter again reiterated all the things that she would need to follow in order to do this. Discussion ensued with regard to signage regarding children in the area. Mr. Rolfe stated that, Highway Safety has nothing to do with that and that it had to do with the Selectmen because it was the Selectmen who are in charge of the roads. Mr. Porter believed that it would be a struggle getting cars in and out of there safely and that is why Stantec will have to weigh in heavily on this. Mr. Porter did not believe Wilsons Crossing Road was a good road to be turning in and out of. Mrs. Tourville indicated that they have very good line of sight both ways unlike her neighbor across the street from her. Mrs. Marzloff reiterated what Mr. Porter had stated that, this is going to change the dynamics of the neighborhood and people are going to find that they're going to have to slow down, or they will end up hitting exiting traffic. Mr. Porter also added that, with day light savings time coming up that any headlights will impact abutters properties. Mrs. Tourville explained that they do close at 5:00pm and it is a short amount of time.

Mr. Poltak wanted to try and summarize to where we are. Mr. Poltak started out with the driveway which will have to be designed in terms of turning radius and the like in conformance with our rules and regulations. Mr. Poltak indicated that, this should have been an informal tonight because this was not an acceptable plan and in theory should not have been scheduled in terms of public notification and the like without an acceptable plan being filed as defined by statute. Mr. Poltak reiterated that this was not an acceptable application, and this hearing should not have happened. It now puts the Board in a tough position because the approval clock has started. Mr. Poltak talked about the applicant hiring an engineer as we were nowhere near that. Mrs. Tourville believed coming before this Board for discussion has been helpful and believed she obtain a significant amount of information by having it publicly noticed and obtaining input from abutters. Mrs. Tourville did inform the Chairman that she did have someone to put the site plan together with all the information that she has obtained. Mr. Poltak pointed out to Mrs. Tourville that the property will be completely changed now. In the end, Mr. Poltak commented that, by meeting tonight, it has been taken a little further than we were prior to her going to the ZBA or the prior informal meeting. Mrs. Tourville agreed with what Mr. Poltak was saying. Mr. Poltak added that, he would be speaking with town counsel tomorrow about what has transpired tonight with the definition of a Public Hearing but now the Board needs to talk

to her with respect to her timing of all of this because she is aware that she will have to hire a professional. Mr. Poltak stated that she would need an engineer to develop an acceptable application and that he would not be accepting this application tonight. Mrs. Tourville understood what she needed to do now and asked the Board that since the clock has started ticking as the applicant is there a way, she can request an extension. Mr. Poltak again pointed out that, the site plan presented tonight was not a formal application and therefore he did not believe the clock has started ticking since they have not accepted the application.

Mr. Poltak asked the Board members if they had any further questions or comments. None were noted. Mr. Poltak stated that he would entertain a motion because we did not notify abutters that we continue the hearing. Mrs. Marzloff commented that we have not accepted the application. Mr. Poltak said correct and pointed to Mrs. Tourville and said, let's presume you're going to go out and do your thing and talk to an engineer and Mr. Poltak will talk to town counsel tomorrow to determine how we will proceed.

Mr. Poltak believed they should continue it until two (2) weeks from now to set a date certain by the law because he did not believe the clock starts ticking until they formally accept the application.

**Mr. Porter moved to continue the Public Hearing for minor site plan review for 341 Wilson's Crossing Road, Tax Map 2, Lot 6-3 until November 16th. Mrs. Marzloff seconded the motion. A vote was taken, and all were in favor and the motion passed.**

## **OTHER BUSINESS**

At this time, Mr. Poltak asked for a motion to adjourn.

## **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 8:23pm.**

**The next Planning Board meeting is scheduled for Wednesday, November 16<sup>th</sup>, 2022 at 7:00 pm. This meeting will be held at the Auburn Town Hall, 47 Chester Road. This date is subject to change.**