

**Town of Auburn  
Planning Board  
PUBLIC HEARING  
August 6, 2014**

**Present:** Ron Poltak, Chairman, Alan Côté, Vice-Chairman, Paula Marzloff, Member and Steve Grillo, Alternate. Russell Sullivan, Selectmen's Representative. Minutes recorded by Denise Royce.

**Absent:** Karen Woods, Member. Jim Tillery, Alternate.

Mr. Poltak called the meeting to order at 7:00 p.m. Mr. Poltak explained the procedure for tonight's meeting and noted the emergency exists. In the absence of one member, Mr. Poltak elevated Mr. Grillo to full voting status for tonight's hearing.

**MINUTES**

***Mr. Grillo moved to accept the minutes of July 16, 2014 as written, Mr. Côté seconded the motion. A vote was taken; all were in favor, the motion passed with Mrs. Marzloff recusing herself.***

**ANNOUNCEMENTS/CORRESPONDENCE**

➤ None were reviewed at this time.

**GENERAL BUSINESS**

**Informal – Jerry Beique**

**Windsor Drive, Tax Map 2, Lot 4-1**

**Driveway Location Modified from Original Subdivision**

Mr. Beique explained that there was a buyer for the property being discussed tonight and that the buyers would like to change the location of the driveway. Mr. Beique stated that on the previous plan, the driveway was placed further up on Windsor Drive and that the interested parties would like to move it closer to Wilsons Crossing Road. The driveway would have the required 100 feet from the intersection. Mr. Poltak did not have a problem with the modification and turned to the Board members for comments. Mr. Côté did not have any objections as it would be far enough from the intersection. At this time, Mr. Beique showed the Board members a plan of the proposed house.

Mr. Beique also explained that there was no way of connecting to the existing underground utilities currently in place with the Wethersfield Subdivision. Mr. Beique stated that he has spoken with PSNH and that the only way to connect the utilities would be by connecting to a pole on Wilsons Crossing Road and then placing another pole on the other side of Wilsons Crossing Road and then going underground with the utilities to the house. Mr. Sullivan asked why they could not connect to the Wethersfield Subdivision. Mr. Beique stated that PSNH said it was not possible. Discussion ensued with regard to the electrical hook-up.

At this time, Mr. Côté, Mrs. Marzloff, Mr. Poltak, Mr. Grillo and Mr. Sullivan were all in agreement with the driveway modification as presented tonight.

## **PUBLIC HEARING**

**Jesse and Naomi Edwards**

**33 Rattlesnake Hill Road, Tax Map 5, Lot 10-6**

**Minor Conditional Use Permit Review**

***(for a Large gazebo & Deck Structure (496 sq ft total) to be Located close to a Level 2 wetland)***

Mr. Edwards began by saying that he was before the Conservation Commission and that the consensus was that they were fine with it. Mr. Edwards explained that the reason he placed the gazebo in the location that he did was so that you could enjoy the natural view and location of the wetlands area. Mr. Edwards indicated that after the certified letters went out that his neighbor Mr. Watson went over and explained that the previous owner had a bulldozer excavate it out so that the neighborhood kids could skate on it in the winter. At this time, Mr. Poltak read a section of the Conservation Commission meeting minutes to the rest of the Board members. The section read as follows: "After observing the site, the attending members of the Conservation Commission could recommend permitting for this structure." Mr. Poltak asked the Board members what they would like to do.

***Mr. Côté made a motion to Grant the Conditional Use Permit for Section 5.06 (WWPA Level 2 Permitted Use) and Section 5.10 (WWPA Minor – Minor Accessory Structure) within the watershed protection area of a Level 2 Wetland for, Tax Map 5, Lot 10-6. Mrs. Marzloff seconded the motion. All were in favor, the motion passed unanimously.***

Mr. Edwards thanked the Board members and asked the Board members if the Conditional Use Permit would have to be renewed annually because that's how he understood it to read. Mr. Sullivan stated that he would have to do that only if the structure was not completed within one year but that since the structure was already up that it would not have to be renewed annually.

Mr. Edwards also asked the Board members if they had a problem with him putting electricity to the gazebo. Mr. Côté asked Mr. Edwards if he was planning on putting a hot tub out there because that would make a difference because when you have to empty it out it would have chlorine in it which would affect the wetlands. The Board did not have an issue but informed Mr. Edwards that he would have to pull an electrical permit with the Building Inspector.

Mr. Edwards further stated that he applied for a building permit for a shed and was wondering if that had to go to the Planning Board as well. Mr. Côté asked if it was outside the buffer area. Mr. Edwards said yes. Mr. Côté explained that whenever there is a violation that the Building Inspector will withhold a permit until the violation is resolved. Mr. Edwards understood and again thanked the Board members for their time.

## **OTHER BUSINESS**

**Planning Board Discussion**

**Boxwood Estates, Tax Map 2, Lot 44**

**Request Release of \$1,500.00 Surety**

Mr. Poltak stated that he did not have any information regarding this request and asked Ms. Royce to inform the Board members on the request. Ms. Royce explained that back in 2013

the Planning Board discussed a request from Mr. Tatem of Stantec Consulting to reduce the surety by retaining 10% of the cost for wearing course of the roadway section that was accepted and was to be held for two (2) years and expiring in July 2014. Ms. Royce indicated that it was time to release the \$1,500.00 surety as the two (2) years were up. Mr. Poltak read the letter to the Board members and asked the Board what they would like to do.

***Mr. Côté made a motion to reduce the surety to zero dollars (\$0) for the portion of roadway section wearing course for Boxwood Estates which was held for two (2) years Tax Map 2, Lot 44, Boxwood Estates (Boxwood Drive). Mrs. Marzloff seconded the motion. All were in favor, the motion passed unanimously with Mr. Sullivan abstaining.***

### **Other Discussions**

Mr. Poltak asked Mr. Dandrade if he had any questions. Mr. Dandrade wanted to make sure that the Planning Board members were in receipt of the package that he had prepared regarding the property on Pingree Hill Road. Mr. Poltak informed Mr. Dandrade that Ms. Royce did provide the Board members with copies. Mr. Dandrade asked the Board members that if there were any informal discussions regarding this proposed subdivision that he would like to be invited back so that he would be present for the discussion and understood that there was nothing before the Planning Board at this time. Mr. Côté asked Ms. Royce if the Agenda included the informal discussions. Ms. Royce said yes. Mr. Côté suggested to Mr. Dandrade that he watch the Planning Board Agenda when it is posted on the website or at the Town Hall bulletin board because he probably would not be receiving a phone call from the Planning Board office.

Mr. Côté wanted to discuss an issue that came up regarding the definition of “Clustered Development” and explained that Clustered Development is a way a development is allowed to be configured and you would still have to look at the use to determine if you can do multi-family and to put duplexes in a Clustered Development you still need a special exception. All the Board members agreed with Mr. Côté’s interpretation of the ordinance definition for “Clustered Development.”

Mr. Côté further discussed Article 7 – Clustered Development, Section 7.02(5) - General Requirements “The tract of land shall have a minimum of twenty (20%) percent of its area consisting of wetlands, Class V and VI soils, bodies of water and/or slopes of greater than twenty (20%) percent for a residential development.” Mr. Côté indicated that he did not believe that the proposed plan had the 20% of its area consisting of the requirements above and therefore would have to go by Section 7.02(6) – “The tract may be accepted for cluster development if, although not meeting the preceding paragraph 7.02(5) of this Section, in the opinion of the Planning Board, the tract contains some geological, environmental, historical, or agricultural properties or formations which would be prudent to protect from conventional grid-type development.” Mr. Sullivan believed it would be a tough argument. A brief discussion ensued with regard to “Clustered Development.” Mr. Côté believed he would be present at the ZBA meeting to be held on Tuesday, August 26<sup>th</sup>.

### **ADJOURN**

***Mr. Côté moved to adjourn the Hearing. Ms. Woods seconded the motion. All were in favor, the motion passed unanimously and the meeting stood adjourned at 7:30 p.m.***

***The next Planning Board meeting will take place on Wednesday, August 20, 2014 and will be held at the Town Hall, 47 Chester Road.***