

**Town of Auburn
Planning Board
PUBLIC HEARING
November 19, 2014**

Present: Ron Poltak, Chairman, Alan Côté, Vice-Chairman, Paula Marzloff and Karen Woods, Members. Kevin Stuart and Steve Grillo, Alternates. Russell Sullivan, Selectmen's Representative. Minutes recorded by Denise Royce.

Absent: Jim Tillery, Alternate.

Mr. Poltak called the meeting to order at 7:00 p.m. and explained the procedure for tonight's meeting and noted the emergency exists. Mr. Poltak stated that there was a full Board for tonight's meeting. At this time, the Board introduced themselves to everyone present and the meeting began. Mr. Poltak informed everyone that there was a lengthy agenda and that he would take the cases accordingly.

MINUTES

Mrs. Marzloff moved to accept the minutes of November 5, 2014 as written, Ms. Woods seconded the motion. A vote was taken; all were in favor, the motion passed.

ANNOUNCEMENTS/CORRESPONDENCE

➤ None were reviewed at this time.

GENERAL BUSINESS

Mr. Poltak began the Public Hearing by saying that the Board would start out with Maine Drilling & Blasting and then move on to the other five (5) cases on the agenda that would all be presented by Eric Mitchell.

PUBLIC HEARING

**Maine Drilling & Blasting/John Capasso
88 Gold Ledge Avenue, Tax Map 1, Lots 4 & 5
Major Site Plan Review**

Doug MacGuire of the DuBay Group presented on behalf of the applicant. Mr. MacGuire began by saying that they were before the Board a few months ago just to give the Board an idea of what they were going to do. Mr. MacGuire started by explaining the site of Maine Drilling & Blasting and what they are proposing to do with moving the explosives. Mr. MacGuire stated that there has been some encroachment by some development on abutting properties which requires them to move their magazine facilities further into their site in order to meet the distances required by ATF. As part of this application the main truck loading facility could only go in one area which would impact a wetland. In order to do this, they met with the Conservation Commission and conducted a site walk which gained their support with this proposal. They then went before the Zoning Board of Adjustment to obtain a Variance to allow for the impact as proposed as well as some buffer impacts to a Level One wetland which was successful and they were granted the Variance. Now they are before the Planning Board for

site plan review. Mr. MacGuire asked if the Board had any questions at this time.

Mr. Poltak asked to give a brief explanation with regard to the amount of construction that would be taking place at the facility. Mr. MacGuire said that it was pretty straight forward with regard to the construction site and proposes 8 new pods as part of this application. Mr. MacGuire went through the plan and started with Sheet 10 of 17, "Grading & Drainage Plan" which they are coming off of POD 10 as the new access and POD 14 would be the new proposed truck loading facility. They are proposing a secondary road and doing a one way circulation. Mr. MacGuire further discussed Sheet 10 of 17 and pointed out that they were not proposing any pavement, utilities or any other types of utilities like that besides a few drainage crossings just to mitigate the flow from one side to the other.

Mr. Poltak asked about ATF and if everything was in order. Mr. MacGuire said yes, everything was in order and they meet all the separation requirements between occupied sites. Mr. Poltak asked about the slight encroachment in the wetlands and asked if the Conservation Commission was in favor of it. Mr. MacGuire indicated that the Conservation Commission is not in favor of any wetland fill but the Conservation Commission recognizes the specifics of this application and where they were limited to where they could put the facility. They have placed the facility so that they would have as minimal an impact to the wetlands as possible and still maintain the distances. Mr. MacGuire also indicated that they are proposing a mitigation package and if the Board has any questions, they could ask Cindy Balcius of Stoney Ridge Environmental to answer any questions that the Board may have. Mr. MacGuire also pointed out that they are giving a Conservation Easement which he indicated to the Board members shown in their package on Sheet 13 of 17 which easement area totals 13.13 acres. Mr. MacGuire also stated that the Conservation Commission was in favor of the mitigation package as well as the Conservation Easement. Mr. Poltak asked the applicant when he was proposing to begin construction. Mr. Capasso stated that they have been working on this for some time and if the Board was to approve it tonight that he would like to start tomorrow. A brief discussion ensued with regard to the application and time that it has taken as well as the proper steps taken.

Mr. Poltak asked the Board members if they had any questions. None were noted.

Mr. Poltak asked if there were any abutters present. Mr. Walter Milne of Parker Farms stated that it looked fine to him and that he had no problem with what they were proposing.

Mr. Poltak asked the Board for their thoughts.

Mrs. Marzloff made a motion to accept the application for Tax Map 1, Lots 4 & 5, Maine Drilling & Blasting. Ms. Woods seconded the motion. All were in favor, the motion passed unanimously.

Mr. Côté believed that the application was complete and that they have gone before the Zoning Board of Adjustment and received a Variance as well as gone before Conservation Commission which does not have a problem with what they are proposing.

Mr. Côté made a motion to approve the major site plan for Maine Drilling & Blasting, Tax Map 1, Lots 4 & 5. Mrs. Marzloff seconded the motion. All were in favor, the motion passed unanimously.

**Norman F. Milne Revocable Trust
546 Londonderry Turnpike, Tax Map 3, Lots 3 & 3-1
Conditional Use Permit Review**

Mr. Mitchell presented on behalf of the applicant and began by saying that Trustee, Susan Haydock who currently lives on the property was present tonight as well. Mr. Mitchell began by pointing out the current driveway location that goes straight down at a 20% slope. Mr. Mitchell explained that the house used to be a summer house that would be closed in the winter and that now the house is going to be used year round and what they are proposing is to reconstruct the driveway so that it was no steeper than 10%. It will no longer go straight down the hill but will have a curve so that when you come up you would be able to sit and look for traffic at a flatter angle than what exists today. Mr. Mitchell stated that it would require a Conditional Use Permit because they would be impacting a wetland of about 2,100 square feet which is a Level 3 wetland. Mr. Mitchell also pointed out a wetland application that has been submitted to the Conservation Commission for minimal impact and was submitted to the state. The Conservation Commission has approved the wetland application as well as the Conditional Use Permit of which a few members of the Conservation Commission are present at tonight's meeting.

Mr. Poltak believed that it was a significant improvement as well as a safety improvement and believed that they could move forward to approve it tonight. Mr. Poltak asked if there were any abutters present. Cathy Zamoida who is an abutter had no issues with what they were proposing to do. Mr. Poltak asked the Board members if they had any questions or comments and if not that he would entertain a motion from the Board. Mr. Côté asked if it went to the Conservation Commission. Mr. Mitchell said yes. Mr. Côté wanted to hear from the Conservation Commission. Mr. Joy, Chairman of the Conservation Commission stated that they have been before them and that they had no issues with what they were proposing and indicated that the impact was minimal.

Mr. Côté made a motion to approve the Conditional Use Permit as presented for the Milne Revocable Trust, 546 Londonderry Turnpike, Tax Map 3, Lots 3 & 3-1. Mrs. Marzloff seconded the motion. All were in favor, the motion passed unanimously.

**Strategic Contracting Company, LLC
77 Pingree Hill Road, Tax Map 5, Lot 19
Major Subdivision (3 Frontage lots & 8 Cluster Lots)
Continued from October 15, 2014**

Mr. Mitchell passed out copies of a revised plan for 77 Pingree Hill Road to the Board members. Mr. Poltak explained to Mr. Mitchell where they last left off at the October 15th meeting was that the Board was not in favor of a cluster subdivision relative to it fitting well in this location and asked Mr. Mitchell to go back and do a grid subdivision and presumed that was what Mr. Mitchell was back before the Board tonight to present. Mr. Mitchell said yes. Ms. Cornett asked when the plans came in. Mr. Poltak said just now and that they would deal with it accordingly. At this time, Mr. Mitchell began his presentation on behalf of the applicant. Mr. Mitchell explained that there was a cluster concept as well as a grid concept present once before and that what the Board has before them tonight was a grid concept that has been worked out better than what the original one was presented previously. Mr. Mitchell explained the plan and that it is proposing is three (3) lots in the front and six (6) two (2) acre lots in the back. They looked at the setbacks to the wetlands as they are and moved on to page (2) to

discuss with the Board members Lot #8 and possibly looking at going before the ZBA to seek a reduction down to 75 feet from that Level One wetland. Mr. Mitchell believed it seemed reasonable as the field was pretty flat. Mr. Mitchell moved on to Lot #7 where they have moved things around and pointed out the driveway to the location that they are proposing for the house. Mr. Mitchell believed that the layout for the nine (9) lots were placed sufficiently and it had 25 or 30 feet more of road but believed that this was something that the Board members were looking for. Mr. Poltak pointed out to everyone present tonight that this was the first time that the Board members has seen this plan and that they would have an open discussion of what is being proposed and did not foresee that on the part of the Board that they would have that open dialogue now but would take up the details and take it up at the next meeting in order to give the Board time to digest the proposed plan. Mr. Poltak asked if there were any questions from the Board. None were noted. Mr. Poltak asked if there were any abutters that had questions at this time. Ms. Cornett stated that she objected because this has been presented the night of the meeting and that nobody has had a chance to look at it and believed that the regulations stated that the plans needed to be submitted at least 10 days prior to the hearing to allow the Planning Board, abutters or interested parties the ability to review the plan prior to the meeting. Mr. Poltak understood what Ms. Cornett was saying and that the Board is seeing this for the first time as well and that they would be taking this up at the next scheduled hearing night to give the Board time to review what Mr. Mitchell is proposing. Mr. Poltak asked if there were any other abutters or interested parties that wanted to speak before the Town Engineer has a time to review the plan and come back before the Board at the next meeting. Mr. Côté thanked Mr. Mitchell for coming back with a grid subdivision plan and pointed out that it made more sense to go forward this way as opposed to the cluster proposal.

Mr. Poltak asked if there were any other abutters that wanted to speak. Mr. Gould of 21 Steam Mill Road asked where this proposal was meeting Pingree Hill Road. Mr. Côté explained the location to Mr. Gould. A brief discussion ensued with regard to the location of the new road to Rattlesnake Hill Road. Mr. Côté pointed out that Mr. Mitchell would be required to meet site distances per AASHTO Standards. Mr. Mitchell informed the Board members that he has done the site distance and that it was well over 400 feet but that they would show that to the Board. Mr. Côté asked Mr. Mitchell what the site distance was for 40 MPH. Mr. Mitchell believed it was less than 400 feet.

Mr. Poltak asked Mr. Mitchell if he would be looking at continuing the Public Hearing until December. Mr. Mitchell said yes and the plan was submitted for Design Review so they could get through the cluster to see what was preferred. They have not done test pits yet because they were waiting to see what the Board preferred and in fairness to the abutters they could have the information for the Board if they were to continue it until next month. A brief discussion ensued with regard to a continuance. Mr. Poltak agreed with Mr. Côté with this plan being far more acceptable than the cluster. Mr. Côté asked Mr. Mitchell if he would be ready by December 17th or would he need more time. Mr. Mitchell stated that he would have everything ready for December 17th and would have everything submitted 10 days prior to the hearing date.

Mr. Côté moved to continue the Public Hearing for subdivision review until December 17, 2014 for Strategic Contracting Consulting, LLC, Tax Map 5, Lot 19. Ms. Woods seconded the motion. All were in favor, the motion passed unanimously.

Mr. Poltak and Mr. Côté both informed everyone present that this would be their only notice and that no further notices will be mailed out and that the Public Hearing was continued until

Wednesday, December 17th.

**Maverick Development
Haven Drive & Pingree Hill Road, Tax Map 5, Lots 29 & 36
Major Cluster Subdivision (25 Lots)
Continued from October 15, 2014**

Mr. Mitchell passed out copies of the revised plans for the Boards review and comment. Mr. Mitchell informed the Board members that this plan has changed slightly. Mr. Mitchell talked about the site walk that was conducted between the Planning Board, Conservation Commission as well as abutters that were present and have made some changes to the plan. Mr. Mitchell explained that there was some discussion with regard to the height of the road and the drainage on the site. The second thing that they looked at was the wetlands crossing in an area and went on to discuss Sheet R5 about the wetland setback at Station 21+00 and the discussion on whether that area should have 125 foot buffer. Mr. Mitchell also pointed out that they intended to put Cape Cod berm on the roads.

At this time, Mr. Mitchell talked about the vernal pool and turned the discussion over to Tracey Tarr of GZA who is an expert in wildlife and vernal pools. Tracey Tarr began her presentation talking about vernal pools and stated that she has done two (2) site visits and went over the plan with everyone present tonight. Ms. Tarr explained that the vernal pool on the property is currently next to existing houses and roads so that it is already impacted by existing development. Ms. Tarr liked the fact that the proposed road was actually outside of the basin and not in the primary basin. Ms. Tarr indicated that there was water in that basin right now and explained the different species of wildlife that utilizes the vernal pool. Ms. Tarr thought that the open space was a nice feature that went along with the vernal pool and that vernal pool amphibians are only in the pool as adults a couple of weeks out of the year when they are breeding because most of the year they spend their time in the uplands. Ms. Tarr pointed out that there were three (3) proposed vernal pools. Ms. Tarr further explained the vernal pools and the amphibians. Ms. Tarr talked about onsite mitigation and the federal government requires monitoring for up to five (5) years. Biologist would be required to go out every spring and document what is using that pool and do egg and larva searches. Monitoring requires monitoring during construction as well to make sure that things are done appropriately.

At this time, Ms. Tarr asked if there were any questions. Ms. Carol Gagnon of 54 Haven Drive asked about the impact of the proposed houses and the displacement of wildlife. Ms. Tarr stated she liked the large open spaces for wildlife and the connectivity and that all homes displace wildlife.

Further discussion ensued with regard to the vernal pool and the success rate and the canopy around vernal pools.

Mr. Poltak asked if there were any further questions from the Board. None were noted.

Mr. Dandrade asked Ms. Tarr about the Army Corp of Engineers and monitoring of vernal pools and cutting the trees around the vernal pools. Ms. Tarr explained that there would be an undisturbed area and that they are proposing to put a small machine in there which would cause minimal impact. Ms. Tarr indicated that she would not be involved in the wetland application but would be involved in the design of the vernal pools and the monitoring plan. Mr. Dandrade asked Mr. Poltak if he intended to walk the site. Mr. Poltak indicated that he has

lived in the town for many years and has walked the site twice. Mr. Sullivan gave the same answer as Mr. Poltak that he has lived in the town for many years and has also walked the site many times.

A lengthy discussion continued with regard to the vernal pool, individual septic systems and the type of soils on the property that was completed by Mr. Tim Ferwerda. Ms. Carol Gagnon asked to hear what the Conservation Commission thought of the project because she believed that they were not in favor of this concept. Mr. Joy, Chairman of the Conservation Commission commented that they have been before the Conservation Commission and the overall feeling of the Board members was that there was insufficient mitigation based upon the vernal pool impact. Ms. Tarr answered by talking about minimizing tree loss and that the open space can be managed like an easement and the open space documents can be written up like an easement. Mr. Joy wanted confirmation that the vernal pool would be fine and would not have any impact. Ms. Tarr said there is an impact and that's why they would be mitigating the vernal pool and cannot say 100%. Mr. Villeneuve believed that it was the obligation of the Planning Board to look at all the opportunities available such as access to Cohas Drive. Mr. Poltak stated that the Planning Board will go through that during the review process as well as setbacks but tonight they were talking about the wetland. Mr. Côté suggested that they ask Mr. Mitchell to explain access to Cohas Drive. Mr. Mitchell explained that the road would be steep and that the side slope would be steeper than 4 to 1 and they do not have any slope easements and would have to have guardrails going down the length of road which would be 500 to 600 feet. Also, the problem is that there is a wetland that they would have to cross and that there was no way of putting in drainage to discharge the water and no place to do treatment. Mr. Poltak asked Mr. Mitchell if that option was feasible. Mr. Mitchell said no because they have no control of where to put the water or treat the water.

Mr. Dandrade stated that the Planning Board does have the authority to engage a peer review of the wetlands by a wetland scientist which he has asked for in prior letters to the ZBA. Mr. Dandrade talked about buffer areas and respecting the buffers. Mr. Febonio wanted to comment that he has had two (2) wetland soil scientists that have reviewed these wetlands and also wanted to comment on the request to look at possibly connecting to Cohas Drive and wanted to point out that the house was 25 feet from the road. Discussion ensued with regard to statistics about the success rate with regard to vernal pools and Ms. Tarr commented that she could give statistics but what they need to focus on is this particular vernal pool because it did not matter the success rates for any other vernal pool and that's why they would be monitoring the vernal pool for five (5) years.

A lengthy discussion ensued with regard to vernal pools and the success rate and whether or not the amphibians come back. Ms. Tarr reiterated her previous comment that they do come back and the need for monitoring of the vernal pool. Mr. Pisapia of 35 Cohas Drive explained that it was his house that would be 25 feet from the road and that the guardrail would pretty much be on his lawn and would create some serious challenges with his property. Mr. Villeneuve asked Ms. Tarr about the wildlife corridor. Ms. Tarr stated that it is much more important to have large un-fragmented lots of land than a 50 foot strip of land. A brief discussion ensued with regard to a wildlife corridor.

Mr. Moher of 17 Haven Drive asked Mr. Mitchell about eliminating drainage ditches and having Cape Cod berm and did not believe that Cape Cod berm would not last because it's an asphalt curb that will get torn out by the snow plow. Mr. Mitchell explained that his statement was correct that they are proposing to have Cape Cod berm as opposed to having a ditch line and stated that once it is turned over to the town that it would be the town's responsibility to

maintain it. Ms. Remillard of Haven Drive wanted to ask the Conservation Commission whether or not they approved this plan. Mr. Villeneuve stated that they did not approve of the cluster but it was approved by the Zoning Board of Adjustment and this does not have anything to do with the discussion tonight. Mr. Villeneuve further stated that at the Conservation Commission they did not have the discussion of the vernal pool or setbacks. Mr. Villeneuve commented that the only thing they saw was whether to have a cluster or a grid.

Mr. Poltak asked if there were any further questions from the Board. Mrs. Marzloff asked Mr. Mitchell about Sheet R5 regarding the rerouting the roadway through Haven Drive. Mr. Mitchell said yes, that Mr. Febonio has been in discussions with the homeowner involved about possibly moving the roadway. Mr. Côté pointed out to Mr. Mitchell that the plan still shows a reduction in the cluster buffer down to 50 feet and reiterated that unless there was a compelling reason to reduce the buffer that he was not in favor of reducing the buffer. Mr. Mitchell pointed out that what they are showing is a strip of open space where the trees will not be cut and if it were a 50 foot cluster buffer then the homeowner can cut all the trees down and believed that the 50 foot open space buffer would be far better than the homeowner owning the buffer. Discussion occurred regarding abutters and reducing the buffer. Mr. Febonio stated that he has spoken to those abutters and they are in favor of a 50 foot no cut buffer as opposed to having 100 feet where the buffer could be cut down. Mr. Dandrade read Article 9, Section 9.18(2)(B) regarding cluster buffer to everyone present. Mr. Dandrade stated that it related to density and that the developer's reasons for doing so were to cram more homes in the development. Mr. Febonio commented that it was only in one section of the property and only affected four (4) abutters who were all in favor of what he was proposing.

Mr. Poltak asked if there were any further questions from the Board. The Board had no further questions.

Mr. Poltak asked Mr. Febonio how many lots he would get with a conventional. Mr. Febonio said 25 lots. Mr. Febonio stated that they were truly trying to do the best they can with what they have with all the wetlands which is why they are asking for the reduction in the buffer in one area. Discussion ensued between Mr. Febonio and Mr. Côté regarding the cluster buffer. Mr. Poltak stated that he can see this hearing continued in order for the towns engineering firm to review this proposal. Mr. Poltak asked Mr. Mitchell if he had anything else to add tonight. Mr. Mitchell stated that he would like Ms. Tarr to give a brief explanation for a buffer to a wetland and what it's there for and what's a good buffer and what wasn't a good buffer. Ms. Tarr started with Lot #D13 and the wetland function, levels and perennial stream. Mr. Poltak understood the continuous nature of streams. Ms. Tarr moved on Lot #D1 and how they are proposing to do a rain garden.

Mr. Poltak asked if there were any other questions from the Board. Mrs. Marzloff asked Mr. Mitchell about reconfiguring Lots #D14 & D15 in order to obtain the 100 foot buffer. Mr. Mitchell indicated that the Board has issued waivers before for buffers between adjacent uses. Mr. Mitchell pointed out that they don't want to go through the vernal pool but there was no way of developing the property unless they want to have a 3,000 foot cul de sac. Mr. Côté believed it would be closer to 4,000 feet because they would have to measure from Rattlesnake Hill Road. Abutters had concerns with traffic and how the neighborhood would change with this development going in. Mr. Côté explained that it was brought up at the site walk regarding traffic and while exiting Haven Drive onto Rattlesnake Hill Road Mr. Côté noticed that it did have limited sight distance both left and right so it was very likely that there would be some improvements made by the developer in order to improve that intersection.

Mr. Poltak wanted to summarize what has been discussed tonight with the concept of peer review, setbacks, vernal pool, length of cul de sacs, lot size, lot configuration and two or three other issues are generally what they have talked about in concept here tonight and would be talking with the engineers as well as the applicant in regards thereto. Mr. Poltak could not guarantee that he would have all the answers to these questions prior to the Public Hearing being continued until next month but would hope to have some of the information. Mr. Poltak asked Mr. Febonio to have something for the Board that states that the four (4) or five (5) abutters were in agreement with reducing the buffer to a 50 foot no cut buffer because the real accommodation has to be to the abutters relative to that concept.

Mr. Dandrade asked when they would make the decision to have a peer review. Mr. Poltak stated that any decision would be made with the full Board. Mr. Dandrade wanted to know when the Board would be making that decision. Mr. Poltak stated that it would be when it was appropriate to make that decision. Mr. Dandrade asked Mr. Poltak what type of information the Board would be looking to obtain. Mr. Poltak said engineering and scientific data and he would want discussion and appropriate reasonableness and then they will make the decision accordingly. Mr. Dandrade said from Stantec. Mr. Poltak said from all parties concerned, agent for the town, the Board members, applicant and abutters will all be taken into consideration. Mr. Poltak wanted Mr. Dandrade to understand that he has sat on the Planning Board for over 18 years and all decisions are made public.

At this time, Mr. Poltak asked Mr. Mitchell if he would like to continue this Public Hearing until December 17th. Mr. Mitchell said yes.

Ms. Woods moved to continue the Public Hearing until December 17, 2014 for Maverick Development, Tax Map 5, Lots 29 & 36. Mrs. Marzloff seconded the motion. All were in favor, the motion passed unanimously.

Mr. Poltak informed everyone present tonight that this would be their only notice, that no other notices will go out and that the hearing was continued until next month, December 17th.

**JMJ Properties, LLC
Lovers Lane, Tax Map 8, Lot 25
Major Subdivision (3 Frontage Lots & 25 Cluster Lots)
Continued from October 15, 2014**

Mrs. Marzloff pointed out to Mr. Mitchell that the Town of Auburn has a list of road names that were approved. Mr. Mitchell presented on behalf of Mr. Gagnon and began by saying that they were before the Board last month to go over the cluster and that he has made some revisions to the plan. Mr. Mitchell indicated that he has met with the Conservation Commission to talk a little bit about the location of the lots and the orientation. The changes that they made specifically to the plan are that they have adjusted the lot lines of Lot #C1 where they made it smaller and Lot #C2 bigger. Mr. Mitchell went through the plan with the Board members and pointed out Lot #C26 where they kept the wetland setback at the lot line and that they have placed all the houses 60 feet apart and the houses would be smaller. Mr. Mitchell pointed out that there is one extra lot on this plan than the original plan. They moved the rear lot line on Lot #C2.

Mr. Mitchell explained Sheet R5 and talked about Lot #C9 and Lot #C10 they kept the lot line

out of the wetland setback. Mr. Mitchell explained that Lot #C13 to Lot #C16 that they have pulled in the lot lines a bit but was not sure whether they would approach the ZBA for a reduction in the setback to a Level Two wetland.

Mr. Mitchell stated that he has spoken with Mr. Frisella about reducing the cluster buffer to 50 feet and indicated that Mr. Gagnon would like to speak with Mr. Frisella again to see what they have to say and would like to hold off what to do with that buffer until that time. Mr. Mitchell also pointed out that they have proposed Cape Cod berm on this plan with closed drainage system.

Mr. Côté stated to Mr. Mitchell that he was not a big fan of Lots #C10, #C11 & #C12. Ms. Woods agreed with Mr. Côté. Mr. Mitchell indicated that they were trying for density and you could not have that in a grid development. Mr. Mitchell explained that some people like the privacy. Mr. Poltak asked Mr. Mitchell where the Conservation Commission was with this development. Mr. Villeneuve stated that they met on this project and they pulled all the lot lines out of the wetland buffer and they said that if he wants to seek a variance to reduce the wetland buffer that the Conservation Commission would go lot by lot as they've done before. They only had two comments on this which was regarding the connectivity of the two (2) large wetlands and the buffer issues in the back. Mr. Villeneuve thought Mr. Mitchell did okay on this one.

Discussion ensued with regard to the three (3) front lots and Mr. Sullivan did not believe that the Board would approve of a driveway onto Lovers Lane.

Mr. Côté made a motion to accept the application for Tax Map 8, Lot 25, JMJ Properties, LLC, Lovers Lane, Major Subdivision. Ms. Woods seconded the motion. All were in favor, the motion passed unanimously.

Mr. Côté moved to continue the Public Hearing until December 17, 2014 for Tax Map 8, Lot 25, JMJ Properties, LLC, Lovers Lane, Major Subdivision. Ms. Woods seconded the motion. All were in favor, the motion passed unanimously.

Mr. Poltak informed everyone that this was the only notice that anyone would be receiving and that the Public Hearing was continued until December 17th.

JMJ Properties, LLC/Jean Gagnon

Saddle Hill Drive & Ledgewood Drive, Tax Map 8, Lots 2-21, 2-22, 2-23 & 2-24 & Tax Map 8, Lots 2-28 & 2-29

Minor Subdivision (Article 3.01(1) Lot Line Adjustment involving more than 25% with no new lots being created) Lots 2-21, 2-22 & 2-23

Lot Line Adjustment between 2-28 & 2-29 (Saddle Hill Drive)

Request Waiver to Reduce the Cluster Buffer on Lot 2-24 from 135 feet to 77.82 feet & 80.09 feet

Mr. Mitchell passed out copies of the proposed plan for the Board to review. Mr. Mitchell began by saying that it was an approved plan and that they were just doing a little housekeeping which still requires the Board to act on it. Mr. Mitchell explained that they are proposing to do a lot line adjustment between Lots 28 and 29 on Saddle Hill Drive and pointed out the house locations and stated that it will not affect the septic. The Board understood the reason behind doing the lot line adjustment. Mr. Poltak asked where the driveway would be for Lot #28. Mr. Mitchell explained the location of the driveway which would be located within the existing slope

easement. A brief discussion ensued with regard to the lot line adjustment. Mr. Poltak did not have a problem with what Mr. Mitchell was proposing. Mr. Sullivan also agreed with Mr. Poltak and did not have a problem. Mr. Côté thought it made perfect sense.

Mr. Mitchell went on to the second request which was a reconfiguration of Lots #2-23, #2-22 and #2-21 and what they've done was take Lots #2-21 and #2-22 and turned them sideways to have the driveways come off of Ledgewood Drive. They did apply to the state for subdivision approval for these two lots which were granted and they confirmed that it wasn't needed because it did not affect the septic. Basically, they are just turning the lots around. Mr. Côté stated that it made more sense and did not see a problem with this request either. Mr. Poltak asked Mr. Mitchell to go onto the next request.

The last request was asking for a waiver to reduce the cluster buffer on Lot #2-24 from 135 feet to 77.82 feet and 80.09 feet. Mr. Mitchell explained that by doing this it would give them a bigger backyard and believed that the closest house would be 700 feet away. The request is only for this lot and that all the abutting lots would stay the same. At this time, Mr. Mitchell asked if the Board had any questions. Mr. Poltak asked Mr. Mitchell that if the Board did not grant this waiver that the lot was still a buildable lot correct. Mr. Mitchell said yes but it would be very limited to what they could do within the backyard.

Mr. Poltak asked if there were any questions from the Board. Mr. Côté stated that he would have a problem granting the waiver from the cluster buffer but did not have any issues with the other two (2) requests. Ms. Woods agreed with Mr. Côté and saw no reason to grant the request to reduce the buffer where it is a buildable lot. No further questions were noted.

Mr. Poltak asked the Board to take each request separately. Mr. Poltak asked if there were any abutters that had questions. Mrs. Siegal explained that this has been going on for ten (10) years and that the buffer between this development and her property is the smallest buffer. Mrs. Siegal stated that she is not in favor of reducing the buffer because it should have been 250 feet and it was down to 135 feet and now they want it reduced to 77 feet. Mrs. Siegal did not believe that Mr. Mitchell should be taking her property as part of the buffer from her house to this proposed house. Mrs. Siegal informed the Board members that she did not want to see the buffer reduced any further.

Mr. Poltak asked if there were any further questions. None were noted.

Mr. Côté made a motion to accept the application for Tax Map 8, Lots 2-28 2-29, JMJ Properties, LLC, Lot Line Adjustment, Saddle Hill Road. Mrs. Marzloff seconded the motion. All were in favor, the motion passed unanimously.

Mr. Côté made a motion to accept the application for Tax Map 8, Lots 2-21, 2-22 & 2-23, JMJ Properties, LLC, Lot Line Adjustment, Saddle Hill Drive & Ledgewood Drive. Ms. Woods seconded the motion. All were in favor, the motion passed unanimously.

Mr. Côté made a motion to accept the application for Tax Map 8, Lot 2-24, JMJ Properties, LLC, requesting a waiver to reduce the cluster buffer from 135 feet to 77.82 feet & 80.09 feet, Saddle Hill Drive. Mrs. Marzloff seconded the motion. All were in favor, the motion passed unanimously.

Mr. Côté made a motion to approve the Lot Line Adjustment for Tax Map 8, Lots 2-28 2-

29, JMJ Properties, LLC, Saddle Hill Road. Mrs. Marzloff seconded the motion. All were in favor, the motion passed unanimously.

Mr. Côté made a motion to approve the Lot Line Adjustment for Tax Map 8, Lots 2-21, 2-22 & 2-23, JMJ Properties, LLC, Saddle Hill Drive & Ledgewood Drive. Mrs. Marzloff seconded the motion.

Mrs. Marzloff asked Mr. Mitchell about the plan for this request and stated that he nicked the corner of Lot #2-23 and asked if he was only asking to reduce the cluster buffer on Lot #2-24. Mr. Mitchell said yes, it was only for Lot #2-24. Mr. Côté only asked Mr. Mitchell that the plan be modified to show the existing buffer line be removed not showing on this plan because it was not part of this plan it was a separate request. A brief discussion ensued and request was understood that the note be removed off the plan if it is not approved.

Mr. Côté made a motion to approve the Lot Line Adjustment for Tax Map 8, Lots 2-21, 2-22 & 2-23, JMJ Properties, LLC, Saddle Hill Drive & Ledgewood Drive. Mrs. Marzloff seconded the motion. All were in favor, the motion passed unanimously.

Mr. Côté made a motion to grant a waiver request for Tax Map 8, Lot 2-24, JMJ Properties, LLC, to allow the existing buffer of 135 feet to be reduced to 77.82 feet on the southerly end & 80.09 feet on the northerly end of the lot, Saddle Hill Drive. Mrs. Marzloff seconded the motion. The Board was not in favor of the request, and the motion was DENIED.

Mr. Mitchell thanked the Board members for their time.

OTHER BUSINESS

Mr. Poltak explained to the Board to be prepared to talk about the Tenn property with Mr. Tenn and the Building Inspector at our December 17th meeting in order to meet the deadline for zoning changes. A brief discussion ensued with regard to the upcoming meeting on December 17th. Also, Mr. Poltak reminded the Board that on December 17th that all the hearings tonight will be coming back before them on the 17th and will require some decision making from this Board. Mr. Poltak reiterated what he said previously in the hearing that the Board will need to be thinking vernal pools, peer review, setbacks, mitigation, length of cul de sac, intersection and line of sight.

Mr. Poltak also wanted the Board members to be prepared to talk about the Master Plan at the December 3rd meeting. Discussion ensued with regard to what was expected of the Board members to go through the Master Plan to try and define the need relative to adequacy of our existing Master Plan with regard to what needs to be done next. Mr. Côté did not believe our mission in Auburn has changed significantly within the last 10 or 20 years. The Board understood.

Mr. Sullivan also reminded the Board members that we still needed to discuss zoning amendments and that we may want to start a little earlier. Mr. Côté thought it was a good idea and asked how early the Board members could get here. It was suggested that the Board could meet at 6:00pm on Wednesday, December 17th. The Board agreed and will be meeting at 6:00pm to do a little housekeeping and then the Public Hearing would follow at 7:00pm on

December 17th.

ADJOURN

Mr. Côté moved to adjourn the Hearing. Mrs. Marzloff seconded the motion. All were in favor, the motion passed unanimously and the meeting stood adjourned at 10:15 p.m.

The next Planning Board meeting will take place on Wednesday, December 3, 2014 and will be held at the Town Hall, 47 Chester Road.