

**Town of Auburn
Planning Board
PUBLIC HEARING
December 3, 2014**

Present: Ron Poltak, Chairman; Alan Côté, Vice-Chairman; Karen Woods and Paula Marzloff, Members; Steve Grillo, Alternate. 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 introduced the Board members to everyone present.

MINUTES

Mrs. Marzloff moved to accept the minutes of November 19th, 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

Excavation Pit Renewals

*Mr. Dana Carlucci
Tax Map 2, Lot 25*

Mr. Carlucci informed the Board that he was before the Board to ask the Board to renew his excavation pit permit. Mr. Carlucci explained that, this year they have notified Roscoe Blaisdell to help them with whatever was necessary to excavate the site. An issue has arisen where they are in an area of a Level One wetland and that they are also closer than 50 feet to an abutter. They did determine the amount of material was there but were unsure whether they would need a waiver to excavate near the wetland. Mr. Carlucci asked the Board to grant the excavation pit permit so that they could move forward with Roscoe Blaisdell and also meet the Conservation Commission to see if it was even feasible to come back next year. Mr. Côté asked Mr. Carlucci why he did not complete a restoration plan. Mr. Carlucci stated that depending on how much would be excavated would determine what kind of a reclamation plan would be. Mr. Côté pointed out that nothing has been restored to date. Mr. Carlucci said that was correct. Mr. Côté reminded Mr. Carlucci that when he was before the Board last year that the Board requested that he prepare a restoration plan before coming back to the Board next year for an excavation pit renewal. Mr. Côté informed Mr. Carlucci that he would be hesitant to grant permission to renew an excavation pit permit without a restoration plan. Mr. Poltak believed that Mr. Carlucci would not be able to do any excavating until the answers regarding the waiver and excavating within a Level One wetland were known and would suggest that once those answers have been determined that he consult with Conservation Commission and Roscoe Blaisdell and then come back before the Board when he was ready.

Mr. Poltak believed that the Board could table it until such time. Mr. Côté asked Mr. Carlucci how much time he would need this tabled too. A brief discussion ensued with regard to tabling this hearing until April 2015.

Mrs. Rouleau-Côté wanted to make sure that Mr. Carlucci's excavation pit permit would not lapse. Mr. Poltak explained that, his view is that this permit is in limbo until such time that the Board renews it and that no activity would occur until they renew the permit.

Mr. Côté made a motion to TABLE this matter until April 1, 2015 for Tax Map 2, Lot 25, Mrs. Marzloff seconded the motion. A vote was taken; all were in favor, the motion passed.

Mrs. Rouleau-Côté explained to Mr. Carlucci that hopefully between now and April 1, 2015 that they could meet with Conservation Commission and get whatever permission or comments from them.

Paul Garabedian
Tax Map 11, Lot 50

Mr. Garabedian stated that he was before the Board tonight to ask permission to renew his pit permit located on Birch Road. Mr. Poltak asked Mr. Garabedian to explain to the Board what has occurred this year and what he anticipates will occur over the coming year respectful to the activity. Mr. Garabedian stated that they have hauled very little out of there as they were down to a minimum. Mr. Poltak asked Mr. Garabedian if he had any contracts. Mr. Garabedian said no. Mr. Poltak asked Mr. Garabedian what he saw as the long term life of this property as far as the material that he has. Mr. Garabedian did not know. Mr. Poltak asked Mr. Garabedian to guess how much material was left on the site. Mr. Garabedian did not know.

Mr. Côté pointed out to Mr. Garabedian that, last year they discussed with him to come up with a restoration plan on what they were going to do out there. Mr. Garabedian stated that he had a plan. Mr. Côté informed Mr. Garabedian that the plan he had before them tonight was done in 1984 and that the Board asked him to come back with an updated plan showing what was left and how he would be restoring the excavation pit when they met last year in November 2013. Discussion ensued with regard to what was requested last year. Mr. Côté explained that they want a restoration plan that would show what would be done to restore it to its natural state. At this time, Mrs. Rouleau-Côté showed the Board photos of the excavation pit from the site walk done last year. Ms. Woods believed that they would have to table this excavation pit request as well. Ms. Woods suggested that they be more specific with regards to what is required. Mr. Côté explained that it was in our excavation pit regulations. Further discussion ensued with regard to the restoration plan. Mr. Côté explained in detail what the Board was looking for was some sort of restoration plan showing this is how we are going to leave it when were done. Ms. Woods suggested making it available and table it.

Mr. Côté made a motion to TABLE this matter until April 1, 2015 for Tax Map 11, Lot 50, Ms. Woods seconded the motion. A vote was taken; all were in favor, the motion passed.

Both Mr. Côté and Ms. Woods asked Mr. Carlucci if he understood what the Board was looking for. Mr. Carlucci said yes. Mr. Côté pointed out that once you have excavated a couple of acres that it is supposed to be restored.

**Carmen Giampatruzzi
Auburn Pitts Bar & Grill
167 Rockingham Road, Tax Map 27, Lot 6
Discuss Replacing Existing Sign**

Mr. Giampatruzzi began by explaining that they are looking at replacing the existing sign and passed out pictures of what he was proposing to put in its place. Mr. Giampatruzzi explained that they have had two bad accidents from people speeding down Rockingham Road and the sign has been hit numerous times. They want to put up a safer sign with some bollards so no one will hit the sign. Mr. Poltak asked Mr. Giampatruzzi if he understood what our ordinance requires. Mr. Giampatruzzi said yes. Mr. Poltak asked Mrs. Rouleau-Côté if she has been working with Mr. Giampatruzzi. Mrs. Rouleau-Côté stated that she was working with Barlow Signs but that Ms. Royce has been working with Mr. Giampatruzzi. Mr. Poltak asked if there was collaboration with the neighbors. Mr. Giampatruzzi did not believe it would be an issue as the new sign would be less bright and that right now it's basically in your eyes. Ms. Woods asked how high the sign would be. Mr. Côté said that the from the ground to the bottom of the sign it would be 7 feet 7 ½ inches but the actual sign would be 6 foot 4 inches high so the total height from the ground would be 14 feet. It was 16.67 square feet and now it will with 38.25 square feet. Mr. Côté believed that the maximum amount was 40 square feet. Mr. Côté did not believe this warranted a public hearing. Discussion ensued with regard to how it was lit. It was determined that the old sign and the new sign would be internally illuminated. Mrs. Marzloff asked what hours the sign would be on. Mr. Giampatruzzi stated that it would be turned on at dusk and turned off at 11:00pm during the week and 12:30am on weekends and that's when it's lit now. The sign is off when they are closed. Mr. Poltak stated that the property was located in a Commercial Two zone and that it complies with the Town of Auburn's Zoning Ordinance and it would be placed in the same location.

Mr. Côté made a motion to approve the sign as presented tonight provided that they obtain a Building Permit from the Building Inspector for Tax Map 27, Lot 6, Mrs. Marzloff seconded the motion. A vote was taken; all were in favor, the motion passed.

Mr. Giampatruzzi thanked the Board members for their time and exited the meeting.

OTHER BUSINESS

Conservation Commission Meeting with the Planning Board

Mr. Porter of the Conservation Commission began by saying that they were focusing on preserving the existing setbacks as they are but enforcing them to a greater extent with regard to waivers which we would like to avoid. Mr. Porter further talked about partnering with developers to not encroach into the wetlands and if a lot line can benefit them then they would work with them but in general he believes that the existing ordinance is fine and believes the problem is the number of waivers issued. Mr. Côté believed that some of the waivers come in after the development is in and people come back after the fact and want to use their whole two acres. Discussion ensued with regard to people coming back after the fact to extend into the wetlands because they want to put a shed, pool or deck within the wetland buffer because the building envelope was too small. Mr. Grillo had a few issues that were discussed at the meetings which included the number of waiver reductions, keeping the wetlands outside of the

buffer and that we needed a clearer definition of a wildlife corridor. The Board members and the Building Inspector discussed having more communication and more workshops to review each plan. Mrs. Rouleau-Côté pointed out that she recently witnessed test pits on a property and that by looking at some of the topography out there that we may not be holding true to the buffer but might make an existing stone wall the buffer that we could incorporate into a lot line or a buffer line. Mr. Porter agreed and gave an example with Wethersfield Subdivision.

Mr. Martel was present at tonight's meeting pertaining to the cluster subdivision discussion and stated that the Board had asked him to figure out what would be better to develop the property located on Dearborn Road across from Copley Court and asked the Board if they wanted to use this subdivision plan as a reference. The Board said yes that it wouldn't hurt. Mr. Poltak pointed out that our ordinance is pretty much similar relative to cluster development with Southern New Hampshire Regional Planning Commission and they're all running into the same problems as the Town of Auburn respectful of the difficulties of enforcing setbacks in that regard. Mr. Poltak believed that we had bigger issues than the three issues stated above.

Mr. Martel began by saying that the parcel that they are looking at works well either way. Mr. Martel informed the Board members that they have met with Conservation Commission as well as Manchester Water Works and pointed out where Manchester Water Works was located with respect to the parcel that they are looking to develop. Mr. Martel was looking at whether the Board thought that the property was better suited for a cluster subdivision or a conventional grid subdivision. The only area that they do not meet is with regard to the 20% of the gross tract area they do not meet the area of steep slopes and wetlands which does not comprise of the required 20%. The ordinance allows the Board to deviate from that if there are unique circumstances. When they met with the Conservation Commission they felt that the downhill wetland was very important and felt that it was enough of a reason to go cluster. Mr. Martel reiterated to the Board that they just happen to have a project that goes well either way and that it was up to the Board to decide. Mr. Côté asked Mr. Porter if the Conservation Commission was leaning more towards the cluster subdivision and stated that he was leaning more towards the conventional grid subdivision because we needed a good mix in town. A brief discussion ensued with regard to the property and location to wetlands. Mr. Porter talked about keeping some of the back land out of the wetland buffer. Mr. Sullivan asked how far the wetlands were from the property line. Mr. Coviello stated that it was approximately 500 to 600 feet from the property line. Mrs. Rouleau-Côté asked Mr. Martel if he would be looking for any waivers such as for the cluster buffer. Mr. Martel indicated that they put a 100 foot cluster buffer on one side and a 250 foot cluster buffer in another area. Mr. Martel stated that they would be looking at a waiver from length of cul de sac from 1,200 to 1,500 feet. Mr. Sullivan had an issue with the roads not aligning together for Copley Court and this new development. Mrs. Marzloff believed it had to do with the location of the existing house. A brief discussion ensued with regard to the roadways aligning and the driveway location and site distance.

Mr. Sullivan stated that he was leading more to the bottom plan which was the conventional grid subdivision. Mr. Poltak explained that one of the prerequisites with the cluster is to preserve open space and believed that this was one of the few lots that it made sense to preserve open space because it was contiguous with the Manchester Water Works property. Mr. Poltak stated that he had no use for open space for the general sense of sporadic pieces of open space around the community long term that was not tied into some kind of open space preservation plan or some type of reactional plan. Having open space sporadic throughout the community made no sense at all unless it was tied together. Mr. Poltak believed that we had very valuable open space with this development due to the fact that this property abuts

Manchester Water Works land and informed the Board that Manchester Water Works was desirous of having a cluster subdivision on this property as opposed to a large grid system. Mr. Côté liked the thought of having variety in town and did not like seeing everything being cluster. Mr. Côté pointed out that with the fact that they have less than 20% steep slopes and wetlands that this needed to be a conventional grid subdivision. Ms. Woods believed that if they went with the grid subdivision that they would again be faced with the request for waivers. Mr. Côté went through the subdivision plan for a grid subdivision and believed that they had reasonable footprints for building envelopes. Ms. Woods was leaning towards a cluster subdivision. Discussion ensued with regard to cluster versus conventional subdivisions.

Mrs. Rouleau-Côté asked Mr. Martel what the number of lots for each proposed subdivision would be. Mr. Martel indicated that with the cluster there would be 23 lots and with the conventional there would be 19 lots inclusive with the house that's already there. Discussion ensued with regard to the number of lots. Mr. Martel believed that there was value either way. Ms. Woods asked Mrs. Marzloff what she thought would be a better fit. Mrs. Marzloff explained that she would not be voting on the application and pointed out that there has been a lot of push back from the community about the appearance of a cluster but was leaning more towards a conventional grid subdivision. Mr. Sullivan believed that Mr. Martel was the one that got to pick which way he would prefer to go.

Mr. Martel and the Board members briefly discussed stormwater treatment and that it would be placed in several different areas. Mr. Grillo stated that he would be leaning towards the open space concept with the cluster and his concern was the buffer in one area and that it looks rural unless you're inside the cluster subdivision. Mr. Poltak believed it would be a very close vote if it were put out there and believed that either one shown would work. Mr. Poltak added that it was a matter of which one made more sense. Mr. Côté reminded Mr. Martel about requesting waivers and specified the 100 foot cluster buffer where 250 is required. Discussion ensued with regard to the abutting property and it was determined that the abutting properties were already built on.

Mr. Martel asked the Board for answer with regard to whether they would consider approving a cluster subdivision or a conventional grid subdivision. Mr. Poltak did not have an answer to that.

Mr. Porter asked Mr. Martel if he would be looking for any waivers outside of the lot lines. Mr. Martel said no but that they would be seeking a waiver would be relative to stormwater.

Mrs. Rouleau-Côté suggested that they discuss this with Town Counsel to see if they can have a public hearing prior to design review. Mr. Poltak agreed and stated that he would be discussing this with Town Counsel at the next meeting scheduled for December 17th.

Both Mr. Martel and Mr. Coviello thanked the Board members for their time and exited the meeting.

Planning Board Workshop Zoning Amendments

- Mr. Poltak explained what he and Town Counsel had decided to do was to spend time talking about zoning amendments with regard to statutory changes of which Attorney St. Hilaire did not have any changes. Mr. Poltak went on to discuss the Tenn's property located off of Harvard

Avenue of which was the only zoning amendment change to be made. Mrs. Rouleau-Côté stated that she had prepared a memorandum stating that Mr. Tenn has approved the decision to rezone a portion of the land currently zoned Industrial to Residential One and that the remainder would stay zoned Industrial. Mrs. Rouleau-Côté informed the Board that Mr. Tenn would be present on the December 17th and that she did not expect the discussion regarding rezoning would take long and suggested that it would be placed on the agenda first to move things along. Mr. Poltak stated that he has spoken with Ms. Royce and it was decided to move the Tenn discussion first on the agenda.

OTHER DISCUSSIONS

Mr. Poltak moved on to discuss having a workshop with Town Counsel prior to the meeting on December 17th and the Board would be meeting with Attorney St. Hilaire at 6:00pm. The Board understood that they would first be meeting at 6:00pm on December 17th prior to the Public Hearing to conduct a workshop with Town Counsel.

Mr. Poltak moved on to discuss the Master Plan and believed that everyone had a chance to review the Master Plan. Mr. Poltak stated that the last Master Plan update was last done in 2007 which will be 8 years at the close of 2014. Ms. Woods stated that the Master Plan was massive and believed that once we put in the 2010 information that it would certainly change. Ms. Woods also believed that the set up was good and were required to do it. Mr. Côté did not believe that we needed to hire an engineering firm as the changes were not dramatic changes. Mr. Côté also did not believe the direction that the town is going in has changed and believed that the population has changed but we are not seeing dramatic changes done and we could take it one chapter at a time. Ms. Woods disagreed with Mr. Côté and believed that they could put a budget limit on it. Mr. Côté believed that they could get a number from Stantec and decide from that. All the Board members were in agreement with Mr. Côté. Ms. Woods agreed that the Board could go chapter by chapter with a little help. Mrs. Marzloff stated that she was kind of in the middle and thought that they needed a planner and would like some different input from someone else other than the Board members. Mrs. Rouleau-Côté commented that this was not a document that Ms. Royce and I would want to put together because there is a lot of information.

ADJOURN

Ms. Woods moved to adjourn. Mrs. Marzloff seconded the motion. All were in favor, the motion passed unanimously and the meeting stood adjourned at 8:27 p.m.

The next Planning Board meeting will take place on Wednesday, December 17th, 2014 and will be held at the Town Hall, 47 Chester Road.