

**Town of Auburn
Planning Board
PUBLIC HEARING
December 17, 2014**

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

Also Present: Carrie Rouleau-Côté, Building Inspector, Jennifer St. Hilaire, Town Counsel for the Town of Auburn.

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. At this time, Mr. Poltak introduced the Board members to everyone present at tonight's hearing.

MINUTES

Mrs. Marzloff moved to accept the minutes of December 3, 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

**Planning Board Discussion with Jim Tenn
Re: Mt. Miner Subdivision, Tax Map 9, Lot 28-1
Discuss Rezoning**

Mr. Poltak explained that Mrs. Rouleau-Côté and Mr. Tenn have been in discussions with regard to rezoning a portion of the property to be developed off of Harvard Ave and turned the discussion over to Mrs. Rouleau-Côté for her to explain to the Board what has transpired.

Mrs. Rouleau-Côté, the Building Inspector /Code Enforcement Officer for the Town of Auburn began by explaining that each year for town ballot the Planning Board is responsible for bringing forward zoning amendments to put before the voters for approval. With that in mind, Mrs. Rouleau-Côté stated that, this year, they have a parcel off of Harvard Ave that has an approved subdivision plan of which the property is bisected by two zoning districts. Mrs. Rouleau-Côté stated that she and Mr. Tenn have worked together the last few months to come up with a proposal to put it before the Board to put it on the town ballot in March 2015. Basically, the property is located between two zoning districts and what they are proposing is to rezone the area that has an approved subdivision plan and rezone it to Residential One to match the abutting residential zone as opposed to the Industrial zone that it is currently in now. It would correct any concerns or issues that may arise with the fact of having residential homes in the Industrial zone. Mrs. Rouleau-Côté also stated that she had a memo that explains what has occurred during the discussions between her and Mr. Tenn. At this time, Mrs. Rouleau-Côté pointed out the proposed area to the Board members for their review and comments.

Mr. Poltak thanked Mrs. Rouleau-Côté for her presentation and asked Mr. Tenn if there was anything that he would like to add to what Mrs. Rouleau-Côté had stated. Mr. Tenn said no that Mrs. Rouleau-Côté pretty much covered it. Mr. Poltak believed that the Board would be forwarding this all to town counsel for her to put into the proper sequence. With that said Mr. Côté made a motion.

Mr. Côté made a motion to direct legal counsel for the Town of Auburn to work with the Building Inspector to work on the language for the rezoning of Tax Map 9, Lot 28-1-39 as discussed this evening. Ms. Woods seconded the motion. All were in favor, the motion passed unanimously.

Mr. Poltak thanked Mr. Tenn for his time and Mr. Tenn exited the meeting.

PUBLIC HEARING

Maverick Development

Haven Drive & Pingree Hill Road, Tax Map 5, Lots 29 & 36

Major Cluster Subdivision (25 Lots)

Continued from November 19, 2014

Mr. Mitchell began his presentation by saying that they were before the Board last month and there were a four items that came up which were 1) the vernal pool, 2) the first lot in on the left coming in from Pingree Hill Road as far as setbacks from the wetlands, 3) was improvements to Rattlesnake Hill Road and Haven Drive, and 4) was the outside buffer to the cluster. Mr. Mitchell showed an exhibit to the Board members and informed the Board that Tracey Tarr was preparing a plan for the vernal pool replication which will be brought in next month to move the project forward. Mr. Mitchell showed where the homes were located which was taken from an aerial view. Mr. Mitchell stated that Mr. Febonio has spoken with the four (4) abutters that would be affected by the reduction in the cluster buffer of which they were in favor of the reduction. Mr. Mitchell indicated that he would have something in writing from those abutters for next month.

At this time, Mr. Mitchell spoke about the abutting homes to the cluster development and stated that the houses were approximately 470 feet from the homes located within the cluster subdivision. Mr. Mitchell believed they had a good project and believed it would work. Mr. Mitchell also talked about doing improvements to Rattlesnake Hill Road and Haven Drive to work with the site distance and would be speaking with the road agent within the next month. Mr. Mitchell also stated that they would have the wetland experts available at the next hearing with a full review. Mr. Mitchell asked the Board members if they had any specific questions regarding the wetlands that they could pass it along to the experts.

At this time, Mr. Poltak asked Mr. Mitchell if he would like to continue this Public Hearing until next month which would be January 21, 2015. Mr. Mitchell said yes.

Mr. Poltak pointed out that he would be asking abutters if they had any questions but would ask that they limit the comments to what has been shared tonight. Mr. Dandrade asked if the plan was submitted tonight. Mr. Poltak said yes. Mr. Dandrade did not believe that Mr. Mitchell was accurately reflecting upon the intent of the ordinance. Mr. Dandrade did not believe that with regard to the cluster buffer reduction that it should not only include the four (4) abutters that are directly affected by the reduction. Mr. Dandrade also asked Mr. Poltak about the peer review.

Mr. Poltak informed Mr. Dandrade that the Board has not had any discussions with regard to what he has mentioned except within the context of public meetings. Mr. Poltak further informed Mr. Dandrade that when the time comes and final plans are submitted that it would be reviewed by Stantec as the town engineer and consultant. Mr. Poltak stated that with regard to the setbacks that the Board does not have any request for a waiver at this time.

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

Mrs. Marzloff moved to continue the Public Hearing until January 21, 2015 for Maverick Development, Tax Map 5, Lots 29 & 36. Mr. Côté 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, January 21st, 2015.

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

Mr. Poltak wanted to remind everyone that last time Mr. Mitchell was before the Board he presented a conventional grid subdivision development as opposed to a cluster and it was the first preliminary review and that the Board is interested in hearing what new approach he has to present tonight. At this time, Mr. Mitchell passed out copies of the plan submitted tonight. Mr. Mitchell began by saying that this plan has the same number of lots and explained that it contained 8 new lots plus the existing house. They have not submitted drainage because they just want to make sure they have all the other details first and they only have a few more steps before they have a final plan to submit to Stantec. Mr. Mitchell pointed out that the test pits came out good and they have adequate site distance.

Mr. Poltak turned to the Board for comment. Mrs. Marzloff stated that she was pretty comfortable with this and that her two concerns were about site distance which has been addressed. Mr. Sullivan asked about the connection to the abutting property and asked if it was buildable. Mr. Mitchell stated that there were wetlands on their property but they did have uplands but did not know if it was acceptable for a road but left a right of way into that property. Mr. Sullivan did not want to see a right of way in an area where it cannot be built but rather in an area that could be built. A brief discussion ensued with regard to future connection. Mr. Côté asked about Lots #7 and #8 and asked about the setback. Mr. Mitchell talked about the setback and said that it might change as they may seek relief from the Zoning Board of Adjustment. Mr. Côté asked Mr. Mitchell what type of physical boundary he could put up that is better than a grade stake with a placard on it because frankly they disappear. Mr. Côté stated that he would like to see some sort of physical barrier put up that's better than a grade stake with a placard on it. Mr. Mitchell talked about plantings in between some vinyl fencing and even possible a diversion ditch in the front. Discussion ensued with regard to some sort of barrier as opposed to a grade stake with a placard on it. Mr. Côté also asked Mr. Mitchell to prepare a detail for some sort of barrier. Mr. Côté and Mr. Sullivan talked about the hay field and whether or not it would be maintained as a hay field or turned into a lawn. Mr. Mitchell stated that he believed that agricultural use was only permitted by obtaining a Conditional Use Permit. Mr. Poltak stated that he agreed with Mr. Côté and also did not want to see a barrier that becomes a nuisance over time but would like to see some sort of natural barrier and believed Mr. Mitchell

understood what Mr. Côté was asking for. Mr. Mitchell said yes.

Mr. Poltak asked if there were any further questions. Mrs. Marzloff asked Mr. Mitchell if it was his intention to bring the driveway in off the new street for Lot #8. Mr. Mitchell said yes and it would be 75 feet from the intersection.

Mr. Poltak asked if there were any abutters that would like to speak. Ms. Cornett asked about the setbacks that were shown on the plan that she had and asked about the house locations. Mr. Mitchell pointed out that the septic systems that are designed today are for a 4 bedroom home and pointed out the locations on the lots. Ms. Cornett asked the Conservation Commission to comment on the Level One to Level Two areas. Mr. Porter stated that he was not prepared to comment at this time.

Mr. Poltak asked Mr. Mitchell what his timeframe was to begin this project. Mr. Mitchell stated that he would like to meet with the Conservation Commission on January 6, 2015 and continue this Public Hearing until January 21, 2015 and they should have their dredge and fill permit by then. Ms. Cornett asked the Planning Board to look at Lot #7's building envelope.

Mr. Poltak asked for a motion to accept the application. Mr. Côté explained to everyone present that accepting the application is not approving the plan it's only accepting the application as far as completion.

Mr. Côté made a motion to accept the application for Tax Map 5, Lot 19, Strategic Contracting Company, LLC, Major Subdivision. Mrs. Marzloff seconded the motion. All were in favor, the motion passed unanimously.

Mr. Côté moved to continue the Public Hearing for subdivision review until January 21, 2015 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 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, January 21st, 2015.

**JMJ Properties, LLC
Lovers Lane, Tax Map 8, Lot 25
Major Subdivision (3 Frontage Lots & 25 Cluster Lots)
Continued from November 19, 2014**

Mr. Mitchell began by saying that he has submitted plans to Stantec but that they also need to do final test pits. Mr. Mitchell pointed out that last time the Board focused on the buffer to the Frisella property. Mr. Mitchell indicated that they have done the setbacks to houses to the lot line and the average was about 520 feet. Mr. Mitchell talked a little bit about the Frisella property and stated that they need to finish test pits and get the final design plans to Stantec as well as meet with Conservation Commission with an actual wetlands application for them to review.

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

Mr. Frisella stated that he has spoken with Mr. Mitchell and is satisfied with what they are proposing for this development.

Mr. Côté stated that he was not a big fan of the flag lots shown on the plan as Lots C10, C11 & C12. Ms. Woods commented that they discussed this with Mr. Mitchell at the last meeting and that she was not a big fan of these lots either. Mr. Poltak said that he likes these because it provides variety and it would be the first lot he would choose. Discussion ensued with regard to the three lots. Mr. Côté asked Mr. Mitchell to provide a bigger strip for the driveway for Lot C11 because it did not leave much room.

Mr. Poltak asked the Board if they had any questions. Mrs. Marzloff wanted to know if the Conservation Commission had any comments. Mr. Porter said they did not have any comments. Mr. Côté liked the fact that the wetland setback has been virtually excluded from the lots and appreciated the fact that Mr. Mitchell did that.

Mr. Poltak indicated that they have already accepted the application and asked Mr. Mitchell what his timeframe was for getting something final put together. Mr. Mitchell stated that Stantec would still be in the review process and believed that they would be able to get something together prior to the next meeting. Mr. Poltak asked Mr. Mitchell if he wanted to continue the hearing until January 21, 2015 and asked Mr. Mitchell to depict the building envelopes on the lots. Mr. Mitchell said yes he will have them on the next plan.

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

Mr. Côté moved to continue the Public Hearing until January 21, 2015 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 January 21st, 2015.

OTHER BUSINESS

Mr. Poltak asked the Board if there was any new business. None was noted at this time.

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 8:00 p.m.

The next Planning Board meeting will take place on Wednesday, January 7, 2015 and will be held at the Town Hall, 47 Chester Road.