

**APPROVED MINUTES  
Town of Auburn  
Planning Board  
PUBLIC HEARING  
November 4, 2015**

**Present:** Ron Poltak, Chairman; Alan Côté, Vice-Chairman, Paula Marzloff & Steve Grillo, Members. Dale Phillips, Selectmen's Representative. Minutes recorded by Denise Royce.

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

Mr. Poltak called the meeting to order at 7:00 p.m. and introduced the Board members to those present. Mr. Poltak.

**MINUTES**

***Mr. Côté moved to accept the minutes of October 21<sup>st</sup>, 2015 as written; Mrs. Phillips seconded the motion. A vote was taken; all were in favor with Mrs. Marzloff abstaining and the motion passed.***

**GENERAL BUSINESS**

**Jemco Builders  
Calef Road Subdivision, Tax Map 5, Lot 43-7  
Lot #7 Reclamation Bond (\$36,915.00)**

Mr. Poltak explained that the Letter of Credit currently held for Calef Road – Lot 7 Reclamation in the amount of \$36,915.00 should be released since the lot has been sold and the new owner will be utilizing the loam for the property and would suggest that the Board make a motion to release the bond.

***Mrs. Marzloff made a motion to release the reclamation bond for Tax Map 5, Lot 43-7 in the amount of \$36,915.00; Mr. Côté seconded the motion. All were in favor, the motion passed unanimously.***

**Jemco Builders  
Lovers Lane Subdivision, Tax Map 8, Lot 2  
Discuss Bond Release for Road Bond  
Lovers Lane Off-Site (\$16,587.15)**

The Board reviewed the letter from Stantec dated October 30, 2015 recommending that the bond be released for Lovers Lane off-site in the amount of \$16,587.15 and made a motion.

***Mr. Côté made a motion to release the road bond for Lovers Lane off-site for Tax Map 8, Lot 2 in the amount of \$16,587.15; Mrs. Marzloff seconded the motion. All were in favor, the motion passed unanimously.***

**Jemco Builders  
Calef Road Subdivision, Tax Map 5, Lot 43  
Willow Court (Connecting Hawthorne Dr. to Calef Rd)  
Discuss Bond Release for Road Bond  
Willow Court Maintenance (\$9,373.00)**

The Board reviewed the letter from Stantec dated October 30, 2015 recommending that the bond be released for Calef Road Subdivision road bond for Willow Court and Calef Road in the amount of \$9,373.00 and made a motion.

***Mr. Côté made a motion to release the road bond for Calef Road Subdivision road bond for Willow Court and Calef Road, Tax Map 5, Lot 43 in the amount of \$9,373.00; Mrs. Marzloff seconded the motion. All were in favor, the motion passed unanimously.***

**PUBLIC HEARING**

**Randy Donckers  
On Behalf of Norma & Edward Picard  
589 Bunker Hill Road, Tax Map 5, Lot 87  
Zoned Residential Two  
Minor Subdivision (1 new lot) & Minor Conditional Use Permit  
**Continued from September 16, 2015****

Mr. Poltak and Mr. Côté explained that the applicant has gone before the Zoning Board of Adjustment to seek a variance to allow a driveway to be within the wetland buffer which was granted on October 27<sup>th</sup>. Mr. Poltak asked Mr. Donckers to begin his presentation with regard to the Picard Subdivision. At this time, Mr. Donckers began by saying that they have received a variance from the ZBA and that they have received

approval from DES wetlands division for dredge and fill as well as subdivision approval today. Mr. Côté was happy to hear that as he indicated that it makes it a lot easier for them tonight. Mr. Côté further asked if the bounds have been set. Mr. Donckers said that they have not set them yet but that they would be. Mr. Côté indicated that they would make that a condition that the Board receives bound certification. Mr. Donckers stated that he typically sets the bounds and then mark on the mylar the date that the bounds have been set. Mr. Côté approved of what Mr. Donckers would be doing with regard to the bounds.

At this time, the Board reviewed the plans. Mr. Poltak asked if there were any questions from abutters. None were noted. Mr. Poltak asked if there were any questions from the Board members. Mrs. Marzloff asked about the contour lines and pointed out an area that looked like a line was going through a number. Mr. Donckers stated that he would be cleaning it up as he was well aware how picky the registry was with regard to mylars. A brief discussion ensued with regard to the plan and no further comments were made. With this in mind, Mr. Côté made a motion for conditional approval.

***Mr. Côté made a motion to grant conditional approval for subdivision of one lot for Tax Map 5, Lot 87 regarding Edward & Norma Picard, 587 Bunker Hill Road subject to the following conditions: 1) that bounds being set or surety being put in place prior to the bounds being set and the mylars being signed; and, 2) conditions to be met within 90 days (February 3, 2016); Mrs. Marzloff seconded the motion. All were in favor, the motion passed unanimously.***

**Randy Donckers**

**On Behalf of Cheryl & Tye Griffin & George Griffin**

**112 Hooksett Road, Tax Map 10, Lot 5A & Tax Map 10-5-3**

**Minor Conditional Use Permit (Driveway)**

**Zoned Residential Two**

Ms. Royce passed out copies of the plan for the Board members to review. Ms. Royce also passed around a copy of the letter received from Manchester Water Works for the Board members to review.

Mr. Donckers began by saying that they have received approval from DOT for the four (4) driveways shown on the plan which would require them to obtain a Conditional Use Permit to allow a driveway to be 25 feet within a Level 3 wetland by the existing old garage. Mr. Donckers passed out colored pictures of the area being discussed for the Board to review. The Board members passed around the photos. Mr. Donckers pointed out the location for the Board members and talked about the existing retaining wall in the area as well. Mr. Donckers also pointed out that there was no water currently in the area of the Level 3 wetland and asked the Board to grant a Conditional Use Permit to allow a driveway to be 25 feet from a Level 3 wetland. Mr. Donckers stated that the reason for this request is because the existing old house is not being torn down at this time and that they need to maintain the 30 foot setback off the house so that is

why the property line has to go in that direction. Mr. Côté believed that the Board should act on the Conditional Use Permit prior to going on to discuss the subdivision and lot line adjustment. The Board members agreed.

Mr. Porter commented that the house was probably not going to be up for much longer and it would be more prudent to have the approval based on where the driveway could be as opposed to close to the wetlands. Mr. Donckers pointed out that the lot was owned by George Griffin and that the three (3) lots to the south would be owned by Tye and Cheryl Griffin and that George Griffin has not decided to tear it down at this time. Mr. Porter and the Board members briefly discussed the driveway location.

Mr. Tye Griffin commented that the property in question is not owned by them but in fact owned by George Griffin and would not be comfortable asking George Griffin to tear down his house. Mr. Donckers added that the existing road was heavily traveled and would be closer than the proposed driveway. The Board agreed. Mr. Poltak asked Mr. Tye Griffin what he anticipated that Mr. George Griffin would be doing with that property. Mrs. Phillips added that while she was in the assessing office that she received numerous calls about the property and that she would give them his name and that they would come back and say that he was adamant that he was not selling the property. Mr. Donckers also pointed out that by doing the lot line adjustment that they would be bringing the lot into conformance. Mr. Côté pointed out that there was already a garage there now and if the lot line adjustment didn't happen that the likelihood of someone parking something next to the garage was very likely anyways and that the wetland was closer to Hooksett Road as opposed to the driveway. Mr. Côté did not believe that the driveway location would have more of a negative impact than the road already does and with that did not see a huge issue with what was being asked of the Board. At this time, Mr. Côté made a motion.

***Mr. Côté made a motion to grant a Conditional Use Permit to allow a driveway to be closer than 25 feet to a Level 3 wetland on the proposed Tax Map 10, Lot 5-3; Mrs. Phillips seconded the motion. All were in favor, the motion passed unanimously.***

**Randy Donckers  
On Behalf of Cheryl & Tye Griffin & George Griffin  
112 Hooksett Road, Tax Map 10, Lot 5 & Tax Map 10, Lot 5A  
Zoned Residential Two  
Minor Subdivision (2 new lots) & Lot Line Adjustment  
Continued from September 16, 2015**

Mr. Donckers indicated that he is seeking the Board's approval for subdivision to create two (2) new lots and to approve a lot line adjustment for the above referenced property as discussed in the previous request for Conditional Use Permit. Mr. Poltak asked Mr. Donckers to reiterate the approvals that they have received with regard to the subdivision. Mr. Donckers stated that they have obtained subdivision approval from

DES and that they have also received the driveway approvals. Mr. Côté asked Mr. Donckers to clarify the driveway locations and asked Mr. Donckers to put on the plan that the existing driveway is to be abandoned that goes across Tax Map 10, Lot 5-3. Mr. Donckers understood what Mr. Côté was asking him to do was to label it on the plan that the existing driveway is to be abandoned that goes across Tax Map 10, Lot 5-3. Mr. Côté asked if there were four (4) driveway permits. Mr. Poltak wanted clarification because the copy of the state driveway permit indicates that there are five (5) driveways. Mr. Donckers was unsure why they did it that way because that was the plan that they approved. Mr. Poltak wanted to make it clear for the record that there would be only four (4) driveways and wanted it on the record for Mr. Donckers to point out where the four (4) driveways would be. At this time, Mr. Donckers pointed out the location for the four (4) driveways and noted that he would indicate on the final plan the driveway to be abandoned. The first was where the old garage is, the second was the southerly side of the loop driveway, the third was the northerly driveway that is already existing and the fourth is the new driveway which would be replacing the location of the old driveway that crosses over the property line which will be abandoned. The Board understood the location of the four (4) proposed driveways. Mr. Poltak asked Mr. Donckers if he would be correcting the permit. A discussion ensued with Mrs. Griffin and the Board with what had transpired with DOT and stated that they were confused. Mr. Poltak suggested to the Board with regard to the finality of this matter that the Board makes it very clear that they are approving four (4) driveways and not five (5) driveways so that there is no interpretation that the Board approved a second driveway on George Griffin's lot.

Mr. Poltak asked if there was anyone that wanted to speak further with regard to this matter. No comments were noted and therefore Mr. Côté made a motion.

***Mr. Côté made a motion to grant conditional approval for minor subdivision for Tax Map 10, Lot 5 and Tax Map 10, Lot 5A belonging to George Griffin and Cheryl and Tye Griffin subject to the following conditions: 1) That the driveways being clearly depicted and that the existing driveway which crosses from Tax Map 10, Lot 5-3 and Tax Map 10, Lot 5 being abandoned; 2) subject to setting bounds with a bound certification or that surety is in place to ensure that bounds are set; 3) further clarifying that there will only be one driveway for Tax Map 10, Lot 5A which is the most northerly driveway; 4) that the driveway to Tax Map 10, Lot 5-3 will be immediately adjacent to the driveway that is abandoned on Tax Map 10, Lot 5A; and, 5) that conditions be met within 90 days (February 3, 2016); Mrs. Marzloff seconded the motion. A vote was taken; all were in favor and the motion passed.***

Mr. Donckers thanked the Board for their time and exited the meeting.

## **ANNOUNCEMENTS/CORRESPONDENCE**

- None were reviewed at this time.

## **DISCUSSION OF UPDATING THE MASTER PLAN & CIP**

Mr. Poltak wanted to have a brief discussion regarding revamping the Master Plan and the CIP and the cluster ordinance process and timetable.

Mr. Poltak further explained that the Planning Board currently has dates scheduled for November 18<sup>th</sup> and December 2<sup>nd</sup> in order to meet to discuss the potential changes to the Master Plan, Subdivision and Site Plan Regulations, Road Reconstruction Details, CIP (Capital Improvements Plan) as well as the Cluster Ordinance. Mr. Poltak stated that the Board can plan on having a workshop on November 18<sup>th</sup> due to the fact that the Board has nothing on the agenda for that night and Stantec will be coming in and we will be having a work session. This was explained to everyone present that anyone is welcomed to attend the Planning Board workshop but that the Board would not be taking any input from audience members that night that this was just a workshop for the Board members to discuss the potential changes to occur. Once this has occurred, then the Planning Board Public Hearing would take place on December 2<sup>nd</sup> at which time the Board would take into consideration any recommendation from the public at that time. Mr. Poltak further explained that the road reconstruction standards is out and would probably be available on December 2<sup>nd</sup> for the Board to review. With regard to the CIP, Dan Tatem will be coming in with a schedule and asked Mrs. Marzloff if she has spoken with Mr. Tatem. Mrs. Marzloff has not but Mr. Poltak indicated that he had spoken with Mr. Tatem and informed everyone that they are prepared to give the Board a roll out along with the subdivision and site plan regulations may also be ready for December 2<sup>nd</sup> but would be talking to Stantec with what has been done.

Mr. Côté wanted to clarify something and informed the Board that if they were changing the subdivision and site plan regulations that it did not require it to go before the voters as this is not under any deadlines to be completed by. Mr. Côté did not believe that they would be changing the ordinance because if the Planning Board changes the subdivision and site plan regulations that it was under the purview of the Planning Board to make changes. This does require a public hearing but there are no statutory deadlines like they are for putting it on the ballot. Mr. Poltak agreed with Mr. Côté. Mr. Côté added that he believed that Mr. Tatem was of the impression that it had to go before the voters.

Mr. Poltak pointed out that the most complicated factor is with regard to the cluster ordinance and believed there would be a lot of public interest of where the Board members head with this one. Mr. Poltak gave examples of changes to the cluster ordinance is with regard to lot sizes within a cluster subdivision.



Mr. Côté wanted to caution the Board with was to not take something that is currently under the Planning Board's purview and moving outside the Planning Board's purview to the Zoning Board. A brief discussion ensued with certain changes.

Mr. Poltak anticipates that at the meeting on December 2<sup>nd</sup> that it would be in the best interest presuming that the Board rolls up their sleeves on November 18<sup>th</sup> regarding the cluster ordinance to have a public session regarding sharing what their intent is so that when they go to public hearing that they potentially made the community aware of what the Board's intent is. Mrs. Marzloff agreed that the cluster ordinance is the priority.

## **OTHER**

Mr. Côté wanted to inform the Board members of an upcoming meeting regarding New Hampshire Association of Natural Resource Scientists Winter Quarterly Meeting held on Thursday, December 3<sup>rd</sup> at the Common Man in Concord which is a presentation based on "Working with Wetland Buffers in New Hampshire" and if anyone was interested to get in touch with Ms. Royce. Mr. Côté believed it would be beneficial to Planning Board members as well as Conservation Commission members.

Mr. Grillo informed the Board that with regard to the November 18<sup>th</sup> and December 2<sup>nd</sup> meetings that he has had e-mails and brief conversations with Stantec and asked the Board if there was anything else that he could be doing. Mr. Poltak answered by saying that Mr. Grillo should put a call into Mr. Tatem and brief him before and wanted him to share some of his preliminary thoughts with regard to the cluster ordinance and gave examples of one acre lots as opposed to quarter acre lots. Mr. Poltak stated that he would be available to speak with Mr. Tatem tomorrow afternoon.

At this time, the Board had nothing more to add.

Mr. Porter asked about November 18<sup>th</sup> and if it would be a working session. Mr. Poltak said yes. Mr. Porter thought it would be a great opportunity to bring in as many of the Conservation Commission members to that meeting.

Mrs. Willett asked how the meeting would be published for everyone to know. Mr. Côté explained that it will be published on the website, Town Hall, the Post Office and we can put it on the board in front of Town Hall. Mr. Poltak and Mr. Côté explained that, what they did not want to occur is having the public monopolize the Board's time because on November 18<sup>th</sup> it will just be a workshop where the Board members discuss the potential changes but if the public wants to come in and sit and listen they're more than welcome to come. Mr. Poltak informed that this is still a work in progress and any one of the dates could possibly change. This is going to be a big discussion.

## ADJOURN

***Mr. Côté moved to adjourn the Hearing. Mrs. Phillips seconded the motion. All were in favor, the motion passed unanimously and the meeting stood adjourned at 7:40 p.m.***

*The next Planning Board meeting will take place on Wednesday, November 18<sup>th</sup>, 2015 and will be held at the Town Hall, 47 Chester Road.*