

**UNAPPROVED MINUTES**  
**Town of Auburn**  
**Planning Board**  
**PUBLIC HEARING**  
**August 3, 2016**

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

**Absent:** Jeff Porter, Alternate.

Mr. Poltak called the meeting to order at 7:02 p.m. and began introducing the Board members to everyone present tonight.

**MINUTES**

**Mrs. Marzloff moved to approve the minutes of June 15, 2016 as written, Mrs. Phillips seconded the motion. A vote was taken; all were in favor, the motion passed.**

**ANNOUNCEMENTS/CORRESPONDENCE**

➤ None were reviewed at this time.

**GENERAL BUSINESS**

**Informal – George Chadwick/Bedford Design**  
**On Behalf of Robert Merrill**  
**391 Pingree Hill Road, Tax Map 2, Lot 18-1**  
**Conceptual Discussion**

Mr. Chadwick presented on behalf of Mr. Merrill and began by saying that, last month, they submitted an application for a variance before the Zoning Board of Adjustment. The variance was to create a non-conforming lot with only 50 feet of frontage on a Class V road. The lot that they are talking about is a 53 acre parcel of land that contains the house that Mr. Merrill lives. Mr. Chadwick explained that there are some health issues which Mr. Merrill would like to get out of this house and build another house and stay in Auburn so they would like to build a house in the back which is in the field. They have gone before the ZBA of which their request for a variance was denied. Mr. Chadwick informed the Board members that he has appealed the ZBA decision because his opinion is that the denial had partially to do with the thought that he was obtaining an

additional lot with inadequate frontage. So basically they thought they were giving him something that he didn't already have. Mr. Chadwick further stated that he went back after the meeting, at the suggestion of Mrs. Rouleau-Cote and looked at the parcel of land and could he reconfigure the three (3) lots that Mr. Merrill owns and reconfigure the frontage of the existing lots to get four (4) lots. Mr. Chadwick pointed out that he was able to do that and explained to the Board members the lot configuration that he came up with. Mr. Chadwick stated that the issues with this particular plan was having to do with the lot and the regulation under 9.07(2) says that "all lots shall be required to have frontage on one existing or proposed Class V or better paved road." Mr. Chadwick further explained that the portion of Silver Hill Road was not paved. Mr. Chadwick stated that, when you read that, it could be taken that your frontage is to be on one road which would eliminate corner lots. Mr. Chadwick moved on to talk about Section 9.07(4) which states "Lots other than corner lots with frontage on two streets shall not be allowed." So his take on this was that a lot with two (2) streets was not allowed but corner lots were allowed. With this in mind, Mr. Chadwick was looking for clarification from the Board with these sections. Mr. Chadwick stated that he can meet sight distance but wanted clarification from the Board. Mr. Chadwick also pointed out the other issue was the irregular shape lots and also talked about the easements. Mr. Poltak asked about the lot with the back land and if this was the lot that Mr. Merrill was planning to build on. Mr. Chadwick said yes and explained the driveways to the Board members. Mr. Poltak asked about the property being wet and how they would deal with that. Mr. Chadwick and Mr. Poltak both pointed out that this was for conceptual discussion purposes at this time. Mrs. Marzloff asked if they were all three (3) acre lots. Mr. Chadwick said yes, they were all three (3) acre lots. Discussion ensued with regard to the property being very wet.

Mr. Chadwick showed the Board members what he would prefer and what Mr. Merrill would prefer to do which is to create a lot with 50 feet of frontage on Pingree Hill Road so that Mr. Merrill can build one home on the 53 acre parcel of land. Mr. Chadwick explained to the Planning Board that if he is unable to speak or that the ZBA does not grant the appeal that they would then come back before the Planning Board with the proposal shown to the Board tonight. Mrs. Marzloff asked Mr. Chadwick if he had filed the appeal. Mr. Chadwick said yes, he filed his request for appeal. Mrs. Marzloff asked what Mr. Chadwick was appealing. Mr. Chadwick indicated that he was appealing the ZBA denying the frontage for a lot with 50 feet of frontage. Mr. Chadwick showed the Planning Board the plan that he presented to the ZBA. Mr. Poltak began by saying that concept two (2) has no frontage issues correct. Mr. Chadwick said that was correct. Mr. Chadwick believed that concept #2 was a better plan than the concept shown tonight. Discussion ensued with regard to the two (2) concepts and the frontage requirements.

In conclusion, Mr. Poltak wished them luck with the Zoning Board of Adjustment and believed that concept #2 was better than the one presented tonight. A brief discussion ensued on both designs but the Board was not for the second plan as it was very confusing.

Mr. Chadwick talked about the hardship and how the cluster ordinance was defeated by the voters back in March. Mr. Poltak stated that there wasn't much to say tonight and that they would wait to see what the ZBA had to say about the appeal request. Mr. Grillo commented how the cluster ordinance being voted out was a tragedy because there was a cluster ordinance to help a developer build something that could hide the houses with berms and the like and instead, there will be four (4) lots that will be like that and believed it was horrible and liked the other concept better.

Mrs. Marzloff asked about the barn. Mr. Chadwick stated that it would either be relocated or raised because it would not meet the setbacks. At this point, Mr. Chadwick informed the Board members of where they were tonight and appreciated the Board's comments. Mr. Poltak pointed out that alternative #2 would be viewed as a corner lot. A brief discussion ensued on whether a section of Silver Hill Road was paved.

Mr. Merrill asked the Board a question with regard to the two (2) concepts and if he were to lose his appeal which concept the Board preferred to see and if this could be done. Mr. Poltak commented that, from a technical point of view relative to our ordinance this could be done as it has the potential.

Mr. Chadwick and Mr. Merrill both thanked the Board members for their time and exited the meeting.

**Informal – Denis Maltais of Barlo Signs  
On Behalf of Heritage Plumbing & Heating  
29 Commercial Court, Tax Map 1, Lot 16-24  
Discuss Non-Illuminated Monument Sign &  
A Non-Illuminated Wall Sign**

Mr. Maltais was not present but Paul of Barlo Signs was present. Paul began by saying that they were asking for a monument sign to help identify the building where they are located on Commercial Court. Paul passed out copies of the proposed signs for both the monument sign at the road and also the sign above the main entrance to indicate the location. Mr. Poltak asked if they met the Town of Auburn's Zoning Ordinance. Paul said they did. Mr. Poltak asked why they needed two (2) signs. Paul stated that they needed one to direct people down when they come down the cul de sac and the other to direct pedestrian traffic where the main entrance was to enter the building. Paul talked about the door vinyl that they currently have on the door that is very difficult to see.

Mrs. Marzloff did not see any issue on why they needed additional signage as she mows the grass across the street and believed everyone knew where Heritage was located. Paul explained it was to show people where the entrance to the building was for Heritage. A brief discussion ensued with regard to the entrance to the building. Paul explained that they have been told that it is very difficult to find the entrance.

At this time, the Board discussed the two (2) proposed signs and Mrs. Phillips did not see an issue with the one over the door. Mr. Grillo did not see this as being any different than the other commercial buildings with multiple signs on it and stated that he was fine with both signs.

Mr. Poltak added that he was comfortable with both signs as Ms. Royce pointed out that they were both non-illuminated signs. Mr. Poltak asked what the size of the sign over the door was. Paul indicated that it was 2 foot by 4 foot. Mrs. Phillips did not have a problem with either one of the proposed sign and both Mr. Rolfe and Mr. Grillo both agreed with Mrs. Phillips and did not have a problem with them.

The Board was in agreement with the proposed signs and Paul thanked the Board for their time and exited the meeting.

### **PUBLIC HEARING**

**266 Rockingham Road, LLC  
266 Rockingham Road, Tax Map 25, Lot 44  
Major Site Plan Review  
Conditional Use Permit  
Received Conditional Approval on June 15, 2016**

Mr. Chadwick began by saying that he was before the Board tonight representing Mr. Danaïs and at the last meeting the Board members granted conditional approval as well as a Conditional Use Permit as well as Site Plan Approval with the condition that they come back on August 3<sup>rd</sup> and give the Board an update as to how their efforts with Stantec went and pointed out the fact that the Board should have received a letter from Stantec indicating that they no longer have any issues. Mr. Poltak agreed and acknowledged receipt of the final letter from Stantec informing the Board that there were no outstanding issues and that the lighting plan has been reviewed and accepted. In conclusion, Mr. Chadwick stated that this was the intent of tonight's hearing and would be happy to answer any questions that the Board may have at this time. Mr. Poltak stated that he did not have any issues or questions and with that said, turned to the Board to recommend the Board accept Stantec's review and the work that has been completed since they last met back in June that conditional approval and that a motion therefore could be granted. Approval for a Conditional Use Permit would be in order.

**Mrs. Marzloff made a motion to approve the Conditional Use Permit, 266 Rockingham Road, LLC, 266 Rockingham Road, Tax Map 25, Lot 44, Mr. Grillo seconded the motion. A vote was taken; all were in favor, the motion passed.**

Both Mr. Chadwick and Mr. Danaïs thanked the Board members and exited the meeting.

**Jill Morrison**  
**48 Meadow Lane, Tax Map 12, Lot 16-8**  
**Zoned Residential One**  
**Minor Conditional Use Permit (Barn)**

Ms. Morrison began by saying that she had a new plan to submit to the Planning Board tonight and began by saying that the Conservation Commission wanted more detail placed on the plan as they wanted to see clear demarcation between the Level One brook and the Level 3 wooded wetlands. Mr. Poltak asked Ms. Morrison to paraphrase how it went with the Conservation Commission. Ms. Morrison began by saying that they wanted to have clarification between the Level One and Level 3 wetlands and then they also wanted to know if she can prune in the buffer to the Level 3 wooded wetlands of which she thought she could do and already did but did not go into the wetlands. Ms. Morrison explained that it was just pruning of branches and trees that were hanging over that were damaged in the storm and did not take any adult trees.

Ms. Morrison talked about the proposed barn which would be 22 feet by 22 feet because when she had it first drawn up it was a 24 foot by 24 foot barn but in order to keep it under 500 square feet which was the requirement for a Conditional Use Permit she made it 22 feet by 22 feet. Ms. Morrison stated that Mr. Fehrenbach would be building the barn and that Matt Seavey would be doing the site work. Ms. Morrison added that, according to Mrs. Rouleau-Cote, she met the criteria for a Conditional Use Permit and therefore is looking for approval from the Planning Board.

At this time, Mr. Poltak explained that he did stop by the Town Hall today and had an opportunity to speak with Mrs. Rouleau-Cote and that she had no issues with what Ms. Morrison was proposing to do. With that in mind, Mr. Poltak turned to the Board members for comment. Mrs. Phillips asked Ms. Morrison if she had spoken with the animal control officer. Ms. Morrison said yes, that Ms. Cornett and Mrs. Rouleau-Cote both came to the property and Ms. Cornett stated that the location was fine and that the pasture would not touch the wetlands.

Mrs. Phillips asked about manure storage. Ms. Morrison stated that she would have a dumpster and showed the location of the dumpster on the plan and that it would be closed and contained on the side of the driveway.

Discussion ensued with regard to the area including the pasture and barn which the requirement was one acre of contiguous dry land which Ms. Cornett concluded was fine. Mrs. Phillips believed if Mrs. Rouleau-Cote and Ms. Cornett did not have a problem then she believed it would work from what she has seen from the plan. Ms. Morrison also pointed out that there were miles and miles of trails.

Mr. Poltak believed that they could grant approval tonight conditional to the Board garnering an up to date plan showing the 22 foot by 22 foot barn and location of the dumpster and pasture for the file. Mr. Poltak asked for a motion from the Board members.

Mr. Poltak asked Ms. Morrison how close the neighbors were to her. Ms. Morrison believed it was about 300 to 400 feet.

Mr. Poltak asked for abutter input. An abutter directly next door asked how many horses. Ms. Morrison answered by saying that it would be two (2) rescue horses and that they probably wouldn't even see or hear them and that the dumpster would be on the other side of her house. They were concerned with the manure storage. Ms. Morrison explained that it would be closed and contained to reduce flies and the like. Mr. Rolfe talked about using Fly Predator which works very well. Ms. Morrison thanked Mr. Rolfe for the heads up.

**Mrs. Marzloff moved to grant the request for Conditional Use Permit with the condition that an updated plan showing the location of the barn, manure storage dumpster and pasture to be shown on the plan for 48 Meadow Lane, Tax Map 12, Lot 16-8, Mr. Rolfe seconded the motion. A vote was taken; all were in favor, the motion passed.**

Ms. Morrison wanted to thank the Board members for their time and asked if she could begin ground work tomorrow. The Board suggested that she speak with Mrs. Rouleau-Cote tomorrow. Ms. Morrison said thank you and exited the Public Hearing.

## **OTHER**

**Keith Martel  
Long Meadow Subdivision, Tax Map 5, Lot 69  
Recommend Surety Release**

Mr. Poltak stated that he would read the letter to the Board regarding recommending surety release in the amount of \$21,682.80 be released to the applicant.

At this time, Mrs. Marzloff recused herself at this time.

**Mrs. Phillips made a motion to approve the surety release for Keith Martel, Long Meadow Subdivision, Tax Map 5, Lot 69 in the amount of \$21,682.80, Mr. Grillo seconded the motion. A vote was taken; all were in favor, the motion passed.**

**Dana and Jocelyn Carlucci  
Silver Hill Road, Tax Map 2, Lot 25  
Reclamation Estimate Recommendation**

Mr. Poltak explained what had transpired and reiterated what the Board had recommended previously and asked for the Board's acceptance for surety in the amount of \$25,382.83.

**Mrs. Marzloff made a motion to accept the recommended surety amount of \$25,382.83 to be collected prior to the issuance of the excavation permit for Dana and Jocelyn Carlucci, Silver Hill Road Excavation, Tax Map 2, Lot 25, Mrs. Phillips seconded the motion. A vote was taken; all were in favor, the motion passed.**

**SNHPC Representatives from Auburn  
Charles Worster  
William Herman  
Ronald Poltak, Alternate  
Board to approve for another 3 year term**

Mr. Poltak asked the Board for a vote to appoint Mr. Worster and Mr. Herman, Members and Mr. Poltak, Alternate to approve the three (3) representatives for another three (3) year term with the SNHPC.

**Mr. Rolfe made a motion to approve the following three (3) representatives: Charles Worster and William Herman, Members and Mr. Poltak, Alternate for another three (3) year term with the SNHPC, Mrs. Marzloff seconded the motion. A vote was taken; all were in favor, the motion passed.**

## **ADJOURN**

**Mrs. Marzloff moved to adjourn the Hearing. Mr. Grillo seconded the motion. All were in favor, the motion passed unanimously and the meeting stood adjourned at 7:55 p.m.**

***The next Planning Board meeting will be held on Wednesday, August 17, 2016 at 7:00pm at the Town Hall, 47 Chester Road unless otherwise noted.***