

**UNAPPROVED MINUTES  
Town of Auburn  
Planning Board  
December 19, 2018**

**Present:** Ron Poltak, Chairman. Steve Grillo, Vice-Chairman. Michael Rolfe & Jeff Porter, Members. Paula Marzloff & Jess Edwards, Alternates. Keith Leclair, Selectmen's Representative. Minutes recorded by Denise Royce.

**Absent:** Tom LaCroix, Alternate.

Mr. Poltak called the meeting to order at 7:00 p.m. and asked the Board members to introduce themselves to everyone present tonight.

Mr. Poltak moved on to the approval of the minutes for October 3<sup>rd</sup> as well as the minutes of November 14<sup>th</sup>.

**MINUTES**

**Mr. Porter moved to approve the minutes for December 5<sup>th</sup>, 2018 as written, Mr. Rolfe seconded the motion. A vote was taken; all were in favor, the motion passed unanimously.**

**GENERAL BUSINESS**

**Informal – Wayne Kenney  
11 Rockingham Road, Tax Map 31, Lot 19  
Zoned Commercial Two  
Discuss Landscaping and Reduction of Surety**

Mr. Poltak began by saying that the Board is in receipt of a letter from Stantec recommending the reduction of surety from \$41,761.50 to be reduced down to \$13,589.40. Mr. Poltak went on to say that, he had spoken with Mr. Tatem as well as Ms. Royce who indicated that most of the work has been completed except for the remaining work needed to be done which is covered by the \$13,589.40. (A copy of Stantec's letter dated November 9, 2018 can be found in the file along with a copy of these minutes) Mr. Poltak also pointed out to the Board members that they have a planting issue which is included in the surety amount to be held and therefore recommended that the Board vote to reduce the surety at this time.

Mr. Rolfe had one question for Mr. Kenney who was present at tonight's hearing and asked if the top coat was down on the parking lot. Mr. Kenney said no because he still had big trucks going in there but that he did have the lines painted. With that said, Mr. Grillo prepared a motion.

**Mr. Grillo made a motion to approve the reduction of surety from \$41,761.50 to the amount of \$13,589.40 for 11 Rockingham Road, Tax Map 31, Lot 19, Mr. Rolfe seconded the motion. A vote was taken; all were in favor, the motion passed unanimously.**

Mr. Kenney's attorney wanted to address the Board regarding the requested plantings and pointed out that, the plan indicates that, in the event that the current plantings do not survive that he would replace them with what is shown on the plan. The attorney pointed out that, Mr. Kenney has done that and read the minutes of the last meeting of the approval where Ms. McCourt spoke about the plantings and was unclear as to what the Board was looking for. Mr. Poltak explained that, the Board members expectation that if we were to lose the arborvitaes that they would be replaced. Mr. Poltak stated that he is a stickler with regard to landscaping and that when it was decided that the arborvitaes had to go then the understanding that is contained within the minutes was that they would be replaced as he already said. Mr. Poltak went on to say that, they reaffirmed this in the follow up meetings that took place afterwards. A brief discussion ensued with regard to the landscaping and in conclusion Mr. Poltak pointed out that, as you enter the driveway to the right that the landscaping is complete but would like more screening on the right side. Mr. Kenney's attorney reiterated what was on the plan which was "that if the existing plantings do not survive that what is shown on the plan would replace the lost arborvitaes. Mr. Poltak stated that, that plan was done after and that Ms. McCourt knew full well what the Board wanted if the existing arborvitaes were to not make it. Mr. Poltak explained that, the main purpose was to screen that side of the building from the road.

Mr. Poltak asked the Board members if they had any comments. Mr. Rolfe pointed out that Mr. Kenney was supposed to attend a number of meetings and never showed up so the Board took it upon themselves to make a decision. Mrs. Marzloff also stated that, what the Board was looking for was further screening from the road. Mr. Edwards commented that, he does not have a vote on this but would ask the Board to try to help the property owner with some flexibility for him as the owner of the property. Mr. Kenney thought that arborvitaes were unsightly and didn't like them when they were there.

Mr. Poltak wanted it noted that, Mr. Kenney still has some work to do on that side of the building and that the Board is looking for arborvitaes and they are looking at putting in a few maple trees and the point is that they recognize that the Board is not satisfied. Mr. Kenney and his attorney acknowledged that the Board was not satisfied with the current plantings on the right side of the entrance to the property. With that said, Mr. Poltak asked Mr. Kenney and his attorney to come back in the spring with a design plan and that the Board would review it at that time because nothing can be done right now anyways. Mr. Poltak went on to say that, what's there now is simply inadequate and to come back with a plan that is acceptable to everyone. Mr. Kenney's attorney commented that they should

come back in March or April. Mr. Poltak said yes. Everyone was in agreement and the discussion ended. Mr. Kenney and his attorney exited the meeting at this time and the meeting moved on to discuss the zoning ordinances.

## **OTHER BUSINESS**

### **Discuss Zoning Ordinance Changes**

Mr. Poltak wanted to discuss with the Board the following possible zoning ordinance changes and stated that he has discussed with Mr. Tatem and Mr. LaBranche relative to the Senior Housing objective they have as well as the lighting within the commercial/industrial zone requirements in our ordinances. Mr. Poltak stated that he requested a work plan for each of them written as well as an estimate of cost to us by the first week of January and they agreed they could get it to us by January 2<sup>nd</sup>. Mr. Porter asked Mr. Poltak if he had a date set for that yet. Mr. Poltak explained that he would like to get it by January 2<sup>nd</sup> and then get it to each of the Board members to review and then set up a date for discussion. Mr. Poltak asked if everyone wanted a hard copy or were they fine with a digital copy. Mrs. Marzloff and Mr. Poltak both wanted a hard copy to make notes as they went through it.

Mr. Poltak moved on to discuss what Mrs. Rouleau-Cote wanted to address on the warrant with regard to Article 6 – Floodplain Management Ordinance which was pretty straight forward which we will be moving forward with that. Mr. Poltak went on to discuss that, they have already begun discussions with the attorney regarding zoning changes and wanted to share with the Board the mandatory state statute dates that they have to work with regarding zoning changes. Mr. Poltak stated that, the date has come and gone in regard to any citizen petitions which we did not receive any this year. January 3<sup>rd</sup> is the last day they can post the notice for the first hearing and January 14<sup>th</sup> is the last day they can conduct the first hearing. The first hearing is all that is necessary unless we have major changes as a result of the input of the Public Hearing. The posting date for the second hearing is January 17<sup>th</sup> and the date upon which the second hearing must be held is January 28<sup>th</sup>. Mr. Poltak wanted to utilize January 14<sup>th</sup> as the Selectmen will not be meeting on this date and therefore would like to utilize this date. It was agreed that they would utilize these dates.

The Board reviewed the calendar for January and decided to hold the Planning Board meetings on Wednesday, January 9<sup>th</sup> and Wednesday, January 23<sup>rd</sup> due to the holiday on January 1<sup>st</sup>. Mr. Poltak agreed and decided to use January 23<sup>rd</sup> for the second Public Hearing.

Mr. Poltak talked about the SNHPC meeting pertaining to Accessory Dwelling Units and informed the Board members what had transpired at that session which is a work in progress. In conclusion, Mr. Poltak informed the Board members that he asked the executive director of SNHPC if they could do a presentation on the application of the

supreme court decision to communities with regard to the sign ordinance and anyone on the Board is more than welcome to attend.

At this time, Mr. Poltak asked Mr. Villeneuve if he wanted to address the Board. Mr. Villeneuve was of the understanding that the Board would be discussing the Village District but has not seen anything in the minutes. Mr. Poltak explained what had transpired between him and Mr. Villeneuve with regard to the dimensional lot sizes will change from one acre, 100 feet of frontage to two acres, 200 feet of frontage and the setback requirements would follow the Commercial Two zone which is the underlying district of the Village District. At this time, Mr. Edwards gave Mr. Villeneuve a copy of what the changes would be within the Village District. A discussion ensued with regard to there was not a lengthy discussion in the minutes but it was noted that the Board has been in discussion about changing the Village District including when the Board was in discussion about the Master Plan which was completed back in August. Mr. Poltak explained that it would first have to be reviewed by town counsel and therefore would not be included in the minutes until now to the extent that we have just received it. A copy can be found at the town hall.

Mr. Villeneuve wanted to ask what was the reason behind the sudden change in the Village District. Mr. Poltak explained that they first approached it within the Master Planning project and that housing was a major concern within updating our Master Plan. Mr. Poltak went on to talk about density and multi-family, condominium and the concept of the subject matters near the southern end of the community on By-Pass 28 and towards St. Peters Church area of what they call multi-family mixed housing initiatives that they would like to generate interest in. There is an underlying reason for that because they are the two most likely in which they would get water and sewer to supplement the need for housing availability in those two areas. Mr. Poltak pointed out that, the Village District is a tough area to develop with regard to the large number of wetlands and high-water table and therefore it makes more sense to have two-acre zoning than to leave it on the one-acre sense. Mr. Poltak wanted to explain what was discussed when Mr. Villeneuve called him to discuss the reason behind the change in the Village District that would affect him as a property owner within the Village District.

Mr. Edwards wanted to hear what Mr. Villeneuve had to say on why this would be a bad idea to change to zoning within the Village District. Mr. Villeneuve wanted to explain what he is proposing to do within the Village District and the two parcels that he owns. Mr. Villeneuve did acknowledge that the property does have some wetlands on it which was shown on a floodplains map. At this time, the Board reviewed the tax map which shows the area that includes the Village District which was Map 7, 10 & 26. Mr. Villeneuve began by saying that, when you look at the Master Plan it talks about a variety of housing, it talks about senior housing and it talks about affordable housing, and it talks about a lot of things and believed that the center of town is usually the most densely populated. Therefore, Mr. Villeneuve stated that his expectation was to develop some senior type housing and some workforce housing. Mr. Villeneuve pointed out that, new developments do not promote workforce housing. Mrs. Marzloff stated that, it does exist but just not in new developments. Mrs. Marzloff explained that the Master Plan was not a road map but was

a philosophical document where we'd like to be and what they think are valuable assets. Further discussion ensued with regard to the zoning changes. Mr. Villeneuve reiterated that, he was unaware of this discussion taking place. Mr. Villeneuve believed that the center of this town was developing but it may not be developing in a fast way and also assumed that, in order to support the pizza place and the like that, it would be good to put people in the middle of town and understood that the Master Plan was talking about doing this.

Mr. Poltak asked Mr. Villeneuve how many developable acres did he have and what the number of units he would be developing. Mr. Villeneuve stated that he had a 12-acre parcel and a 17-acre parcel which total 29. Mr. Poltak asked what the number of units that he would be able to place on the properties. Mr. Villeneuve began by saying that, based on the one acre zoning it allows for 29 units. Mr. Rolfe stated that we do not have cluster anymore. The Board and Mr. Villeneuve talked about buildable acres. Mr. Poltak asked when he intended to do this. Mr. Villeneuve again stated that, he was unaware of this discussion taking place and was looking at developing one next year and the other one after that. Mr. Villeneuve informed the Board members that, he purchased these properties with the intention of doing this and has been through some preliminary designs but moved on to other things at the moment. Mr. Villeneuve talked about having a Disney like street. Mr. Grillo believed that it was allowed in the zone. Mr. Poltak did not believe that it would make a difference on whether it was one acre or two acres because he did not believe it would be feasible to complete a project of that nature. Mr. Poltak went on to talk about density and the cluster subdivision that was voted out and there would need to be exceptions in order to do such a development and that's how they are taking a hard look and the senior housing. Mr. Poltak did not believe that this could occur within the Village District because of the fact for the need for onsite septic and well. Mr. Villeneuve talked about his vision for these developments which is similar to a Disney street with houses across from each other. Mr. Poltak and Mr. Villeneuve talked about setbacks and the fact that the Town of Auburn voters did away with the cluster subdivision ordinance. Mr. Poltak also believed that, in order for this town to be innovative that, they would have to put back a truly well thought out innovative cluster ordinance because the one they had was awful and did not believe that what Mr. Villeneuve was proposing was possible.

Mr. Poltak moved on to talk about preparing a Public Hearing and letting the public come in to voice their opinions. Mr. Villeneuve stated that, he was never notified that the Board was discussing the change with property he owns. Mr. Rolfe pointed out that, the Board has been discussing this for a long time beginning with the revised Master Plan that was just approved. Mrs. Marzloff pointed out that everything that is said within a meeting cannot be incorporated into the minutes and that we do not notify everyone until there is a Public Hearing and then everyone within the Village District will be notified of when the Public Hearing will be held. Mr. Grillo and Mr. Poltak both reiterated what Mrs. Marzloff had stated with regard to notification of everyone within the Village District. Mr. Edwards explained that, Mr. Villeneuve cannot do what he wants to do under the current ordinance and that he cannot do what he wants to do with the changes being made so there's nothing new. Again, Mr. Poltak talked about setbacks from property lines and that the setbacks in the two-acres are just more extensive. A brief discussion ensued with regard

to multi-family dwellings. Mr. Edwards pointed out that, the Board has been having discussions regarding the Village District for over a year now and that this is the first he's heard of this thought that Mr. Villeneuve has regarding developing within the Village District.

## **NEW BUSINESS**

Mr. Leclair wanted to ask the Planning Board to reach out to Mr. Lamontagne to possibly have a joint meeting with the Board of Selectmen to discuss possibly developing the area that was previously discussed. Mr. Poltak stated that he would put together a letter for Ms. Royce to get out and then they'll take it from there.

Mr. Edwards had one thing to discuss which was regarding Liberty Utilities and wanted to know if someone would want to host them at their house to talk to everyone or take it up at a meeting. Mrs. Marzloff commented that she would not have them in her home and believed that it should be done in a public meeting.

In conclusion, the discussion ended and Mr. Poltak asked for a motion to adjourn.

## **ADJOURN**

<b>Mr. Porter moved to adjourn the Hearing. Mr. Rolfe seconded the motion. All were in favor, the motion passed unanimously and the meeting stood adjourned at 8:25p.m.</b>
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***The next Planning Board meeting will be held on Wednesday, January 9<sup>th</sup>, 2019 at 7:00 p.m. at the Town Hall, 47 Chester Road unless otherwise noted.***