

**UNAPPROVED MINUTES  
Town of Auburn  
Planning Board  
February 20, 2019**

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

**Absent:** None.

Mr. Poltak had the Board members introduce themselves to everyone present. Mr. Poltak moved on to approval of the January 14<sup>th</sup> meeting minutes.

**MINUTES**

**Mr. Porter moved to approve the minutes for January 14<sup>th</sup>, 2019, Mr. Rolfe seconded the motion. A vote was taken; all were in favor, the motion passed.**

**GENERAL BUSINESS**

**Informal – Dan Cronin  
5 Dartmouth Drive, Tax Map 6, Lot 18-2  
15 Dartmouth Drive, Tax Map 6, Lot 18-3  
Discuss additional parking**

Mr. Cronin began by saying that he lives in Auburn and owns a company called CGI Business Solutions of which his business is currently in Hooksett. Mr. Cronin went on to say that he has been looking at the space on 5 Dartmouth Drive and 15 Dartmouth Drive. Mr. Cronin explained that the only issue with both buildings is with regard to parking. Mr. Cronin stated that he would like to move his business from Hooksett to Auburn and that he would be taking over approximately 22,000 square feet of the 60,000 square feet that is there now and that the other 38,000 square feet is taken up with tenants that are already there. However, Mr. Cronin stated that the parking is a little bit tight and that he had met with Ms. Royce and she gave him some copies of the current parking layout and did not believe it would be adding a whole lot of parking. At this time, Mr. Cronin talked about the current parking for both buildings and what he would like to propose for additional parking. Mr. Cronin stated that they have approximately 80 employees and that about 45 or so employees would go in 15 Dartmouth and the rest would go in 5 Dartmouth so including the tenants, the buildings would be at 100% occupancy. Mr. Cronin again stated that he met with Ms. Royce and obtained copies of the building and parking and would like to propose adding about 15 spots to 5 Dartmouth Drive and he believed that it would be about 13 spots to 15 Dartmouth Drive. At this time, the Board reviewed the copies

provided by Mr. Cronin. Mr. Edwards asked if he would be encroaching into the wetland buffer. Mr. Cronin indicated that he was not an architect and was not looking to encroach within the buffer. Mr. Cronin informed the Board that he just drew in some spaces for a rough drawing to show the board as Ms. Royce indicated that this was a good first step coming before the Planning Board for an informal meeting. Mr. Cronin went on to talk about lot coverage and believed it was already over the 40% lot coverage but before he went and spent a huge amount of money wanted to speak with the Board to see if it was even feasible. Mr. Cronin again stated that he would like to add approximately 13 parking spaces to Building #2 and 15 parking spaces to Building #1.

Mr. Poltak informed Mr. Cronin that Stantec was the town's engineer. Mr. Cronin found that out in speaking with Ms. Royce. Mr. Poltak commented that, everything Mr. Cronin is saying makes sense but wanted to turn to Mr. Tatem for a question he had. Mr. Poltak asked Mr. Tatem what he thought about the proposed additional parking. Mr. Tatem believed if they were planning on making the lot more non-conforming then it would need to go before the Zoning Board because he would be looking for a Variance. Mr. Tatem asked Mr. Cronin if he would consider putting down pervious pavement so it wouldn't be considered impervious. Mr. Cronin said absolutely as he would be willing to do anything to obtain more parking. Mr. Tatem mentioned the wetland issue and Mr. Cronin indicated that Ms. Royce already pointed that out to him and talked to him about it. Mr. Tatem pointed out the area that Mr. Cronin would be cutting into the wetland buffer and asked Mr. Cronin if he would consider moving the dumpster to another location in order to add additional parking where the dumpster currently sits to reduce that impact. Mr. Cronin said yes that he would be 100% willing to do that and that he would hire an engineer to redraw it out. A brief discussion ensued with regard to pervious parking as opposed to impervious pavement. Mr. Tatem believed that, if Mr. Cronin went with pervious pavement then he would not be making it further non-conforming as long as they use salt and not sand because the sand would block it. Mr. Poltak believed it was a possibility and suggested that, Mr. Cronin hire an engineer to be able to do this and that Mr. Tatem would be available to discuss this with your engineer as they are the town's engineer.

Mr. Tatem reiterated what Mr. Poltak had said which was to retain someone to do some preliminary work by putting a sketch together and they can figure out the impervious coverage as they would know the town's regulations and then they can come before the Planning Board to do a brief presentation for you. Mr. Poltak agreed and pointed out that his engineer can run it by the town's engineer to be sure that it's okay.

Mr. Edwards asked if anyone was allowed to put impervious material within the 75-foot wetland buffer. Mr. Poltak said no. Mr. Edwards pointed out that five (5) of the parking spaces would not be allowed. Mrs. Marzloff commented that, that was why the Board was talking about pervious pavement. Mr. Tatem was unsure if it was a no disturb buffer or just a building setback but would have to do some checking. Mr. Porter believed that by changing it from impervious to pervious material would be beneficial because you would be actually creating a filter system. Discussion ensued with regard to whether or not pervious pavement could be placed within the 75- foot buffer. Mr. Poltak commented that from his perspective, the whole concept to going to pervious paving makes a heck of

a lot more sense than enforcing some hard-fast setback requirements that can be lessened by a sensitivity to moving in a higher technology direction.

Mr. Poltak asked if there were any further questions. None were noted. Mr. Poltak asked Mr. Cronin if he was satisfied with the Board's comments. Mr. Cronin said yes and that he would reach out to Mr. Tatem and hire an engineer that would come in and present this to the Board. Mr. Poltak commented that, the Board looks favorably upon his concept and intentions and they can work with him to try to make this happen. Mr. Cronin thanked the Board for their time and input and exited the meeting at 7:30pm.

Mr. Poltak moved on to the discussions with the Board with regard to the following items:

1. Senior Housing
2. Lighting Ordinance
3. Signage Ordinance

### **Senior Housing Proposal**

Mr. Poltak explained what had transpired with regard to discussions pertaining to the elderly housing ordinance. Mr. Poltak stated that, after reading the ordinance, he contacted Mr. Tatem and pointed out that the elderly housing ordinance was no good because it doesn't allow or provide for elderly housing because if you need 25 acres and you look at the provisions in the ordinance that you wouldn't be able to comply with the ordinance and nobody would want to do it. With this said, Mr. Poltak believed that they needed to rewrite the Senior Housing Ordinance. Mr. Poltak talked about a 3-step process for doing this of which included, Discussions, Drafting and Specifics.

At this time, Mr. Poltak wanted to move onto first discussing the Lighting Ordinance.

### **Update Lighting Ordinance**

Mr. Tatem began by saying that, the last time they updated the lighting ordinance was back in 2011 which seems like a long time ago. Mr. Tatem stated that, they have a lighting professional for which this is all she does in their office and that she helped him write this one for Hooksett a few years ago and tailored it to meet the specifications for Auburn. Mr. Tatem talked about LED being added as that is basically the way everyone is going now. Mr. Tatem talked about different lighting if the property abuts residential property or commercial property. Mr. Tatem talked about a few lighting places located in the Town of Auburn which included Crown Energy and Auburn Medical Facility.

Mr. Tatem went on to say that at first, he believed that the lighting ordinance needed a total overhaul and after taking a careful look at it that, it looked pretty good as it included gas station lighting, security lighting and suggested that each of the Board members take a chance to read through the lighting ordinance. In conclusion, Mr. Tatem believed that it should be a quick update to the lighting ordinance.

Mr. Poltak wanted to move on to discuss the elderly housing ordinance. Mr. Porter believed that the signage would be much quicker. Mr. Poltak was okay with moving onto the signage ordinance first. Mr. Edwards asked if discussion of Elderly Housing would lead to the discussion of Tiny Homes tonight. Mr. Poltak stated that he had that for discussion last and that it was not well received. Mr. Edwards stated that, that was why he was present tonight instead of the Southern New Hampshire Regional Planning thing because he wanted to know what the issues were because he was predisposed to voting for it.

At this time, Mr. Poltak moved on to discuss the signage ordinance.

### **Update Signage Ordinance**

Mr. Poltak began by saying that, there have been some complaints in town that were relayed down to him regarding the store in town that the store was in the Village District and that it was not very aesthetic. Mr. Poltak explained that he has spoken with the Building Inspector and that she is not willing to get involved in that of which he can't disagree with her because the Town of Auburn's ordinance says that, you are allowed temporary signs for 30 days that shall relate to a new product and whatever. Mr. Poltak did not believe that the Building Inspector can police every sign in the store window because in essence it's a store. Mrs. Marzloff commented that, the Board gave Burger King grief about signage and now you drive by this store and you can't even see into the store and it's the same beer distributors that are doing it to the property on the by-pass. Mrs. Marzloff did not believe they were temporary. Mr. Porter asked if it was a safety issue. Mr. Grillo stated that the Fire Department said that it was not an issue with the signs in the windows. A brief discussion ensued with regard to the signs in the window of the store.

In conclusion, Mr. Poltak commented that, he didn't know what else to say to the Board about the temporary sign thing and indicated that they could tackle a sign ordinance update which is third on their priority. They can tackle it and deal with these everyday issues and that he mentioned something to Mr. Herman to see about having SNHPC but have not heard back from them. Mr. Edwards asked if the Board was proposing that we just pull the sign update out of the plan for this year. Mr. Poltak said no, that he is not proposing pulling it out but he's not willing to jump into it to the extent that he said that they do a superficial update or they wait and do it in a comprehensive sense. Mr. Poltak went on to talk about the complaints. A brief discussion ensued with regard to signage and temporary signs. Mr. Tatem commented that, when the Board chooses to update the ordinance then they could address things like that and they could address the types of signs but they would need to be careful of the Supreme Court Rule that they don't change that part of the ordinance but they can address some of the concerns that the Board has. Mr. Poltak stated that he would like to do it right and completed comprehensively because he doesn't want to be going to town meeting with bits and pieces all the time. Mr. Poltak stated that, he did not believe that Mrs. Rouleau-Cote would have a problem with that and read her e-mail to the Board regarding the sign ordinance – consideration of window

signage. The Board talked about the different signs within the windows of a lot of stores all over the place. Mr. Tatem suggested that the Board review the sign ordinance in the towns of Bedford, Hooksett and Windham but specifically Bedford's and Hooksett's sign ordinance because it's a very comprehensive sign ordinance.

Mr. Poltak asked if there were any further questions regarding the sign ordinance. None were noted. Mr. Poltak informed the Board members that he would share with Mrs. Rouleau-Cote that a concern remains in place and that we need to work together to get this sign ordinance updated.

At this time, Mr. Poltak asked Mr. Tatem to go into discussing the elderly ordinance.

### **Elderly Housing Ordinance**

Mr. Tatem began by saying that maybe they think about parcels where this could potentially happen and think about the Master Plan that they just spent a lot of time on and where the areas in town these could take place such as Exit 2 and the By-Pass. Mr. Tatem also indicated that, you need to find places that you can do it and to make it financially attractive to get it done. Mr. Tatem talked about stimulating some growth and that elderly is a good tax base and that if you don't have a ton of it's not a huge strain on the resources and you need to be careful about the percentage of it. Mr. Tatem mentioned when the Board would like to see these types of developments in which zones and then you would potentially allow it in other zones by Special Exception or they could go and get a Variance and do it anywhere. Mr. Tatem pointed out certain elderly developments that are known in other towns. If you open it up to different options and specify where they can go, you don't get the train wreck but you really have to put a lot of time and thought into it. Mr. Tatem pointed out that it would be difficult to work through it with this many people and suggested that at least 2 or 3 people create a little sub-committee and those people who have the desire to work on this and know the town well enough and work with him and maybe Mr. Poltak and work outside of the meetings and bring something back every couple of meetings to be hashed out.

At this time, the Board members discussed the elderly ordinance and Mrs. Marzloff explained that, statutorily they are required to provide different types of housing opportunities and this is one of them. Mr. Edwards did not feel comfortable discussing this issue of limiting the number of elderly projects within the Town of Auburn where Mr. Tatem indicated that they are on a fixed income and would likely vote most things down such as Fire Trucks or School projects. Mr. Poltak explained that, first of all, he wanted to define elderly housing from his personal opinion, is it age 62, is it age 55 or is it age 60, all of them connote different implications in terms of implementing an ordinance. For example, when you decide to go with age 55, as Hooksett did and they call that older person housing and then they call 62 and over elderly and even another category beyond that which is 75 and older. A brief discussion ensued with regard to elderly housing. Mr. Poltak did not see anyone that was 55 years of age hitting retirement here in Auburn. Mr. Poltak went on to say that, our current ordinance currently has a 35-foot maximum height for any structure that is built for elderly housing. Mr. Poltak stated that, #1 they have to

define elderly, #2 they have to start thinking about the specifics associated and what percentage are they going to allow an elderly by age situation and, #3 they have to think about children and how they are going to deal with that. Mr. Poltak pointed out that, these are things they have to work on and also we have a 50-foot frontage requirement for the construction of an elderly complex. Further discussion ensued with regard to elderly housing regarding fire and safety and roads and number of acres. Mr. Poltak basically stated that, he would like this to be an open conversation and trying to get some of their thoughts on some of this stuff. Discussion ensued with regard to public roads within an elderly subdivision. Mr. Poltak stated that, the internal maintenance of an elderly project will be private. Mr. Poltak talked about having minimum standards within the elderly ordinance. A brief discussion ensued with regard to elderly housing projects and that all health and safety requirements would be put in place. Mr. Poltak pointed out that, there were a whole host of issues that need to be taken up that our ordinance does not touch upon.

At this time, Mr. Poltak asked Mr. Tatem if he wanted to talk a little more about this. Mr. Tatem began by saying that, the Town of Auburn does not have municipal water and sewer in town and talked about Fremont and how they have a small community water system that is privately owned and they also have shared septic systems. Mr. Tatem went on to talk about the density and suggested that the Board needs to figure out how many units per acre they would want to allow. Mr. Tatem also mentioned that it has to be financially feasible to these developers that want to come in to put these developments in. Mr. Tatem went on to talk about the style of the homes and believed that the Board should think about what amenities for the development such as walking trails, a meeting room or a central facility, etc. This would allow the people within the development to meet and possibly discuss the HOA (Homeowners Association).

Mr. Poltak also pointed out that, in this ordinance they are going to have a minimum size and a maximum size per unit and mentioned the ADU being at 750 square feet and maybe we put the minimum size as 750 square feet and the maximum to be 1,200 square feet and to enforce that, these elderly units will have no more than two (2) bedrooms. Mr. Rolfe stated that his preference would be single floor duplexes.

Mr. Grillo talked about the Fair Housing Act and spoke about the e-mail that was sent out to all the Board members regarding the Fair Housing Act's "Housing for Older Persons" Exemptions.

In conclusion, Mr. Poltak stated that, in order to be able to move forward what he has tried to do is give some of the macro issues that they have to sit down getting back to the fact that, the only way they can proceed is to have a subgroup getting back to the committee of three or four to start working out with Mr. Tatem something to bring back to the full Board. He wants to be able to have this to go to town meeting for approval. Mr. Poltak also talked about elderly housing is currently available in all zones so do we want to change it to be available in certain zones and available by Special Exception in order zones. Basically, this is something that the Board needs to review. Mr. Edwards asked how many 25 acre lots were there in Auburn. Mr. Poltak said that there were very few



and how are we going to start paying for some of the stuff and relieve some of the tax burden that's going to happen unless we start looking for change. Mr. Poltak pointed out that, there are not a lot of big pieces left in Auburn. Mr. Rolfe indicated that there were a few but that they were off of Silver Hill Road which the road would have to be upgraded in order to develop the land out there. Mr. Leclair added that, basically it's not feasible for developers to develop elderly housing. Mr. Poltak acknowledged that there a few large pieces of land off of Silver Hill Road which was a Class VI road and did not believe it was feasible for a developer to upgrade the road in order to put in a development. A brief discussion ensued of where it would be suitable for elderly housing and Mr. Poltak explained that the ordinance becomes the parameters that make the possibility of elderly housing happen. It has to have applicability town wide and it can't be specific to a certain area. Basically, Mr. Poltak did not believe that an elderly housing development could occur with the ordinance the way it is currently but it would be easy if we had water and sewer.

Mr. Tatem pointed out that, both of the examples that he gave the Board specifies that elderly housing can only go in certain zones as they don't allow it town wide. With regard to a timetable, Mr. Poltak thought that they would have a draft of an ordinance by the end of June and then they could feed off of that proposal. They would have to have a public hearing with regard to proposing a new ordinance which would be August, September or October or somewhere in there and then they would get into the timetable for town meeting. Mr. Poltak informed the Board to go home and decide on two or three of you that want to sit with Mr. Tatem and himself and put a first draft together which may take some time and then go from there.

Lastly, Mr. Poltak stated that, there is a provision in the community not that it's applicable at this point in time that says, we shall have elderly housing to no greater extent than 10 percent of the current housing units in the town which is a total of 2,163 houses.

## **OTHER BUSINESS**

Mr. Poltak asked if there was any other business that the Board wanted to discuss. Mr. Edwards brought up "Tiny Homes" and stated that he was curious as to how people felt about them because he was predisposed to supporting them. Mr. Poltak stated that, it was contrary to tradition in New Hampshire to have home rule usurped by the state legislature and believed housing was a local issue and zoning was a local issue. When someone comes to him and says, you must provide tiny houses and they don't understand that tiny houses don't just necessarily accommodate in any location at any given time and then says that you must provide water and sewer for those tiny houses and doesn't state that they are anything other than permanent. Then that's usurping our ability to guide proper growth in our community. Where would we put tiny houses in Auburn? There is a provision there that says, any community must provide a tiny housing opportunity for a minimum of 10 to 12 units and where are we going to put 10 to 12 tiny houses in Auburn. Mr. Edwards commented that, it did not mandate that every town do it. Mrs. Marzloff added that it does because it states that it "shall" permit and if it said "may then she could

live with it. Mr. Poltak quoted House Bill 312 which was forwarded to the Board members by Mrs. Rouleau-Cote, Code Enforcement Officer which states “If a municipality permits detached accessory dwelling units pursuant to RSA 674:73, it **shall** permit a tiny house...” Mr. Poltak indicated that he was not going to hold back and went on to read a section that says, “Tiny House Parks. Municipal zoning ordinances **shall** also make provision for locating tiny homes in group park settings of at least 4 units, in which no more than one of the units may be the property owner.” Mrs. Marzloff pointed out that the Town of Auburn does not allow detached accessory dwelling units. A brief discussion ensued with regard to tiny homes.

At this time, Mr. Poltak asked for a motion to adjourn.

## **ADJOURN**

<p><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 8:58p.m.</b></p>
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***The next Planning Board meeting will be held on Wednesday, March 6<sup>th</sup>, 2019 at 7:00 p.m. at the Town Hall, 47 Chester Road unless otherwise noted.***