

UNAPPROVED MINUTES
Town of Auburn
Planning Board
PUBLIC HEARING
October 16, 2019

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

Absent: Jess Edwards, Alternate.

Mr. Poltak called the meeting to order at 7:00pm. Mr. Poltak moved on to approval of the October 2nd meeting minutes.

MINUTES

Mr. Porter moved to approve the minutes for October 2nd, 2019 as written. Mr. Leclair seconded the motion. A vote was taken; all were in favor, the motion passed.

At this time, Mr. Poltak moved on to the first discussion on the agenda.

GENERAL BUSINESS

Eric C. Mitchell
Longmeadow Congregational Church
Wilsons Crossing Road, Tax Map 5, Lot 50
Discuss Completion of Church Parking Lot

Mr. Mitchell was not present but Mr. Chris Hickey presented on behalf of the church. Mr. Hickey began by saying that he was before the Board tonight to discuss redoing the parking lot of the Longmeadow Church and passed out copies of the proposed plan for the parking lot.

Mr. Poltak wanted to interrupt Mr. Hickey for a moment to explain to the Board members that Mr. Hickey was also here tonight for a Public Hearing for a 3-lot subdivision of land across the street which was owned by the church which was separate from this discussion. Mr. Poltak went on to say that, the overlap comes with regard to the location of the three (3) new driveways for the new lots across the street from the church because this will come into play with redoing the parking lot for the church. Mr. Poltak mentioned that, the point being was that, when the church decided they needed that parking that it was understood that, once the financial capability came about that the church would

comply with paving the parking lot currently being utilized. Everyone understood what was occurring and therefore Mr. Hickey continued with his presentation.

Mr. Hickey stated that, what they were proposing to do at this time, which is all in its preliminary stage is take the existing entrance and strip it to make it a one-way entrance because of the fact that Wilson's Crossing Road and Chester Road is a busy intersection and that people come around the corner pretty fast. Mr. Hickey then mentioned that, they would take the existing gravel that is there and pave the upper part of the parking lot and then it would be a two-way in and out from the upper parking lot. With that said, Mr. Hickey indicated that, what they were looking for from the Board was what would the Board be looking at with regard to a site plan to complete this proposal.

Mr. Poltak had a few questions then would turn it over to the Board for questions. Mr. Poltak first mentioned that, he was unsure about the one-way in at the entrance coming into the existing parking lot of the church closest to the intersection of Wilson's Crossing Road and Chester Road. Mr. Poltak believed it was a little confusing for traffic flow but wanted to think about that. Mr. Poltak asked about the elevation of the second parking lot. Mr. Hickey indicated that it was a 4- or 5-foot drop and that they really did not look at the elevations yet. Mr. Poltak asked about the number of parking spots that they would have with the paving of the new parking lot. Mr. Hickey commented that it was roughly 20 or 21 parking spaces. Mr. Wood spoke on behalf of the church that he believed it would work and that everyone would figure it out.

Mr. Poltak asked the Board members if they had any questions. Mr. Porter asked about expanding the parking lot because he would prefer to get everyone off the road entirely because it becomes very congested and challenging. Mr. Woods did not know how much space they had because there were wetlands behind that. A brief discussion ensued with regard to the parking lot.

Mr. Poltak asked if there was anyone else that would like to speak. None were noted. Mr. Poltak asked about the subdivision across the street and where the driveways would be located with respect to the churches exit and entrances. Mr. Hickey indicated that the driveway for the corner lot was located approximately 175 feet from the corner. Mr. Hickey indicated that there was nothing across the way from the church entrance and exit. Mr. Poltak asked the Board members if they had any thoughts with regard to the traffic flow pattern. Mr. Poltak believed that the one-way in was a good idea because that corner is a tough corner. Mr. Porter believed it would be challenging to have people follow the new pattern. The Board members all agreed. A brief discussion ensued with regard to the traffic pattern. In conclusion, Mr. Hickey stated that, they could revamp it to have one-way in and one-way out that it wasn't an issue.

In conclusion, Mr. Poltak believed it was feasible and that it can be done and suggested that they go back and put some thought into the parking and how the spaces would be laid out and how many spaces they could get. Mr. Poltak also wanted to point out to Mr. Hickey that, on page 20 of our Zoning Ordinance Regulations with regard to Parking Space Standards that a lot has to be shielded from neighboring properties which would

be easy here because there was only one neighbor. Mr. Poltak went on to say that, if they do that then they can come back to them and they can formalize things once they make an application.

Mr. Hickey thanked the Board members for their time and the discussion ended.

Mr. Poltak moved on to the next discussion on the agenda which was in regard to 88 Priscilla Lane and the potential to have Ovation Theatre Company come to Auburn.

Dan & Meg Gore
Ovation Theatre Company
88 Priscilla Lane, Tax Map 1, Lot 16-23-1
Discuss Potential Use of Building

Mr. Reed began by introducing himself to the Board members and stated that he was the President of Stebbins Commercial Properties, LLC. Mr. Reed passed out copies of a package that was put together which included a site plan as well as an aerial photograph of the area. Mr. Reed informed the Board members that they had met with Ms. Royce and Mrs. Rouleau-Cote and indicated that there were no zoning issues so they were before the Board tonight informally to present a concept for the property to see if they could take it to the next step to come before the Board for a formal hearing. Mr. Reed stated that, he would be happy to answer any specific questions about the real estate and if not, he could turn the discussion over to Mr. Gore so that he could speak about to specifics of the business. Mr. Poltak asked about the common space. Mr. Reed indicated that it was a condominium unit so that each unit is limited to parking spaces. It was noted that there were no assigned parking spaces per unit at this property. A brief discussion ensued with regard to the parking spaces and Mr. Reed believed that it was on a first come first serve.

Mr. Gore began by saying that, hopefully the Board had a copy of the Zoning Determination that Mrs. Rouleau-Cote prepared because she actually captured it quite well. Mr. Gore explained what Ovation Theatre Company is all about and handed out a print out to each of the Board members. Mr. Gore went on to say that what they were thinking of doing is in two (2) phases and the first being a Private Education facility within the Commercial One and then the other one being an Indoor Commercial Recreation Facility which is also a permitted use within the Commercial One District. Mr. Gore went through the packet that he handed out to each of the Board members earlier and gave an overview of what they are proposing. Mr. Gore explained what Ovation Theatre Company was all about which was basically analogous to a dance school or a gymnastics facility where there are ongoing workshops and summer camps and rehearsals for shows. Mr. Gore added that the parking situation was not ideal but it's workable for the initial concept because you wouldn't have a lot of people parking there as it would be parents dropping off their kids and summer camps and that the parking behind the building was basically large enough so that they could loop around to drop off.

Mr. Gore went on to talk about Phase II which would be actually turning that facility into a performance building which would be like a Black Box Theatre which could possibly hold a hundred or so people in it. Mr. Gore understood that this would require more parking that would not be available on site but would possibly consider speaking with an abutting business to see if they could utilize parking on their site.

In conclusion, Mr. Gore indicated that basically they were looking for the Board's input on what would be required with regard to a site plan but again pointed out that they were thinking of two (2) phases. With that said, Mr. Gore asked the Board members if they had any questions.

Mr. Rolfe believed that for Phase II that they would first need to speak with the Fire Department before they start having 125 people. Mr. Gore understood that they would need to speak with the Fire Department with regard to assembly buildings. Mr. Porter asked what the number of students would be for a class. Mr. Gore believed 40 students plus production staff and with summer camps approximately 20 to 30. Mrs. Gore commented that classes would take place after school maybe two days a week and weekends. Mrs. Gore believed that all the businesses close by 5:00pm so that would not conflict with their activities.

Mr. Poltak asked if there were any other questions from the Board. Mr. Grillo commented that, the big concern was regarding parking and talked about each unit having a number of parking spots and that the Board does not have a right to say who gets what parking out of the 21 available spaces and then someone gets upset because they don't have any parking. Mr. Gore talked about possibly speaking to the owner of 81 Priscilla Lane with regard to possibly utilizing an area for parking. Mr. Reed pointed out the parking in the rear of the building which are not counted in the 21 spaces. Mr. Rolfe asked for hours of operation. Mrs. Gore commented that it would be afternoons and some weekends. Mr. Leclair asked if there was anything in the deed that dedicates parking spaces specifically. Mr. Reed said no. Mrs. Marzloff wanted to comment by saying that, it was not out of the realm of possibility to amend the Declaration of Condominium Documents and assign spaces which would require the consent of all the condo unit owners. Mrs. Marzloff also wanted to mention about after hours that there would be foot traffic coming and going out of there and would like to see more lighting on the front of building for safety reasons. Mr. Reed added that, when they come back for a formal hearing that all of the abutters will be noticed and they would contact them and have a conversation with them prior to the meeting. Mr. Leclair asked Mr. Poltak if the existing site plan allowed for what's happening here. Mr. Poltak answered by saying that the Zoning Ordinance allows this to occur. There was a brief discussion with regard to boats being parked there and unregistered vehicles.

Mr. Grillo again mentioned the concern with parking and hours of operation and occupancy with the number of individuals that you intend to have in that space. Mr. Gore asked if there was a formula for required spaces. Mr. Poltak stated that there was a formula for the required spaces for the number of permitted occupants and gave an example of a restaurant, if you have 50 seats that you would need 100 parking spaces.

Mr. Poltak indicated that, Mr. Grillo did a good job of what their concerns were and to summarize that, the utilization of the property for this purpose is approvable under our zoning regulations and from a site plan perspective, given that you don't change the infrastructure of the building in any way and you simply update the inside to fit their purposes, this would be addressed under our Building Code. Mr. Poltak went on to say that, the issue at hand with regard to Phase I which is understandable with what they would be doing. They are interpreting that they will be having performances in the building that are going to attract outside participation where he may want to go see a play and they would advertise for that play. Mr. Gore said yes but that would be in Phase II. A brief discussion ensued with regard to Phase II of which Mr. Gore understood would require more parking. With that said, Mr. Poltak did not know where they could get parking to accommodate that number of people. Mr. Gore agreed that it looks like it does not exist on this property but that at some point they would approach the people at 81 Priscilla Lane to see if they would be willing to allow them to park there but they would need to work out some sort of agreement. Mr. Poltak again stated that, their biggest issue is the parking.

The Board had a discussion with regard to cleaning up the property and that they would check with the Building Inspector. Ms. Royce indicated that the Building Inspector had already notified the owner of the issue with cleaning up the area with regard to the unregistered vehicles and believed that it had already been cleaned up and presented Mr. Poltak with the Building Inspector's letter. Mr. Poltak read the letter to the Board Members from the Building Inspector/Code Enforcement Officer dated December 4, 2018. Mr. Poltak also commented that, before they move forward and put a whole bunch of money into this that, they are going to require some accommodation for parking and they all realize that the site itself cannot accommodate the number of parking they will require. A brief discussion ensued with regard to parking and the traffic flow entering and exiting the property.

In conclusion, the biggest concern was regarding the parking of vehicles on the property. Mr. Gore understood what the Board was saying. Mr. Poltak also indicated that he would follow up with the Building Inspector and thanked the applicant for their presentation. Mr. Reed and Mr. Gore also thanked the Board for their time and input.

At this time, Mr. Poltak commented that they would take a break for a few minutes and then move on to the Public Hearing portion of the meeting.

PUBLIC HEARING

**Brett & Allison Rickenbach, Trustees
Rickenbach Family Trust
95 Raymond Road, Tax Map 26, Lot 7
Minor Subdivision – 1 Lot**

Mr. Morrell from Jones and Beach presented on behalf of Brett and Allison Rickenbach.

Mr. Morrell began by saying that this piece of property was a 2.171-acre piece of property on the corner of Raymond Road and Eaton Hill Road. They are looking to subdivide it into two (2) one acre lots which is located in the Commercial Two zone with the Village District as an overlay where one acre is the minimum required with 100 feet of frontage. Both lots have over 100 feet of frontage and test pits have been performed on the new lot. The new lot shows the 4K area, house location as well as the well location. Mr. Morrell asked the Board for questions. Mr. Poltak began by turning it over to the Board members for questions and pointed out that this property is located within the Village District. The Board discussed location of house, well and septic. Mr. Grillo stated that they were before the Board tonight for a one lot subdivision. The Board went through the requirements and noted that this meets all the requirements. Mr. Poltak asked Mr. Rickenbach what his intentions were with regard to the new lot. Mr. Rickenbach stated that he has no intention of selling the lot at this time but wants to hold onto it for a bit but was unsure at this time. The Board members reviewed the proposed plan. Mr. Poltak asked where they intended to put the driveway. Mr. Morrell stated that it would be off of Raymond Road like all the other driveways. Mr. Rolfe commented that it was a flat lot and didn't believe there was even a tree on the property.

Mr. Poltak moved on to say that, if there were no further questions that he would entertain two (2) motions, one to accept the application and one to approve the one lot subdivision.

Mr. Grillo made a motion to not accept the application for a minor subdivision (one lot) for 95 Raymond Road, Tax Map 26, Lot 7. Mr. Porter seconded the motion. All were in favor, the motion passed unanimously.

Mr. Grillo made a motion to not approve the application for a minor subdivision (one lot) for 95 Raymond Road, Tax Map 26, Lot 7. Mr. Rolfe seconded the motion. All were in favor, the motion passed unanimously.

Mr. Morrell and Mr. Rickenbach thanked the Board and exited the meeting.

Mr. Poltak moved on to the next item on the agenda for the Public Hearing which was Longmeadow Congregational Church.

**Eric C. Mitchell
Longmeadow Congregational Church
Wilsons Crossing Road, Tax Map 5, Lot 50
Minor Subdivision (3 new lots)**

Mr. Hickey presented on behalf of Longmeadow Congregational Church for a 3-lot subdivision with the existing parsonage remaining. Mr. Hickey began by saying that, they are proposing to subdivide off 3 new lots off the land located across the street from the church. Mr. Hickey indicated that all three (3) lots are over 5 acres with a considerable amount of wetlands on them. Mr. Hickey stated that, they have gone before the Zoning Board of Adjustment back in August to reduce the wetland buffer from 75 feet down to 50

feet which was approved. Mr. Hickey explained that, the Zoning Board of Adjustment did put conditions on the plan as they wanted wetland buffer signs, berms delineating the wetland buffer and also to have it mentioned in the deed as deed restrictions. Mr. Hickey went on to say that, each lot is over 5 acres and therefore no state permits are required. Sheet 3 shows test pits, well and proposed driveways along with the proposed building envelopes for each lot and sight distance. Mr. Porter asked about the closest driveway from the church. At this time, the Board reviewed the packet given to them earlier and the driveways were noted on the last page of the packet.

Mr. Hickey believed that would do it and asked the Board members if they had any questions. Mr. Grillo asked about the berms. Mr. Porter indicated that the berms were to delineate the wetland buffer. A brief discussion ensued with regard to the berms to be put on the plan.

Mr. Porter asked if there were any further questions? None were noted and therefore Mr. Poltak indicated that he would entertain two (2) motions, one to accept the application and the other to approve the 3 new lot subdivision with the condition that placards are put in place and that the berms are installed to delineate the wetland buffer.

Mr. Poltak asked Mr. Wood if the church would be developing the property or would they be selling the lots one at a time. Mr. Wood stated that there was one that they would like to sell immediately and the other two lots on an as need basis down the road. Mr. Rolfe asked if the property was in current use. Mr. Wood indicated that it was in current use. Mrs. Marzloff indicated that it was not noted on the tax map as being in current use. A brief discussion ensued with regard to the property being in current use. Ms. Royce stated that she would check into it.

Mr. Grillo made a motion to not accept the application for a minor subdivision (three new lots) for Longmeadow Congregational Church, Wilsons Crossing Road and Chester Road, Tax Map 5, Lot 50. Mr. Porter seconded the motion. All were in favor, the motion passed unanimously.

Mr. Grillo made a motion to not approve the application for a minor subdivision (three new lots) for Longmeadow Congregational Church, Wilsons Crossing Road and Chester Road, Tax Map 5, Lot 50 with the condition that placards be installed and the berms located on the subdivision plan to delineated the wetland buffer. Mr. Porter seconded the motion. All were in favor, the motion passed unanimously.

At this time, Mr. Hickey thanked the Board for their time and exited the meeting.

Mr. Poltak moved on to the discussion of the Auburn Tavern sign.

OTHER BUSINESS

Mr. Krygeris asked about the sign regulations and the Auburn Tavern sign. Mr. Poltak and Mr. Krygeris discussed briefly the sign regulations and the need to update our sign regulations as the existing sign ordinance is antiquated. Mr. Poltak explained that the sign at the Auburn Tavern meets the requirements in terms of size and it's not a scrolling sign. Basically, the sign is equivalent to the gas station at Myles Travel Plaza, Mega X gas station on the By-Pass and the Auburn Pitts sign. Mr. Grillo also explained that, the Auburn Tavern did have a sign that was previously approved and that the new sign had the same dimensions and therefore had no need to come back to the Planning Board. Just like if a sign falls down or breaks, they're not coming back before the Planning Board so because there was no change to the size and that the previous sign did have a message but was changed manually and that this one is changed electronically. Mr. Porter did mention that, the Auburn Tavern did come before the Planning Board for the relocation of the sign at the same time as they came before them for the relocation of the driveway. The sign did not change in terms of size and therefore it was approved. With that said, the discussion ended with regard to the sign ordinance. Mr. Krygeris indicated an interest and assisting the Board in rewriting the sign ordinance.

At this time, Mr. Poltak moved on to the two (2) surety reductions.

Keith Martel/Tilton Place Subdivision Nathaniel Way, Tax Map 5, Lot 104 Request Surety Reduction

Mr. Poltak indicated that they had letters from Stantec to the Board members requesting a surety reduction for both Illsley Hill Subdivision and Tilton Place Subdivision. Mr. Poltak asked Mr. Rolfe if the finish coarse of pavement was completed and Mr. Rolfe acknowledged that it has been completed. A brief discussion ensued with regard to both developments that are before the Board tonight seeking a reduction in surety. Mr. Grillo had a question to ask Mr. Martel but he was not present at tonight's meeting and indicated that, he was not appt to grant a reduction without his question being answered and asked if it would be possible to have Mr. Martel to come to the next Planning Board meeting so he can ask his question rather than vote on this tonight. Mr. Rolfe commented that he would go along with what Mr. Grillo was recommending. Mr. Poltak asked when the next meeting would be. Ms. Royce indicated that the next Planning Board meeting is scheduled for November 6th but also informed the Board that, Stantec had rushed to prepare these letters to be acted upon at tonight's meeting. A brief discussion ensued with regard to what subdivisions these two (2) surety reductions were for. Mr. Grillo wanted to know when the paving went down because we have seen some temperature changes. Mr. Rolfe indicated that they have been done this week with him doing the binder on the new development (Liberty Woods) which is not involved in this reduction and the finish coarse on both Copley Court and Nathaniel Way.

In conclusion, Mr. Poltak informed the Board members that, if they just wanted to reduce the development for Tilton Place Subdivision (Nathaniel Way) that they could do that. Mr. Leclair commented that, if Stantec is recommending the reduction and there is still a bond then they could do that. Mr. Poltak commented that, the development on the Chester line is complete and suggested that they take up this reduction and the one on Copley Court where the Board thought there was stuff on the side of the road would be held until the next Planning Board meeting.

Mr. Poltak moved on to the letter from Stantec and stated that, Stantec understands that the Town is currently holding surety in the amount of \$88,969.75 and that the value of the remaining work items is equal to \$18,641.50; however, the project surety cannot be reduced lower than the amount of the required 2-year warranty surety (2% of the total, original surety amount) of \$19,948.40. With this in mind, Stantec is recommending that the remaining surety of \$88,969.75 be decreased by \$69,021.35, reducing the total surety to \$19,948.40. Mr. Poltak asked the Board members for a vote to reduce the surety.

Mr. Grillo made a motion to approve the surety reduction for Tilton Place Subdivision, Tax Map 5, Lot 104 from \$88,969.75 down to \$19,948.40 to be held for 2-year warranty surety. Mr. Leclair seconded the motion. All were in favor, the motion passed unanimously.

In conclusion, Mr. Poltak requested that Ms. Royce get in touch with Mr. Martel and request that he attend the next Planning Board meeting to be held on Wednesday, November 6th with regard to Copley Court before they will recommend a reduction in surety.

Mr. Poltak updated the Board members with what has been occurring with regard to C-Squared located on Dartmouth Drive. The Certificate of Occupancy was not held up but they will be presenting the town with an updated lighting plan along with an As-Built plan. A brief discussion ensued with regard to C-Squared.

Lastly, Mr. Poltak stated that they will have the first draft of the updated ordinance before them on November 6th for review and comments and then they will move forward with a few Public Hearings to adopt the revised ordinance.

Mr. Poltak indicated that there was nothing else to discuss and asked for a motion to adjourn.

ADJOURN

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 8:40p.m.

The next Planning Board meeting will be held on Wednesday, November 6th, 2019 at 7:00 p.m. at the Town Hall, 47 Chester Road unless otherwise noted.