

UNAPPROVED MINUTES
Town of Auburn
Planning Board
PUBLIC HEARING
March 16, 2016

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

Absent: Jim Tillery, Alternate.

Mr. Poltak called the meeting to order at 7:00 p.m. and introduced the newly elected Board member, Michael Rolfe along with the other Board members to everyone present tonight. Mr. Poltak also wanted to point out that Mr. Grillo is a regular member of the Board that resulted by the departure of Ms. Woods who moved out of the community with two (2) years left in her term. Mr. Poltak explained that at a prior meeting that he had elevated Mr. Grillo to fulfill the unexpired term. However, State Statute does not allow him to do that because you are not allowed to fulfill the unexpired term for two (2) years. With that said, Mr. Poltak pointed out that they will need to correct that by elevating Mr. Grillo for one year and at the close of one year that position will be up for re-election. Mr. Poltak informed Mr. Grillo that, at that time, he would have the option if he so chooses to run for re-election. Mr. Poltak continued by saying that in order to make it legal that he would need a motion and a second to that affect.

Mrs. Marzloff made a motion to have Mr. Grillo serve until March town meeting of 2017 at which time a member of the community will be elected for a full term of three (3) years to the Planning Board, Mrs. Phillips seconded the motion. A vote was taken; all were in favor, the motion passed.

At this time, Mr. Poltak pointed out that the Planning Board now has a five (5) member Board. Mr. Poltak also wanted to add that Mr. Tillery has decided not to proceed with the alternate position at this time. Mr. Poltak stated that the Board did not have any alternates on the Board and suggested to everyone present tonight to apply for an alternate position as there were three (3) alternate positions available as a five (5) member is allowed three (3) alternates.

MINUTES

Mrs. Marzloff moved to approve the minutes of February 17, 2016 as written, Mrs. Phillips seconded the motion. A vote was taken; all were in favor, the motion passed with Mr. Rolfe abstaining as he was not on the Board at that time.

ANNOUNCEMENTS/CORRESPONDENCE

➤ None were reviewed at this time.

GENERAL BUSINESS

Informal – George Chadwick
266 Rockingham Road, Tax Map 25, Lot 44
Discuss Potential Site Plan for
40,000 Sq. Ft. Commercial Building

Mr. Robert Baskerville presented on behalf of Richard Danais (266 Rockingham Road, LLC), who is now the owner of the property located at 266 Rockingham Road. Mr. Baskerville stated that there were a number of buildings of which the Fire Department burnt down just this past Sunday. Mr. Baskerville explained the location of the property located on Rockingham Road and that the property does not have any frontage on Dartmouth Drive. Mr. Baskerville pointed out that there was a 25 foot strip of land that is owned by Linear Technologies. Mr. Baskerville stated that there was a fire hydrant in the front of the property and pointed out the location of the driveway to the Board. Mr. Baskerville further stated that, what they are proposing is a 40,000 square foot building and they already know who the tenant would be which is CHI Overhead Doors who are currently located on Holt Ave/East Industrial Park Drive. Mr. Baskerville indicated that they are talking about one client with a long term lease of which they have seven (7) employees. The property is located within an Industrial Zone and did not believe there were any zoning issues. They are planning to bring the access and town water up the current driveway. The building will be at the back of the lot. Mr. Baskerville explained the cuts they would be making along with the location of the septic system. Mr. Baskerville did point out to the Planning Board members that they had their wetland scientist flag the site and pointed out the wetland areas and informed the Board that they would be contacting the Conservation Commission to do a site walk. Mr. Baskerville indicated that they would require a Conditional Use Permit to go into the buffer in one particular area. Mr. Baskerville believed that they would also require a Conditional Use Permit for a little bit of the access road as well.

Mr. Baskerville moved on to talk about the parking of which according to the town's calculations, 56 parking spots is required and believed that they would only be utilizing 15 parking spaces but anticipate obtaining all 56 parking spaces. Mr. Baskerville pointed out the location of the proposed infiltration pond and that the building would be sprinkled. Mr. Baskerville did not know what the building would look like but that they would be hiring an architect to design the building. At this time, Mr. Baskerville asked the Board if they had any comments or remarks. One last thing Mr. Baskerville wanted to ask the Board was that there were such a small number of employees that he wondered if the Board would waive a traffic study or reducing it to a minimal study and wanted to get the Board opinion. Mr. Poltak turned to the Board for questions. Mr. Grillo asked about the final design and where the snow storage would be. Mr.

Baskerville indicated that they are only in the informal stage at this time but would address that when the time came. Mr. Poltak had a few questions and began to ask about the reason why they had the access off of Rockingham Road and not off Dartmouth Drive. Mr. Baskerville explained that when Dartmouth Drive was subdivided that a 25 foot strip of land was included in the lot known as Linear Technologies on Dartmouth Drive so there is no access on Dartmouth Drive. Mr. Poltak asked about possibly Linear Technologies selling that portion of property to allow them access off Dartmouth Drive as opposed to Rockingham Road. Mr. Baskerville commented that they were unsure because the home office is out of California and that the response was very slow and that they did not seem very interested. Mr. Poltak asked if there was a retail side to the operation or were they fully a wholesale operation. Mr. Danaïs answered the question by saying that they are currently his tenant and that they have been his tenant for 10 years. Mr. Danaïs further explained that the company is the manufacturer of all the hardware that goes into your garage door. Companies like Overhead Door is one of their customer and that they would come in and get the hardware and all of the parts that they don't manufacture. They do not have a retail showroom and that the showroom upstairs would be for their vendors to showcase all their products and would be strictly for door manufacturers and door installers and they deliver to all the large distribution centers. Mr. Poltak asked what that meant with regard to visits per day over and above employees. Mr. Danaïs believed that there might be one or two pickup trucks there at one time. Mr. Poltak believed it would be light vehicles. Mr. Danaïs said yes. Mr. Poltak asked about hours of operation. Mr. Danaïs indicated that it would be 7:00am to 5:00pm and close Saturdays at noontime.

Mr. Poltak asked about drainage and what it would collect. Mr. Baskerville understood that it would need Alteration of Terrain and it would probably collect parking lot and rooftop but that they have not designed the drainage yet and also understood that Stantec would be reviewing it. Mr. Poltak wanted to point out that Auburn was an MS4 town. A brief discussion ensued with regard to the driveway steepness and runoff.

Mrs. Marzloff asked if the driveway access is able to come off Dartmouth Drive, how steep was that entrance. Mr. Baskerville believed it was about 10 degrees higher than the road depending on where they come out and talked about trucks coming in that way. Discussion ensued with regard to having the access off Dartmouth Drive which would be a lesser impact than having a driveway off of Rockingham Road. Mrs. Marzloff also asked what the distance was from the current driveway off of Rockingham Road to the entrance of Dartmouth Drive. Mr. Baskerville indicated that it was approximately 200 feet.

Mr. Grillo suggested that they go before the Conservation Commission as the Planning Board takes the input from Conservation Commission very serious. Mr. Baskerville indicated that Mr. Chadwick, who lives in town, would be handling this project and that the impact was very minimal and that they look at it as a positive project for the town and look forward to working with the Board.

Mr. Poltak asked if there were any abutters that were interested or had any comments. None were noted. Mr. Poltak had one observation that he wanted to inform Mr. Baskerville was that, in looking at the zoning ordinance and the permitted uses which include a warehouse establishment and permitted use by special exception includes a commercial service establishment and was unsure what the difference was and if we were talking warehouse that it was pretty clear that it would be permitted use. At this time, Mr. Poltak thanked Mr. Baskerville and Mr. Danaïs for their presentation. Mr. Baskerville and Mr. Danaïs exited the meeting.

**Informal – Peter March/NH Signs
66 Gold Ledge Ave, Tax Map 1, Lot 18-5
Discuss Potential Mino Site Plan**

Mr. March began by saying that they are currently located in Londonderry, New Hampshire, of which they have just outgrown the location and that they were looking at relocating to 66 Gold Ledge Avenue. Mr. March explained a little bit about his business and pointed out that the location on Gold Ledge Avenue was ideal for them. At this time, Mr. March explained what they were proposing to do with the location with the site along with the 5,000 square foot building. Mr. March also informed the Board members that what they were proposing was an allowed use within the zoning ordinance. Mr. March also indicated the location of trucks to be parked on the property and possibly having a few carports or sheds which would be 30 feet by 40 feet on sono-tubes with a gravel base with doors on the front to keep the trucks out of the weather. Mr. March also showed what would be done in Phase I and Phase II on the property and talked about the impervious coverage which was currently at 22%. Mr. March went on to talk about adding a small storage shed to store gasoline or diesel in another area. The final thing that they would like to do is some pallet racking along the other side of the building which would be approximately 20 feet by 50 feet long which would be the three main elements that they would be looking to get.

Mr. Poltak asked what exactly was there now. Mr. March explained that there was currently located on the property a 50 foot by 100 foot long metal building with an entrance in the front and a garage door in the rear. The building was used mainly for 70% office and 30% storage. Mr. Poltak turned to the Board members for questions or comments. Mr. Grillo asked if gravel was allowed for parking within the carports. Mr. Poltak believed that they would have to get into how long the vehicles would be parked there and the like. Mr. Grillo wondered about the storage of fuel. Mr. March answered by saying that they would be rotated out on a constant basis and there would be no more than four (4) each at a given time.

Mrs. Marzloff asked what the setback was from the neighboring Green Mountain Explosive bunkers. Mr. March believed there was quite a distance from the building to the bunkers and believed this was an allowed use of the space. Mr. Poltak pointed out that the town engineer; Stantec would provide advisory services and would know the distances and then make the determination from there.

Mrs. Marzloff asked about the structures that they would like to use as carports and if they would be used as permanent structures or temporary structures. Mr. March stated that they would be used as permanent structures from day one. Mrs. Marzloff believed that would have to be something that they would need to look into with regard to setbacks as well as the supports.

Mr. Poltak asked if there would be any further paving. Mr. March said no. Mr. Poltak asked about the carports and what the purpose would be for the carports and what would be stored in them and the length of time. Mr. March stated that there would be trucks that go out every day and would return around 5:00pm every day and would be there through the weekend. Mr. March talked about the building which currently contains a number of offices of which they would be removing a certain number of offices to be used as warehouse. Mr. Poltak asked what the number of employees there would be. Mr. March indicated that there would be about 12 employees of which five (5) employees would come in and leave every day. Mr. Poltak noted that Mr. March would also include parking for the employees and asked what the hours of operation would be. Mr. March stated that the hours of operation would be 7:30am to 5:30pm. Mr. Poltak asked if they did emergency calls or anything like that. Mr. March said no.

Mr. Poltak asked if any other members of the Board had any questions. None were noted. Mr. Poltak asked if anyone in the audience had any questions. Mr. Côté just wanted to point out that as far as the bunkers go on the Green Mountain Explosive site that Green Mountain is actually responsible for keeping the buffers on their own property and the Board cannot restrict what someone can do on the abutting property.

In closing, Mr. Poltak asked Mr. March what the timeline would be to proceed. Mr. March estimated that they would close within 60 days and then either before that or after that they intend to come back before the Board for a public hearing. Mr. Poltak thanked Mr. March for his presentation and indicated that he did not see a detriment for the site to be put to the use that they intend to put to use and also believed that it would be compatible but could not speak for the rest of the Board members.

**Informal – Keith Coviello
On Behalf of Keith Martel/Sterling Homes
Dearborn Road, Tax Map 8, Lot 42
Request Extension of Conditional Approval**

Mr. MacGuire of the Dubay Group presented on behalf of the applicant and indicated that they were before the Board members tonight to request an extension of conditional approval.

Mrs. Marzloff recused herself from voting on this request.

Mr. MacGuire continued by saying that, during the last few months that they have been working with Stantec and that they issued their third and final letter dated February 4th

so that has been taken care of. Mr. MacGuire further added that all the state permits have been submitted and subdivision, alteration of terrain and wetlands permit for the minor crossing that they had. Mr. MacGuire explained that with the alteration of terrain that there were questions of which he has commented and that they are fully all set and that they do not have the permit in hand because they are holding off on the wetlands permit to tie them together but there are no more comments associated with that. They are waiting on the wetlands permit of which is by far the longest running permit which usually takes 120 days at a minimum once they submit it. Mr. MacGuire stated that unbeknown to them that they only had a 90 day conditional approval of which they were not aware of because typically they are longer than that. With that in mind, Mr. MacGuire stated that they were before the Board tonight to request an extension of which there have been no changes and that they are not into any of the issues with regard to a cluster so they were hoping to potentially get another 90 day extension as they feel they could get everything wrapped up within that timeframe. Mr. Poltak thanked Mr. MacGuire and addressed the Board that our normal is 180 days and for some reason they may have had a misunderstanding of how long it would take to obtain the wetlands permit as there is usually a backup at the state and would suggest that they extend it for another 90 days to allow them the opportunity to secure their state permits. Mr. Grillo is it extending it if it's already expired. Mr. Poltak indicated that the Board could do that.

Mr. Grillo made a motion to grant a 90 day extension of conditions of approval previously granted on October 21, 2015 for Tax Map 8, Lot 42, Mrs. Phillips seconded the motion. A vote was taken; all were in favor, the motion passed.

Mr. Poltak explained that this may have brought up some questions with regard to town meeting where the cluster ordinance was defeated and that there is no longer cluster development within the Town of Auburn. Mr. Poltak indicated that his question to town counsel was what does this mean respectful to cluster development. This development is a conventional two (2) acre development and so there is no issue here. As to what is pending which is the Lovers Lane subdivision, the Maverick Development and the cluster development on Mt. Miner which is the Tenn property. All these developments have conditional or final approval if substantial improvement happens within five (5) years they are allowed to proceed. The two (2) conventional subdivisions they have are Anderson Way and Dearborn Road which are not impacted by the vote of the town.

At this time, Mr. Poltak moved on to the next discussion before the Board.

**Informal – Bruce Scammon
On Behalf of Auburn Tavern
346 Hooksett Road, Tax Map 31, Lot 11
Discuss potential site plan amendment**

Mr. Scammon presented on behalf of the applicant and Mr. Villeneuve of Auburn Tavern. Mr. Scammon passed out copies of the proposed plan showing existing

conditions as well as an amended site plan. Mr. Scammon indicated that what they are proposing to do is incorporate a deck onto the front of the building which would allow for patrons to sit on an open deck when the season would allow for it. Mr. Scammon went on to say that the proposed deck would be approximately 23 feet by 36 feet. Mr. Scammon indicated that there were two (2) major concerns in talking with the building department of which were with respect to parking and septic. With regard to parking, there are 59 spaces on the approved site plan that was already approved. With 59 spaces, there are 10 employees which leaves 49 spaces for patrons. In a restaurant setting per the regulations it's three (3) per parking spot which is 147 patrons. In reference to the septic, there was a two (2) bedroom as part of this and what they are proposing is to get rid of the two (2) bedroom apartment and have this just be a restaurant so that they can take that gallons per day. The design was for a 100 seat restaurant and they are looking to change the numbers because they are not all in the restaurant so they were thinking of breaking it down to a 55 seat restaurant which is approximately 2,200 gallons per day, a 75 seat tavern and 50 seats of function seats. Mr. Scammon pointed out the porch area that exists today which is currently used as a function room. Mr. Scammon understood that they would have to come back for site plan approval. Mr. Scammon further pointed out the setback issues with the current end of the ramp being 23 feet to the closest spot so they may need a variance also.

At this time, Mr. Poltak turned to the Board members for questions or comments. Mrs. Phillips asked if by adding the deck, did it use more of the property that is allowed. Mr. Scammon stated that it was already a paved area. Mr. Scammon answered by saying that he would check the numbers.

Mr. Poltak asked if they would need state permits with regard to septic size. Mr. Scammon said yes. Mr. Scammon went through the gallons per day again for the Board members as well as seating. Mr. Scammon stated that 4,650 gallons per day for a restaurant. With that in mind, Mr. Scammon indicated that they were looking at adding less than 50 more seats on the deck. Mr. Rolfe asked if there would be roof over the deck. Mr. Scammon said no but that he would speak with the Building Inspector about placing awnings. Mr. Poltak asked if there would be any parking spaces lost with the addition of the deck. Mr. Scammon said no. Mr. Poltak wanted to discuss safety issues with cars pulling in and pulling out. Mr. Poltak asked Mr. Scammon to take a look at the traffic pattern currently in place for the Auburn Tavern. A question was raised with regard to the possibility of having a band on the deck or outside music. Mr. Scammon stated that he was unsure but would have that all addressed at the public hearing. Mr. Scammon asked if the Board preferred that there was no band. Mr. Poltak stated that he just wanted to know the intent of the deck and if there was going to be entertainment out there and hopefully all these questions would be addressed at the public hearing. Mr. Rolfe stated that he had spoken with Mr. Villeneuve about the traffic pattern there because it was an issue. Mr. Scammon asked if the Board preferred it to go in the opposite direction. The Board believed that it would be better going the opposite direction. Mr. Poltak thought it was a great idea but wanted to point out that things can go a little further than anticipated and wanted them to be specific with the Board on where they want to go with the deck and what its usage would be. Mr. Scammon asked

the Board if they were looking to have a band would they be looking at hours of operation. Mr. Poltak pointed out that the abutters would be coming and wanted them to be prepared to answer these questions and believed it could be done. Mr. Scammon understood what was being asked and thanked the Board members for their time and exited the meeting.

PUBLIC HEARING

**PD Associates, LLC
Deborah R. Richards Living Trust
Raymond Road, Tax Map 11, Lot 11-1
Major Subdivision – 3 new lots with road**

Mr. Poltak informed the Board that it was his understanding that the applicant is looking for a continuance until April 20th and would entertain a motion to continue.

Mrs. Marzloff moved to continue the Public Hearing for Deborah R. Richards Living Trust, Raymond Road, Tax Map 11, Lot 11-1 until April 20th, Mr. Grillo seconded the motion. A vote was taken; all were in favor, the motion passed.

An abutter asked if there was a way to notify the abutters so that they don't come to the meeting and just sit there only to find out that the applicant is requesting a continuance. The Board members explained that there is no way of notifying everyone and suggested that they call the Planning Board office to find out if the applicant is requesting a continuance. Mr. Poltak and Mrs. Marzloff both stated that the request came in on Monday and that there were statutory requirements that they have to follow.

**New Sunset Realty, LLC
Mega X/Elie Elchalfoun
903 Londonderry Turnpike, Tax Map 1, Lot 36-43
Discuss Signage (4 seats inside store for coffee patrons)**

Mr. Elchalfoun began by saying that he was looking to put 4 seats and a couch. Mr. Poltak asked Mr. Elchalfoun that he was going to put together a site plan for the Board. Mr. Elchalfoun said that the Board asked him to bring whatever he brought last time. Mr. Poltak said no, they asked him that relative to the change of use of the property and the internal operation in the building. Mr. Elchalfoun stated that he was not changing the use and that he was selling coffee. Mrs. Marzloff explained that her concern is that he is adding seating and that is how they arrive at the calculations for the septic and wanted to know if it would impact what was the pizza restaurant and would he be losing seats there because it is currently advertised for lease. Mr. Elchalfoun answered by saying that he was not going to be losing any seats because he originally had the middle section of which he has taken out which used to be a gym. Discussion ensued with regard to seating capacity.

Mr. MacGuire wanted to assist in explaining what Mr. Elchalfoun is looking to get and the key issue is that these seats are not restaurant related because what he is selling coffee as any convenience store would and all he's looking to do is to provide some seats within his footprint for anyone that grabs a cup of coffee and wants to sit and open their laptop and send an e-mail. It's not intended to be a restaurant and he would not be providing food or anything like that. This would just be a convenience store that sells coffee and to provide some stool seats so that if anyone wants to drink their coffee there they can. Mr. MacGuire explained that if he were to calculate the septic load that he would still consider this as a convenience store use and the fact that there are four (4) seats in there does not affect the septic loading. Mrs. Marzloff pointed out that she does business there every day and that it was not very clearly defined that there are restrooms there and when you have seats that you need to have public restrooms. Mr. Elchalfoun stated that there were public restrooms of which there are two (2) restrooms of which one was a handicap bathroom as well. A brief discussion ensued with regard to the restrooms.

Mr. Poltak pointed out to Mr. Elchalfoun that what he needed from him with regard to the health side of it was the assurance of the septic to accommodate the additional usage and then come back before the Board and show what is new with regard to bathrooms and to show exactly what the usage would be inside the building. Mr. Poltak pointed out the other previous discussion with regard to the new signs and where they are going on the building, the advertising of the café and to give a feel of what it will do to traffic flow and the utilization of it which is all the Board is asking for. Mrs. Phillips commented on the sign saying "coffee and more" indicates that there is more. Mrs. Marzloff agreed and said that it indicates that there is food service. Mr. Elchalfoun stated that it doesn't because all they have is hostess cakes. A brief discussion ensued with regard to the sign. Mr. MacGuire understood what the Board's concern was and pointed out that Mr. Elchalfoun has done a great job updating the building and making it look good and the fact that Mr. Elchalfoun is trying to put seats to allow patrons to sit and sip their coffee and relax which would not increase the septic load. Mr. MacGuire further added that he could do some calculations to show that the septic load would not be impacted. Mr. MacGuire pointed out to the Board members that, the state is pretty clear on what is calculated pertaining to a restaurant and what the Board is talking about when they are referring to seats and the calculations refer to whether its paper service or plate service of which he has neither. Mr. MacGuire again reiterated the fact that it is a convenience store. Mr. Grillo believed that they were marketing this as being portrayed as being a paper service for the opportunity to have food and drink. A brief discussion ensued with regard to the advertising. Mr. Elchalfoun reiterated that he was not marketing it for food because he has the pizza place for lease for food service. Mr. MacGuire thought that he could probably help the Board by showing a comparison of the septic load. Mr. Poltak said yes and agreed with Mr. MacGuire that there was a great improvement done to the building and that when the pizza place opens next door that he expected and anticipate that there would be a lot more cars and it's difficult to get in and out of and that he would not go in the store if he had to park outback. Mr. Elchalfoun agreed with Mr. Poltak. Mr. Poltak reiterated what the Board was looking for with regard to site plan and then the Board could move ahead.

Mrs. Marzloff pointed out that the parking was difficult and asked Mr. Elchalfoun if he would consider putting an awning over the side door to attract people to use the side door. Mr. Elchalfoun said that he put an awning on it already. Mrs. Marzloff asked about the door in the rear. Mr. Elchalfoun stated that the door in the rear has since been removed. Mr. Poltak asked for an updated site plan showing the changes and then come back before the Board.

Mr. Poltak indicated that they would need a motion to continue.

Mrs. Marzloff moved to continue the Public Hearing for New Sunset Realty, LLC, 903 Londonderry Turnpike, Tax Map 1, Lot 36-43 until April 20th, Mr. Grillo seconded the motion. A vote was taken; all were in favor, the motion passed.

OTHER

Mr. Poltak asked if there was an agenda for April 6th. Ms. Royce informed the Board that there was nothing on the agenda thus far and that the two (2) public hearings tonight have been continued until April 20th.

At this time, the Board moved on to elect a chairman and a vice-chairman. Mrs. Phillips made a motion to nominate Mr. Poltak to continue as chairman.

Mrs. Marzloff made a motion to nominate Mr. Poltak as Chairman of the Planning Board, Mr. Grillo seconded the motion. A vote was taken; all were in favor, the motion passed.

Mr. Grillo made a motion to nominate Mrs. Marzloff as Vice-Chairman of the Planning Board, Mrs. Phillips seconded the motion. A vote was taken; all were in favor, the motion passed.

At this time, Mr. Côté submitted his application to the Chairman for an Alternate position on the Planning Board.

Mrs. Marzloff made a motion to accept Mr. Côté's application for an Alternate position as the Board is aware of his qualifications and experience, Mr. Grillo seconded the motion. A vote was taken; all were in favor, the motion passed.

Mr. Poltak congratulated Mr. Côté on his position as an alternate member of the Planning Board. Mr. Poltak further informed everyone present that there were two (2) other alternate positions open and welcomed anyone to join.

ADJOURN

Mrs. Phillips moved to adjourn the Hearing. Mrs. Marzloff seconded the motion. All were in favor, the motion passed unanimously and the meeting stood adjourned at 8:27 p.m.

The next Planning Board meeting will be held on Wednesday, April 6, 2016 at 7:00pm at the Town Hall, 47 Chester Road unless otherwise noted.