

**UNAPPROVED MINUTES
Town of Auburn
Planning Board
PUBLIC HEARING
September 16, 2015**

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

Absent: Jim Tillery, Alternate Member.

Mr. Poltak called the meeting to order at 7:00 p.m. and introduced the Board members to those present. Mr. Poltak informed everyone present that Ms. Woods had resigned and that the Board members were in receipt of her formal resignation from the Planning Board and at the last meeting they took action by elevating Mr. Grillo to a full member to fill Ms. Woods position.

MINUTES

Mrs. Marzloff moved to accept the minutes of September 2nd, 2015; Mr. Côté seconded the motion. A vote was taken; all were in favor and the motion passed.

Mr. Poltak informed everyone that he would be taking things out of order as they had a few requests to continue. At this time, Mr. Poltak wanted to take up the request for a continuance for the Dollard Road Subdivision.

**Tuck Realty Corp.
Bette Dollard & Heirs
Dollard Road, Tax Map 9, Lot 2 & Tax Map 30, Lot 8
Major Cluster Subdivision (8 Lots)
Lot Line Adjustment
Final Review
Continued from August 19, 2015**

Mr. Poltak read the request for a continuance and asked the Board members what they would like to do. Both Mr. Côté and Mrs. Phillips believed that the request should be denied because the original application was for a cluster and that the subdivision was not eligible to be a cluster and therefore, Mr. Côté made a motion to deny.

Mr. Côté made a motion to Deny the request for a continuance and come back before the Board when they have something to present to the Board and would have to re-notice all the abutters when they come back with a real application for the Dollard Road Subdivision, Tax Map 9, Lot 2 & Tax Map 30, Lot 8; Mrs. Phillips seconded the motion. A vote was taken; all were in favor and the request for Continuance was DENIED.

**John Gianitsopoulos
Patty and Sheila, LLC
Auburn Tavern
346 Hooksett Road, Tax Map 31, Lot 11
Request for a Continuance**

Mr. Gianitsopoulos began by saying that Mr. Scamman had spoken with Mr. Tatem from Stantec. Mr. Poltak understood that Mr. Gianitsopoulos was doing his due diligence by getting the interior up to date and understood the urgency in which they would like to open Auburn Tavern. Mr. Poltak believed that it was dependent upon the parking and the lighting plan specifically. Mr. Poltak understood there were a three (3) technical issues that his engineer who is doing the lighting plan is reluctant to address within the necessity of doing so. Mr. Poltak further indicated that, until his engineer completes that, that we cannot move forward. Mr. Poltak is willing with the Board's acceptance to say to Mr. Gianitsopoulos to get it into the Board as fast as he can by compelling his engineer to get the job done respectful directly of what Stantec is asking for and they can get it done. Mr. Côté believed they needed to give them an extension because his 90 days is coming to an end.

Mr. Côté made a motion to Grant a 30 day extension with the condition that includes recording the plat and that no building permits be issued until such time as the plan has been recorded and that the escrow has been established and that all conditions of the site plan for approval have been fulfilled and no building permits until that time, for the Auburn Tavern, Tax Map 31, Lot 11; Mrs. Marzloff seconded the motion.

Mr. Gianitsopoulos stated that Mr. Scamman had spoken with the electrical engineer but did not know what had transpired. Mr. Tatem stated that he had also spoken with Mr. Scamman on Tuesday but had not spoken to him today. Discussion ensued with regard to the electrician issues. Mr. Poltak reiterated that the electrical engineer is reluctant to address the three (3) issues that the Board has identified that needs to be addressed which are all just notes on the plan. Mr. Poltak stated that there was no issue with the Planning Board but that the issue was with his electrical engineer. Mr. Tatem asked the Board that if the issue is resolved and Stantec issues a final letter if Mr. Gianitsopoulos had to wait until the next hearing or could Mr. Poltak sign the mylar. Mr. Côté indicated that as soon as all the conditions are met that Mr. Poltak could sign the mylar and that the mylar would have to be recorded in order to obtain a building

permit. Mr. Poltak informed Mr. Gianitsopoulos that their goal is to get Mr. Gianitsopoulos opened and operating but he needed to get his electrical engineer on board.

Mr. Grillo asked if the owner had to be the one to request the continuance. Mr. Poltak said yes but that Mr. Gianitsopoulos was the applicant. Mrs. Marzloff also asked if the owner had signed the plan. Ms. Royce informed the Board that the owner had signed the plan and that she had the mylar in hand.

A vote was taken; all were in favor and the request for a 30 day Extension was GRANTED.

Mr. Côté reiterated to Mr. Gianitsopoulos that he had 30 days to complete the conditions and to get the mylar recorded.

GENERAL BUSINESS

Jay Nixon

792 Londonderry Turnpike, Tax Map 1, Lot 19

Modification to Building #3 shown on approved site plan

Mr. Nixon began by saying that all they wanted to do in the building was to have an office with a bathroom and they had it all designed with the septic system. Mr. Nixon showed the Board members the plan and location of the building. Mr. Nixon stated that he had spoken with the Building Inspector and she suggested that he meet with the Planning Board. Mr. Côté asked if there would be any change to impervious or the footprint of the building but only a modification of the interior of the building. Mr. Nixon said no change in footprint or pavement and that all improvements would be inside the building. Mr. Poltak believed that it was pretty straight forward and simple. Mr. Côté did not see this as a huge issue and did not believe that they needed to record the changes either. Mr. Poltak did not believe that it was a substantial change to require recording the plan but would like a motion that signifies the action they were taking. Mr. Côté noted that they were only accepting the change. Mrs. Marzloff agreed and noted that Mr. Nixon was simply informing the Board of what he was doing. Mr. Côté believed that if it was the consensus of the Board that this does not require any formal site plan review and that it was just informational. The Board members all agreed and the Board was unanimous in their agreement. Mr. Nixon left the meeting and the Board members moved on to the next discussion.

Elmer Pease/Deborah Richards
Tax Map 11 Lot 11-1
Raymond Road Upgrades

Mr. Pease presented on behalf of Ms. Richards and began by passing out two (2) different concept plans and engineered them to make sure that they both worked. The first one was a 3 lot concept on Raymond Road between Chester Turnpike and Dearborn Road and the other one was a 4 lot concept on Raymond Road. Mr. Pease stated that the owner would prefer to do the 4 lot concept and went on to talk about the road improvements to Raymond Road. Mr. Pease stated that the portion of Raymond Road in front of the lots is a Class V unpaved road. Mr. Côté believed that Mr. Pease needed to speak with the Board of Selectmen and the Road Agent to see what they would require him to do with regard to road upgrades to Raymond Road. Mr. Côté also pointed out to Mr. Pease that the Planning Board could not approval a subdivision on a gravel road and reiterated that he needed to go before the Board of Selectmen. Mr. Côté believed that the majority of traffic would be heading towards Chester Turnpike and not Dearborn Road and believed that they should upgrade the portion of road heading towards Chester Turnpike and would make the lots more marketable. Mr. Pease agreed with Mr. Côté. Mr. Côté also noted that they have already subdivided a lot that fronts along Raymond Road and did so without paving the road. Discussion ensued with regard to road improvements and drainage improvements on Raymond Road. Mr. Poltak agreed with Mr. Côté. Mrs. Marzloff explained that the Board of Selectmen and the Road Agent did have a discussion about this a few weeks ago and that they were running out of time for their FEMA money and they want to go ahead and proceed with that construction and believed that Mr. Pease's timing was perfect. Mr. Pease indicated that he had heard something about that and that it was up the end of October.

Mrs. Phillips stated that there was a similar episode on Silver Hill Road with a piece of property and paving the road and pointed out that there was a lot of land on Raymond Road that could be developed. Mr. Pease stated that the property across the street from this property was owned by the Town of Auburn. Mr. Côté commented that it was probably unlikely that the Town of Auburn would be marketing the property. In Conclusion, Mr. Poltak suggested to Mr. Pease to speak with the Board of Selectmen and the Road Agent and work through the process and then come back before the Planning Board with regard to the subdivision part of it. Mr. Côté did not believe it would make sense to have a cul de sac off of a gravel road. The Board members agreed. Mr. Pease thanked the Board members and exited the meeting.

PUBLIC HEARING

**Sterling Homes, LLC/Keith Martel
Peter Wovkonish & Ruth Cullinane Rev. Trust
58 Dearborn Road, Tax Map 8, Lot 42
Zoned Residential Two
Major Subdivision (19 Lot Subdivision)
Continued from August 19, 2015**

Mr. MacGuire began by passing out copies of an updated subdivision plan for Dearborn Road. Mr. MacGuire stated that at the last meeting there were a couple of outstanding items that they needed to take a harder look at and one was the sight distance. Mr. MacGuire explained the updated sight distance profile and what they basically did was they widened and deepened the swale along Dearborn Road and what it did was gave it a little more depth on the sight distance line. Basically, they had close to 20 to 24 inches of separate before and now they have gained 30 inches. Mr. MacGuire indicated that also calculated the stopping sight distance and they do meet the stopping sight distance for this development. They have passed the plan along to Stantec and they have reviewed it and believed that they were comfortable with it and asked Mr. Tatem to speak about his review. Mr. Tatem stated that there was also discussion about providing a right of way instead of an easement and after some discussion with the Road Agent, he concurred with it remaining an easement as long as there were four (4) monuments set along that straight line so that when they were mowing and the abutter comes out they can show him the bounds and show him the easement. With this in mind, Mr. Tatem stated that they were okay with what they were proposing. Mr. Côté liked the vegetated swale because there weren't a lot of homeowners that want to get out there and maintain the vegetated swale.

Mr. MacGuire moved on to the other item that needed to be looked at was that he designed the road to be 30mph and that was not something that the town was comfortable with so they wanted to get it up to 35mph. Mr. MacGuire stated that he was able to meet the 35mph speed limit for the entire length of the road with a few adjustments and also shortened the cul de sac which was due to them meeting with the Conservation Commission. Mr. MacGuire pointed out that the Conservation Commission did have some concerns with the level of encroachments into the buffers. Mr. MacGuire talked a little more about their meeting with the Conservation Commission and moved on to the last sheet which showed the drainage treatment at the end of the cul de sac which showed that they made a smaller infiltration system and pushed it further back within the lot.

At this time, Mr. MacGuire passed out copies of the proposed wetland impact and talked about their treatment goals shown on Lot 42-9 and noted that there were members of the Conservation Commission present tonight and did not know if they wanted to comment. Mr. Poltak asked how long the driveway was for Lot 42-9. Mr. MacGuire stated that it was about 800 feet long. Mr. Poltak asked Mr. Porter of the Conservation Commission for comment. Mr. Porter stated that they would prefer to see this in a

cluster even though it did not meet the regulations. However, having it out of the buffers entirely would be much more preferable as would the abutter to this property, Manchester Water Works. Mr. Porter stated that the Conservation Commission could not see anything that they could approve with this concept.

Mr. MacGuire informed the Board members that their next step would be going before the Zoning Board of Adjustment next week for this buffer encroachment and totally respect the Conservation Commission's position regarding the Level One wetland. However, Mr. Martel did come before the Planning Board with two (2) proposals and the Planning Board preferred the grid subdivision over the cluster subdivision and believed it would be helpful if they could get something from the Planning Board to take to the Zoning Board on Tuesday and would like a little feedback from the Board members. Mr. MacGuire indicated that they would be using this as their hardship with the ZBA. Mr. Poltak explained that Mr. Martel was before the Planning Board with a cluster subdivision and one for a grid subdivision and was upfront with the Board and that there were pluses on both sides and Manchester Water Works did submit a letter preferring the cluster and the Board voted 3 to 2 in favor of the grid development and that the minutes reflect that. Mr. Poltak indicated that he would be willing to come to the meeting and say that but that's what he would say. Mr. Martel did not think that he could make the Conservation Commission happy with the grid development. Mr. Poltak stated that there were plus's and minus' on both sides and respectful of the feeling of the Board that grid development was best.

Mr. Côté asked Mr. MacGuire if he would like a continuance until when. Mr. MacGuire stated that they would like to be continued until the next available Planning Board.

Mr. Côté made a motion to continue the Public Hearing for Dearborn Road, Tax Map 8, Lot 42 to October 21, 2015; Mrs. Phillips seconded the motion. All were in favor, the motion passed unanimously.

Mr. Côté informed everyone present that the Public Hearing was continued until October 21, 2015.

Randy Donckers

On Behalf of Cheryl & Tye Griffin & George Griffin

112 Hooksett Road, Tax Map 10, Lot 5 & Tax Map 10, Lot 5A

Zoned Residential Two

Minor Subdivision (2 new lots) & Lot Line Adjustment

Mr. Donckers began by saying that they were before the Board tonight to create two (2) new lots. Mr. Donckers went on to say that there was an existing lot that is currently one acre and what they were proposing to do is a Lot Line Adjustment to make it a conforming lot with 2 acres and 208 feet of frontage. Mr. Donckers pointed out that there were four (4) driveways existing now and that they have submitted an application to the State DOT for approval of changing the location of the driveways and have not

heard anything back yet. Discussion ensued with regard to the existing driveways and what they were proposing with relocating the driveways. Mr. Donckers further added that they were proposing to create two (2) new building lots. Mr. Donckers talked about the existing well having an easement on it.

Mr. Poltak asked if there were any questions from the Board. Mrs. Marzloff asked about the dotted line and if it was an existing right of way. Mr. Donckers stated that it was not a right of way but a trail that was used by the owners to drive their golf cart on and did not go off the property. Mrs. Marzloff pointed out that she did not see a signature block for the owners signature which was needed. Mr. Donckers so noted the request. Mr. Côté asked Mr. Donckers if he was allowed to have a 4,000 square foot receiving area within the 250 foot buffer line of a 4th order stream. Mr. Donckers said yes. Mr. Côté asked if they have received State Subdivision approval. Mr. Donckers stated that they had not yet submitted the application for State Subdivision approval. Mr. Côté asked if they applied for driveway permits. Mr. Donckers answered by saying that they have submitted them but have not received approval yet. Discussion with regard to sight distance was addressed. Mr. Poltak asked where the existing circular driveway would begin and end because it was confusing. Mr. Donckers believed he could add an end to the driveway to the plan.

Mr. Côté made a motion to accept jurisdiction as the application was complete for 112 Hooksett Road, Tax Map 10, Lot 5 & Tax Map 10, Lot 5A; Mrs. Marzloff seconded the motion. All were in favor, the motion passed unanimously.

Mr. Grillo asked where the building envelope would be for Lot 5-4. Mr. Côté directed Mr. Grillo to look at the second page. Discussion ensued with regard to shoreland protection area. Mr. Tatem asked Mr. Donckers if they would be obtaining a shoreland protection permit. Mr. Donckers stated that they would not need one. Mr. Tatem asked if there would be any disturbance within the shoreland protection area. Mrs. Marzloff believed that it looked like the house would be placed within the shoreland protection area. Mr. Tatem stated that he had to get a shoreland protection permit to add three (3) parking spaces for the library and believed that if they were building a house that they would need to get one as well. Mr. Donckers did not believe it would be a problem getting one.

Mr. Poltak asked if there were any further questions from the Board. None were noted. Mr. Poltak asked if there were any questions from abutters. Mr. Krygeris asked where the building would be for Lot 5-4. Mr. Donckers stated that it would be about 100 feet south of the lot line. Mr. Demirjian asked if there were any plans to do anything with the existing house across the street from him. Mr. and Mrs. Griffin stated that for now it stays as they were not the owners and that he has no plans for that property. Mr. Dwyer asked about the existing culverts. A brief discussion ensued with regard to the existing culverts. Mr. Côté did not believe it would have any impact to what was being proposed and Mr. Poltak agreed with Mr. Côté.

Mr. Côté believed that until they obtained the shoreland protection permit and the driveway permits before the Board could give them approval. Mr. Donckers asked if the Board could give conditional approval because if they don't approve it then they can't do it. Mrs. Marzloff indicated that they usually put a time limit on the approval and if the state doesn't act within that time it becomes a problem and would be a lot more comfortable waiting for final approval.

Mr. Poltak believed that the Board has gone as far as they can go with this tonight and that they should proceed with the state and shoreland protection approval. Mr. Poltak believed that what they were proposing was feasible but was a permitting process. Mr. Côté asked Mr. Donckers if he could do it within 30 days. Mr. Poltak asked if they have submitted to the state already. Mr. Donckers stated no because they did not want to pay another application fee in case the Board did not approve the proposal. Mr. Côté explained that the Board was not worried about State Subdivision approval but was concerned about Shoreland Protection approval to meet whatever requirements they have and then come back before the Planning Board. Mr. Côté stated that he would have no problem giving conditional approval in waiting for State Subdivision approval as well as the driveway permit. Mr. Côté again asked Mr. Donckers if he thought he could obtain approval within 30 days. Mr. Tatem did not think so as he submitted a very minor application for the library 30 days ago and still have not heard anything. Mr. Côté believed the Board should push it out 60 days. Mr. Donckers asked what would happen if they came back in 30 days, could they just continue it again. Mr. Côté stated that he is reluctant to do so because it was not fair to the abutters to come back just to be told that they need to come back again in 30 days.

Mr. Côté made a motion to Continue the Public Hearing until November 18, 2015 for 112 Hooksett Road, Tax Map 10, Lot 5 and Tax Map 10, Lot 5A; Mrs. Marzloff seconded the motion. A vote was taken; all were in favor and the motion passed.

Mr. Poltak informed the abutters present that this was their only notice and that no further notices would be sent out.

Randy Donckers

On Behalf of Norma & Edward Picard

589 Bunker Hill Road, Tax Map 5, Lot 87

Zoned Residential Two

Minor Subdivision (1 new lot) & Minor Conditional Use Permit

Mr. Donckers presented on behalf of the applicants, Ed and Norma Picard. Mr. Donckers began by saying that the applicants would like to subdivide a lot off their property for their daughter to build a house next to them. Mr. Donckers explained that because of the way the lot is laid out that they are unable to put a driveway or a lot to the south of the house because the 200 feet of frontage would not work out. With this in

mind, what they are proposing to do is to cut off a lot north of their house with a driveway going across the wetlands. They would be disturbing approximately 2,100 square feet of wetlands. Mr. Donckers indicated that the last time he was there, there was no water there. Mr. Donckers indicated that the lot meets all the requirements with over one acre of contiguous land and meets all the sight distance requirements.

Mr. Grillo asked Mr. Donckers to point out where the driveway would be. Mr. Donckers pointed out the location of the driveway on Sheet #3 of the plan set.

Mr. Poltak asked the Board members if there were any questions. Mr. Côté believed that before they address the subdivision application that they should address the Conditional Use Permit first because if they can't do that, there would be no reason to subdivide off the lot if they can't get across it. A brief discussion ensued with regard to the request for a Conditional Use Permit. Mr. Côté started to make a motion to grant the Conditional Use Permit and noticed that the Board could not grant a Conditional Use Permit to cross a Level One wetland and informed the applicant that he would have to go before the Zoning Board of Adjustment. Mr. Poltak reviewed the section in the Zoning Ordinance which states that the applicant would have to go before the ZBA and obtain approval and then come back before the Planning Board and then they will accept jurisdiction and move forward with the application. Mr. Tatem believed that the Board could act on it by reading "Section 5.08 where it states that you cannot get relief except for those uses permitted under the Minor Conditional Use Permit process set forth in Section 5.10 for this Article." Then go to "Section 5.10(1) Purposes – Minor Conditional Use Permits may be issued for timber harvesting, forestry and brush clearing, certain driveways, as well as for minor accessory structures, as set forth below in this Section." Mr. Tatem believed that the "certain driveways" did give the Planning Board authority because it was a driveway. If it was a roadway or detention pond, then the Planning Board would not have the authority but a driveway and it may be something that the Board would want to conditionally approve it and check with legal counsel. Mr. Poltak did not have any problem with the interpretation but wondered why it said "certain" driveways. Mr. Donckers recalls speaking with the Building Inspector about that. Mr. Côté asked what her interpretation was with that regard. Mr. Donckers stated that she did not say anything negative about it and did not recall exactly what she had said. At this time, the Board reviewed the language in the Zoning Ordinance. Mrs. Marzloff commented that, nowhere in that definition does it say that it was applicable to a single lot subdivision. Mr. Donckers commented that it was a driveway. The Board did not like the definition of "Certain Driveways" under Accessory Structures. Mr. Côté believed that they would have to go before the ZBA for a variance to cross a Level One wetland. Mr. Poltak informed the applicant that he would confer with legal counsel to make sure that the Board's interpretation is correct. Mr. Poltak informed Mr. Donckers that if they obtain approval from ZBA that the next meeting would be short.

Mrs. Marzloff made a motion to accept jurisdiction as the application was complete for 589 Bunker Hill Road, Tax Map 5, Lot 87; Mr. Grillo seconded the motion. All were in favor, the motion passed unanimously.

Mr. Poltak asked if there were any abutters that would like to speak. An abutter commented that she was fine with it.

Mr. Côté made a motion to Continue the Public Hearing until November 4, 2015 for subdivision plan for 589 Bunker Hill Road, Tax Map 5, Lot 87; Mrs. Marzloff seconded the motion. A vote was taken; all were in favor and the motion passed.

Mr. Poltak informed abutters that this issue is being continued until November 4th.

**Crown Energy Solutions, LLC
Shawn Thrasher
692 Londonderry Turnpike, Tax Map 1, Lot 11
Zoned Industrial
Major Site Plan Review (Garage)**

Mr. Bernie Temple of Eric Mitchell's office presented on behalf of the applicant, Shawn Thrasher. Mr. Temple passed out copies of the plan to each of the Board members. Mr. Temple began by explaining exactly it is that Mr. Thrasher's business entails. Mr. Thrasher owns a small company with three (3) employees which installs bulk propane tanks all over the northeast and his wife runs the books. Mr. Thrasher is proposing to build a 8,500 square foot with an 1,800 square foot office and the building will be used as storage for parts. Mr. Thrasher does store empty tanks once in a while which are brand new tanks, some of which are shipped directly to the job site due to the shipping costs. Mr. Temple explained the site plan which had a gated entrance way with recycled asphalt. Mr. Temple pointed out that they just received comments from Mr. Tatem stating that they would have to change an area to pavement instead of recycled asphalt. Mr. Temple talked about the drainage for the site as well as the location for outside storage. Mr. Temple informed the Board members that they have applied for an Alteration of Terrain Permit but have not applied for a driveway permit with DOT yet. Mr. Temple further pointed out that he has just received Stantec's comments late this afternoon and have not had a chance to review them.

Mr. Poltak asked if there were any abutters who had comments. None were noted at this time. Mr. Poltak asked Mr. Tatem if he had any comments. Mr. Tatem talked about the significant comments that they recommended a traffic impact analysis and with the traffic numbers that Mr. Temple is talking about it probably would not be necessary. DOT will be reviewing this and issuing a permit and it's a state highway and there's a pretty big shoulder there but would recommend that the Board have them put a note on the plan that says "if the use changes or the traffic increases more than what was discussed that the Planning Board has the right to do an impact study." Mr. Tatem further pointed out that Mr. Temple already mentioned the parking on recycled asphalt which would not be allowed. The storage of unused brand new tanks seems to be an okay use for gravel storage and did not think that the Board would require it to be paved. Mr. Côté agreed that they would mess up the pavement. One thing that he would recommend is that they block off the front of the building and the back corner for

parking and pave it all so there is no enforcement issue regarding this later. Mr. Tatem stated that there was no lighting provided for the parking lot and have never seen the Board waive this and would not recommend it and believed that one pole would provide adequate lighting for the parking lot. Mr. Temple added that they did provide lighting on the building by the doors which is required in the ordinance. Mr. Tatem thought the only other thing is that this is a highway and not a residential area and would they be required to have some type of screening for the storage of the tanks and would recommend some kind of stockade fence or plantings to give some kind of barrier. Mr. Tatem did not believe that the Board would want them to use chain link fencing with slats in them that would make them look like a junkyard. Other than these few issues, Mr. Tatem stated that they did not see any other big concerns.

Mr. Poltak asked if there were any abutters with concerns. One abutter stated that he did not have any comments or concerns so far. Mrs. Trickett asked how close the building was to the property line. Mr. Temple stated that they had a 30 foot setback from the side and 50 feet from the front. Mr. Tatem pointed out that the ordinance is very strange because it states that the front setback shall be 50 feet and that the side setback is to be determined during site plan review and believed that 30 feet seemed reasonable. Mrs. Marzloff asked about the monitoring wells and believed that the Board would need some kind of documentation. Mr. Temple believed that Mr. Thrasher had all that information. Mrs. Marzloff also stated that she did not see the parking calculations. Mr. Temple directed Mrs. Marzloff to Sheet #1 of the plan set and pointed out the parking calculations for the lot. Mr. Côté commented that he did not have a huge issue with the 30 foot side setback based on the fact that the abutting properties are also a commercial use. A brief discussion ensued with regard to the side setback and Mrs. Phillips agreed with Mr. Côté. Mrs. Marzloff reiterated that she would like to see the documentation on the monitoring wells. Mr. Côté stated that compared to what was originally out there that this was a big improvement. Mr. Poltak stated that they are in receipt of a four (4) page review by Stantec and the Board has accepted jurisdiction. The Board members indicated that the Board has not yet accepted jurisdiction for this application.

Mrs. Marzloff made a motion to accept jurisdiction as the application was complete for Crown Energy Solutions, LLC, 692 Londonderry Turnpike, Tax Map 1, Lot 11; Mr. Côté seconded the motion. All were in favor, the motion passed unanimously.

Mr. Poltak stated that the Board has now accepted jurisdiction and asked the Board members where they wanted to go from here. Mr. Côté asked Mr. Temple if they have received the State curb cut yet. Mr. Temple said not yet. Discussion regarding the four (4) page review letter received from Stantec late this afternoon and Mr. Poltak suggested that Mr. Temple work with Mr. Tatem and then the Board can take it up at the next meeting to see where we are. Mr. Tatem suggested that Mr. Poltak give Mr. Temple some direction on if the Board wanted screening from the storage yard and about the lighting. Mr. Poltak stated that the Board would require some kind of lighting in the parking lot and dependent upon what type of storage that they will require some

kind of natural buffer. Mr. Tatem and the Board all agreed that a traffic study would not be required and agreed that a note should be put on the plan that if the traffic changes. Mr. Grillo asked about hours of operation that was not shown on the plan. Mr. Temple so noted the request and would check with Mr. Thrasher. Mr. Grillo asked about the storage of materials. Mr. Temple explained that the building would be to store materials but that the storage of tanks would be outside. Mr. Côté suggested that an area be allocated for outside storage and shown on the plan.

Mr. Côté made a motion to Continue the Public Hearing until October 21, 2015 for Crown Energy Solutions, LLC, 692 Londonderry Turnpike, Tax Map 1, Lot 11; Mrs. Marzloff seconded the motion. A vote was taken; all were in favor and the motion passed.

Mr. Poltak stated that the Board would see this application back before the Board on October 21, 2015.

ANNOUNCEMENTS/CORRESPONDENCE

➤ None were reviewed at this time.

OTHER

Mr. Porter brought up the Picard one lot subdivision and wanted to weigh in on it. Mr. Côté asked Ms. Royce to contact Mr. Donckers about meeting with the Conservation Commission on October 6th. Ms. Royce so noted the request and would take care of notifying Mr. Donckers to meet with the Conservation Commission. A brief discussion ensued between Mr. Porter, Mr. Tatem and the Planning Board about the wetland crossing. At this time, Mrs. Phillips gave Mr. Porter a copy of the proposed one lot subdivision plan for his review.

DISCUSSION OF UPDATING THE MASTER PLAN & CIP

Mr. Poltak wanted to have a brief discussion regarding revamping the Master Plan and the CIP and the cluster ordinance process and timetable.

Mr. Tatem explained that what they were proposing was to tackle the road technical spec update and general regulation update as one project. He is going to look through the regulations and provide the Board members with an outline of what they would recommend. Not the actual changes but what they would recommend. Mr. Tatem believed that the Board could do that on a regularly scheduled meeting as it was just a discussion because it would not be a public hearing at that time. Then once the Board decides to make changes, they would go back and make the changes and get it back to the Board. Then that meeting could take place on a regularly scheduled date and time which would then have to be a public hearing which would require it to be publicly

noticed. At this time, the Board would already have comments so that they would not be reading them that night. Two meetings is all it would take but suggested that the Board may want to schedule a workshop on a different date because it's going to take a while. Mr. Poltak added that the road standard changes has come about from having some issues in the community and necessitated and very technical.

Mr. Poltak further added that he wanted a member of the Board on every one of these task be his lead and liaison and asked Mr. Côté to be in charge of the road update and asked Mrs. Marzloff to be in charge of the CIP and asked Mr. Grillo to be the lead on the cluster ordinance. Mr. Poltak asked Ms. Royce to put together the drop dead date to get all of this done for town meeting. Mr. Tatem indicated that the only thing for town meeting would be regarding the cluster ordinance. Mr. Côté stated that one thought he had with regard to the cluster and wanted to know if the rest of the Board members agreed with him was that we have looked at subdivisions and had them show the Board both types of plans by showing the Board a cluster subdivision as well as a grid subdivision and gave an example of Liberty Woods and they were able to look at them to see what fit best. Mr. Côté further stated that he would like it written into the ordinance where once it meets the criteria that it was still the towns final decision whether the Board allows them to go cluster or whether they would allow it to be conventional to see what best fits in that area. Mr. Tatem stated that the best language that he has seen was "the spirit of the ordinance" and "the intent of the Board" because it leaves it open to the Board's interpretation. A brief discussion ensued with regard to the cluster ordinance. Mr. Tatem further pointed out that the town's people and abutters hate clusters and have such a distaste for cluster so the Board needs to get the Board members, the Department Heads and the public on board or next year there will be a petition and there will be no clusters at all. Mr. Poltak wanted to add that what he would like to see is the necessity to increase the minimum lot sizes because there is no way that he wants to go down the cluster road and have people coming before the Planning Board or the Zoning Board of Adjustment to seek exceptions or variances to put in what you would expect a single family home to have as it matures over time. Mr. Côté agreed with Mr. Poltak. Mr. Tatem gave an example of Hooksett where it has to be a buildable area that is 100 percent buildable so that you are guaranteed that you have contiguous 75 by 100 buildable area where you would not need variances. Mr. Tatem pointed out that there are a lot of things that the cluster ordinance is missing and that it can be tuned up but you have to listen to the public to get them on board. Mr. Tatem believed that the cluster ordinance is going to be the biggest challenge. Mr. Tatem further added that they would craft the ordinance so that the Board is not granting waivers and when you're not granting waivers it's because the ordinance was written well. A crappy ordinance, you're granting waivers all the time. This would take three (3) meetings and probably would have to be done at the school and recommended that they notice it everywhere to bring people in and get feedback.

Mr. Poltak moved on to the CIP and asked Mr. Tatem. Mr. Tatem stated that he would like to have the first meeting with the Board and the Department Heads all together and would give each person what they would be looking at and what they would need. Then the Board would look at it and have a public hearing meeting and then the Board would

adopt it in the final meeting. Mrs. Marzloff asked if it would be worth to look back at prior CIP's to see what was in those and what has been achieved and what remains. Mr. Tatem thought it was a good idea and that they could do that.

Mr. Tatem moved on to the Master Plan. Mr. Poltak did not want to discuss this until after the budget which would be at least January because they have to get these four (4) major items out of the way first.

Mr. Villeneuve asked about 346 Hooksett Road, Auburn Tavern because he has an interest in it and wanted to know how they made out. Mr. Côté stated that the Board gave them a 30 day extension to meet the conditions and that no building permits would be issues until they have met all the conditions and their plan is recorded. Mr. Poltak added that it was all about lighting. Mr. Villeneuve wanted to know why the Board would put that condition on. Mr. Côté stated that it was because they had to have an approved site plan before they can get a building permit which was plain and simple. Mr. Côté basically informed Mr. Villeneuve that they have been fighting the Planning Board with people digging their heels the whole time. Mr. Villeneuve informed the Board members that he was the General Contractor on this project and that he was an interested party. Mrs. Marzloff did not believe that the Board should be having this conversation. Mr. Côté stated that the applicant was before the Board earlier and has since left the meeting. Mr. Poltak indicated that the applicant was very pleased with the result. Mr. Villeneuve asked about the certificate of completion or something else. Discussion ensued with regard to the site plan and having the mylar recorded. Mr. Villeneuve asked the Board to change their motion. Mr. Côté informed Mr. Villeneuve that they have already made a motion and they could not change it now. Mr. Villeneuve did not believe it was fair. Mrs. Marzloff added that, you cannot ask for a certificate of completion when the Board stated upfront that the applicant could not get a building permit until the plan was recorded. Mr. Villeneuve believed that the Board was slowing down the ability for them to start. Mr. Côté and Mr. Poltak both stated that he could get the plan signed tomorrow and that the Board was as receptive as humanly possible.

ADJOURN

Mr. Côté moved to adjourn the Hearing. Mrs. Marzloff seconded the motion. All were in favor, the motion passed unanimously and the meeting stood adjourned at 8:45 p.m.

The next Planning Board meeting will take place on Wednesday, October 7th, 2015 and will be held at the Town Hall, 47 Chester Road.