

UNAPPROVED MINUTES
Town of Auburn
Planning Board
PUBLIC HEARING
ZONING ORDINANCE MEETING
January 11, 2016

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

Absent: Paula Marzloff, Member. Jim Tillery, Alternate Member.

Mr. Poltak called the meeting to order at 7:02 p.m. and introduced everyone present at tonight's meeting.

At this time, Mr. Poltak stated that he would like to conduct the Public Hearing first and read the proposed amendment aloud as follows.

PUBLIC HEARING

The purpose of the public hearing is to present proposed amendments to the Town of Auburn Zoning Ordinance, and to solicit comments and discussion relative to the proposed amendments.

Proposed amendment includes:

- 1) **Amend the Auburn Zoning Ordinance to make changes to the cluster development provisions set forth in Article 7 of the Zoning Ordinance. A copy of the full text of the proposed changes is posted and available for review at the Auburn Town Offices.**

[NOTE: This amendment would affect substantive changes to the cluster development provisions of the Zoning Ordinance, including but not limited to the required minimum and maximum lot sizes permitted in a cluster development, the calculation of the maximum number of dwelling units permitted in a cluster development, open space requirements, and roadway construction within a cluster development. A copy of the text of the proposed amendment is available for review at the Auburn Town Offices and is posted with the text of the proposed amendments at the Auburn Town Offices.]

2) Amend Article 5.10 Minor Conditional Use Permits (6) Certain Driveways to read:

Certain Driveways: Construction of driveways with Minimum Impact Applications for access to Single family houses on lots of record as of March 10, 2009 **or as part of Planning Board review process for subdivision approval.**

3) Amend Article 13.08 Smoke and Fire Detectors of Auburn Zoning Ordinance to rename as Article 13.08, Smoke, Fire and Carbon Monoxide Detection and Portable Fire Extinguishers and add the following:

All Commercial and Industrial occupancies shall have all Portable Fire Extinguishers installed, inspected, maintained and recharged in accordance with **NFPA 1 Uniform Fire Code 2009 edition, NFPA 101 Life Safety Code 2009 edition, NFPA 10 Standard for Portable Fire Extinguishers 2013 edition** and the **NH State Fire Code**. Any person performing an annual external visual examination of a portable fire extinguisher shall obtain a:

1. Certification as a Portable Fire extinguisher Technician by the National Association of Fire Equipment Distributors. (NAFED) or;
2. Certification or testing by another recognized organization as deemed appropriate and acceptable by the Authority Having Jurisdiction. (AHJ) or;
3. Current certification from the manufacturer of the portable fire extinguisher denoting the portable fire extinguisher and areas in which the applicant has successfully trained and been certified.

4) Amend Appendix F, Fire Department Regulations to add Section E – Plan Review and Technical Assistance.

Mr. Poltak asked everyone present tonight if they were present tonight for the cluster regulation changes. It was noted that everyone was present tonight solely for the discussion of the cluster subdivision regulations. With this in mind, Mr. Poltak wanted to go through the other proposed amendments prior to moving on to the cluster regulation changes. Mr. Poltak began going through the changes and Mr. Côté then took over. It was noted that the regulations were not attached to the posting and therefore the Board decided to hold the second meeting in order to clarify and straighten out the misunderstanding before the Board tonight. Also, the Board members decided to go through the proposed changes to the regulations.

Ms. Royce indicated that she would be working with Attorney St. Hilaire with getting the appropriate postings in order and would therefore post for the hearing to be scheduled for Monday January 25, 2015 at 7:00 p.m. and the meeting would be held at the Auburn Town Hall.

At this time, they the Board went through the proposed changes beginning with the legal notice to remove “(5) Accessory Structures” in #2 zoning amendment. Mr. Côté moved on to read the amendment to Article 13.08 “Smoke and Fire Detectors” to include “Smoke, Fire and Carbon Monoxide Detection and Portable Fire Extinguishers.”

In attachment with regard to “Amend the Auburn Zoning Ordinance to include the following text of Appendix F, Fire Department Regulations as Section E – Plan Review and Technical Assistance” to move the word “prior” to after (Authority Having Jurisdiction) “prior”....

Mrs. Rouleau-Côté pointed out that these were minor changes to be made to Section E.

Mr. Côté asked if there were any questions. None were noted at this time.

Mr. Côté moved on to Article 7 changes with #3 changes “encourage” to “require” and change “grid” to “conventional”. Mr. Mitchell talked about workforce housing and stated that it was in the subdivision regulations once before but has since been removed and suggested that the Board consider including it in the regulations once again.

Mr. Poltak also talked about Senate Bill 146 pertaining to “Accessory Dwelling Units.” A brief discussion ensued with regard to Senate Bill 146.

Mr. Côté moved on to 7.02 “General Requirements” and pointed out that #5 had been stricken and replaced with a new #5 and the same with #6 and that #7 was adding “homeowner’s” to the paragraph.

Mr. Côté pointed out that the building setbacks would be included in the Subdivision Regulations and would not be placed in the Zoning Ordinances. The Board moved on to Section 7.03 “Specific Design Requirements” and pointed out that “specifically Section 9.18 of the most recent edition of the Subdivision Regulations” was added to this section. Section 7.04 #2 pertaining to “The maximum number of dwellings permitted in a clustered development shall be determined as follows” and stated that the applicant would have to show a conventional subdivision plan and that would be the number of lots that they could get in a cluster subdivision as well. It was suggested that the Board add the word “percent” after the (20%) in “a” and “b” examples in Section 7.04(1).

Mrs. Willett wanted this in the minutes and asked the Board members, what assurance they could give them that if the Zoning Ordinances as proposed and voted in by the public that they would indeed make the Subdivision Regulations that they’ve been working on. Mr. Poltak stated that they have all the changes that are complimentary to the Zoning Ordinance and explained that they went through them at the last meeting. Mr. Poltak also pointed out that the Board has

taken a great deal of time working on and further pointed out that the Board would revisit them after they get through the zoning process after town meeting. Mrs. Willett wanted to be sure that Section 9.18 of the Cluster Subdivision Regulations gets put into effect once the Zoning Ordinances go through. The Board understood the concerns of the voters. Mr. Grillo explained to everyone present with regard to the number of requests for waivers and how the Board was working on preventing the large number of waivers for future developments.

Mrs. Remillard asked the Board that once this has been voted on does it move forward with all applications. Mr. Côté explained that, as a matter of fact, nobody can come in with an application at this time because this has been posted and would be unable to do anything until after town meeting. Mr. Merrill asked when the Board had posted the changes. Ms. Royce stated that it was posted on December 23, 2015. Ms. Cleary asked the Board that, if the changes to the Zoning Ordinances don't pass that they are making changes to the Subdivision Regulations. Mr. Côté explained that, if the Zoning Ordinance changes don't pass that the changes to the Subdivision Regulations would have to be revised because some of it is dependent upon the Zoning Ordinances passing.

Mr. Côté explained that they will be working on the Subdivision Regulations and that the Board would not take up voting on the changes to the Subdivision Regulations until after town meeting.

Comment was made with regard to Mr. Merrill's ability to develop his land by doing a cluster development. Mr. Côté explained that Mr. Merrill would have had to have an application in place prior to the first posting in December then he would have already been in the works. Mrs. Rouleau-Côté explained that the RSA has a maximum of 120 days because what you don't want to have happen is to have the town post something prematurely that would hurt the developer. A brief discussion ensued on why there was a limit on it.

Mr. Côté moved to have a second Public Hearing to be scheduled for Monday, January 25, 2016 at 7:00 p.m. at the Auburn Town Hall. Mr. Grillo seconded the motion. A vote was taken; all were in favor, the motion passed.

Mr. Poltak reiterated that the Planning Board would be meeting on Monday, January 25, 2016 to go over the Zoning Ordinance Amendments.

ANNOUNCEMENTS/CORRESPONDENCE

➤ None were reviewed at this time.

OTHER

No other business was noted.

ADJOURN

Mr. Côté moved to adjourn the Hearing. Mr. Grillo seconded the motion. All were in favor, the motion passed unanimously and the meeting stood adjourned at 7:49 p.m.

The next Planning Board meeting will be a Public Hearing and should take place at the Town Hall, 47 Chester Road on Wednesday, January 20, 2016 and the Planning Board will also be meeting on Monday, January 25, 2016 to go over Zoning Ordinance Amendments which will also take place at Town Hall, 47 Chester Road.