

Town of Auburn, Massachusetts  
Minutes of the Meeting  
Planning Board  
Auburn Town Hall Select Board Meeting Room  
February 26, 2019– 7:00p.m.

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**Members Present:** Ron Brooks, Scott Wrenn, John Regan, Nicholas Lynch, and Steven Chambers

**Members Absent:** Wendy Steinhilber

**Also Present:** Adam Menard - Town Planner, Rachel Pressey- Staff Assistant

Mr. Brooks called the meeting to order at 7:00 pm. The Town cable staff was present, and the meeting was recorded and televised. No other attendee was recording the meeting.

**ANR:**

**104 South Street, Whiting Living Trust**

Todd Brodeur of Fletcher and Tilton was present at the meeting. Mr. Brodeur shared plans to subdivide the 13-acre lot at 104 South Street, with 8.92 acres attaching to the 510 Washington Street property. Mr. Brodeur explained that the lot is in a residential zone and the Zoning Board of Appeals previously denied a building plan. Mr. Brodeur stated that the applicant does not intend to build on the lot at this time.

Mr. Regan asked if the subdivision would create a landlocked parcel.

Mr. Brodeur said the lot would not be landlocked as long as it has the 510 Washington Street property attachment.

No Public Comment.

Mr. Lynch made the motion to approve the ANR Plan, seconded by Mr. Wrenn. ***The Board voted 5-0 in favor.***

**43 Stone Street, Walter Koza**

Mr. Menard shared plans to subdivide 43 Stone Street, with a 20,000 square foot second lot meeting frontage requirements.

No public comment.

Mr. Lynch made the motion to approve the ANR Plan, seconded by Mr. Wrenn. ***The Board voted 5-0 in favor.***

**Public Hearings:**

**7:05 PM Applicant ZPT Energy Solutions, a request for a Site Plan Approval under Section 9.4.1 of the Auburn Zoning Bylaws for the installation and operation of a Large Scale, Ground Mounted Photovoltaic Facility on property located at 1 Henshaw Street.**

Paul McLean of ZPT Energy Solutions and David Kelley of Meridian Associates were present at the meeting. Mr. McLean reminded the Board that the Site Plan received Zoning Board of Appeals and Conservation Commission approval. Mr. Meridian shared plan updated based on peer review and DPW outstanding comments; additional test pits within the infiltration system and details showing title 5 sand fill where A soil and B soil is removed.

Mr. Regan asked about drain maintenance.

Mr. Meridian explained that during construction the drains would be cleaned weekly and post constructions after half inch storms and biannually.

No public comment.

Mr. Chambers made the motion to close the public hearing, seconded by Mr. Regan. ***The Board voted 5-0 in favor.***

Mr. Chambers made the motion to approve the Site Plan, seconded by Mr. Lynch. ***The Board voted 5-0 in favor.***

**7:10pm Applicant: ZPT Energy Solutions II, LLC, a request for a Site Plan Approval and a Special Permit under Section 3.10.2.3 of the Zoning Bylaws for the use of a large-scale ground-mounted solar energy systems, on property located at 347 Rochdale St., Auburn, MA. Map 29, Parcel 7.**

Mr. Brooks recused himself from the public hearing. And Mr. Regan took over as Chair.

Mr. Wrenn made the motion to open the public hearing, seconded by Mr. Lynch. ***The Board voted 4-0 in favor.***

Paul McLean of ZPT Energy Solutions and Kevin McGarry of Fuss and O'Neil were present at the meeting. Mr. McLean shared plans to develop 15 acre 4 megawatt ac solar array on a 45 acre parcel, with a 26 acre disturbance. Mr. McLean informed the Board, the Zoning Board of Appeals granted a Special Permit for the project and Conservation Commission will review the proposed plan at the Wednesday, February 27, 2019 meeting. Mr. McLean added that the plan is being revised to address peer review comments and abutters concerns.

Mr. McGarry explained that the proposed array would consist of 2 subarrays, located in a 22 acre fenced area. Two detention basins will be constructed, the first at the entrance to the site and the second in the southwest corner. Screening would be accomplished with existing vegetation surrounding the array. Silt fencing and compost filter socks would be used for erosion control.

Mr. McGarry added that groundwater recharge and treatment are not required due to minimal impervious area and a full stormwater report will be included with the revisions.

Mr. Chambers asked about clearing on the western side of the property and the elevation difference between the array and abutters.

Mr. McLean explained that the proposed revisions would remove the arrays on the western slope, eliminating abutters' visibility and the elevation distance between the array and abutters is approximately 80 feet. Mr. McLean added that the array is on the other side of the ledge, facing away from abutters.

Mr. Regan asked about the distance from the southwest corner to the nearest abutter.

Mr. McGarry stated that the distance between the array and the southwest abutters is approximately 525 feet and expected to increase to 700 feet with the proposed modifications.

Mr. Brooks expressed concerns about using vegetation on his property as screening.

Mr. McLean explained that the proposed revisions would reduce the visibility from Mr. Brooks' property.

Mr. Wrenn made the motion to continue the public hearing to the March 12, 2019 Planning Board meeting, seconded by Mr. Lynch. ***The Board voted 4-0 in favor.***

Mr. Brooks returned as Chair for the remaining hearing.

**7:10pm Applicant: Raymond & Molly Bonneville, a request for a Special Permit under Section 5.3.2 of the Auburn Zoning Bylaws, to create a hammerhead lot on property located at 23 Sunrise Ave., Auburn, MA. Map 8, Parcel 12..**

Mr. Wrenn made the motion to open the public hearing, seconded by Mr. Lynch. ***The Board voted 5-0 in favor.***

Bruce Fitzback of Bertin Engineering and Raymond Bonneville were present at the meeting. Mr. Fitzback shared a proposal to subdivide 23 Sunrise Avenue, with a 60,000 square foot ANR lot. Mr. Fitzback explained that the lot does not meet zoning frontage requirements and would require a variance. Mr. Fitzback added that the proposal meets 8 of the 9 zoning requirements.

Mr. Bonneville stated he proposed a 3-lot subdivision plan to the Planning Board in 2009 and it would have required a road extension. Mr. Bonneville added a similar hammerhead lot plan was approved in 2010 for an abutting property.

Mr. Brooks explained that hammerhead lots are prohibited on private roads and any plans presented to the Board would require costly road improvements. Mr. Menard shared comments from the Town Engineer who recommendation denial of a Special Permit.

Mr. Brooks suggested consulting the Building Commissioner to determine if the vertical portion of the property could be included as frontage, and the Town Engineer about the private road bylaw, prior to filing for a variance with the Zoning Board of Appeals.

No public comment.

Mr. Chambers made the motion to continue the public hearing to the April 09, 2019 Planning Board meeting, seconded by Mr. Wrenn. ***The Board voted 5-0 in favor.***

**7:30 PM Applicant A & N Realty Trust, a request for Site Plan Approval under Section 3.2.7.1 of the Zoning Bylaws for a stone and granite retail display and sales establishment on property located at 872 Southbridge St. Auburn, MA. Map 65, Parcel 19.**

Zac Couture of HS&T Group was present at the meeting. Mr. Couture informed the Board that all outstanding comments from peer review have been addressed, except the witnessing of the test pits. Mr. Couture explained to the Board that a Licensed Soil Evaluator from Clear Water Environmental completed the soil testing in December. The test analysis led to a revised, shallower detention system, which was approved by the Massachusetts Department of Environmental Protection and the Conservation Commission. Mr. Couture further explained that while Graves Engineering is satisfied with the system, they did not mention witnessing requirements until the second peer review and expressed concerns about digging test pits while the ground is frozen. Mr. Couture asked the Board to waive the witnessing requirements or include it as a condition of Site Plan approval.

Mr. Wrenn asked if the soil inspector is licensed.

Mr. Couture stated that the Soil Inspector is licensed in the state of Massachusetts and is an independent contractor.

Mr. Wrenn made the motion to close the public hearing, seconded by Mr. Regan. ***The Board voted 5-0 in favor.***

Mr. Chambers made the motion to approve the Site Plan with a test pit witnessing condition, no second. Mr. Chambers withdrew the motion.

Mr. Wrenn made the motion to approve the Site Plan as is, seconded by Mr. Lynch. ***The Board voted 2-1-2.*** Mr. Wrenn withdrew his motion.

Mr. Regan made the motion to approve the Site Plan with witnessed test pits, seconded by Mr. Wrenn. ***The Board voted 5-0 in favor.***

**7:45 PM Applicant Jonathan Poulin a request for Site Plan Approval under Sections 3.2.611 & 5.4 of the Zoning Bylaws for the operation of a new landscape business garage on property located at 121 Southbridge St. Auburn, MA. Map 12 Parcel 143**

Mr. Menard informed the Board Graves Engineering witnessed soil testing on February 18, 2019 and are updating the stormwater report. Upon completion, the modifications will be submitted for peer reviewed. Mr. Menard asked the Board to continue the public hearing to the March 26, 2019 Planning Board meeting

Mr. Regan made the motion to continue the public hearing to the March 26, 2019 Planning Board meeting, seconded by Mr. Chambers. ***The Board voted 5-0 in favor.***

## **Member Discussion:**

### **33 Sword Street – Modification to Site Plan**

Chris Anderson of Hannigan Engineering and Andy McBeth of Green Leaf Construction were present at the meeting. Mr. McBeth informed the Board that the easement on the east side of the property has been obtained, but unsuccessful on the west side. The proposed modifications include truck-turning radii from the street, without the west side easement.

Mr. Regan asked if a road-opening permit has been obtained for saw cutting. Mr. Regan also suggested updating the Site Plan with west side concrete removal, dye testing to determine drain flow, a 4 foot sump in catch basin 2, a hydraulic cement alternative for pvc piping to ensure it is water tight, and updating trench stone size for pipe compacting.

Mr. Anderson explained that the road-opening permit is in process with the Department of Public Works.

Mark Arnold of Goddard Consulting, on behalf of Auburn Industrial Group asked if the snow storage is located outside the 100-foot buffer zone to wetlands and relayed concerns about snow being pushed onto his client's 31 Sword Street property. Mr. Arnold also asked the Board if the submitted plans show an adequate turning radii and if the Board could request snow storage and removal Site Plan modifications.

Mr. Brooks stated that the truck-turning radii was satisfactory.

Mr. Anderson explained that snow would be removed from the property within 24-hours following a storm. Mr. Anderson added that a fence will be installed; preventing snow from being pushed onto the abutting property.

Mr. Regan made the motion to approve the Site Plan modifications, seconded by Mr. Wrenn. ***The Board voted 5-0 in favor.***

### **Tiny Homes Zoning Bylaw: Petition**

William Kerins and Dominique Kerins were present at the meeting. Ms. Kerins shared a proposal to amend Auburn's zoning bylaws to include a provision for a tiny homes to serve as primary, secondary and tertiary dwelling units. To enable the provision, language would need to be added, making tiny homes distinct from mobile homes and include allowable uses. Language would also need to be removed, prohibiting the use of secondary principle dwelling units on a single property.

Mr. Regan asked about the proposed property's lot size.

Mr. Kerins stated his property is 8,100 square feet.

Mr. Brooks asked about the proposed tiny homes size and utilities connection.

Mr. Kerins explained tiny homes sizes vary, the one proposed for his property is approximately 400 square feet, and the utilities would connect into the properties current system. Mr. Kerins added that under the 2015 Mass Building Codes, areas suitable for living would prohibit a 400 square foot unit.

Mr. Brooks raised concerns about specifying tiny home uses to prevent potential impacts on town services and resources. Mr. Brooks suggested a single occupancy requirement.

Mr. Regan agreed with the validity of the proposed bylaw, due to the rising costs of elder care.

Mr. Lynch asked about the layout, and if there would be direct access to the primary residence.

Ms. Kerins explained the layouts for tiny homes differ, but each would have a small kitchenette with cooking facilities, a bathroom with a walk-in lip tub, and sleeping quarters. Ms. Kerins added that access could be achieved with a walkway.

Mr. Brooks asked about tiny home costs.

Mr. Kerins stated tiny homes could cost upwards of \$60,000 to meet ADA requirements.

Mr. Menard informed the Board that by sponsoring the proposed bylaw, a public hearing would be held on March 26<sup>th</sup> to vote whether to send to town meeting.

Mr. Wrenn made the motion to sponsor the proposed Tiny Homes Bylaw Petition, seconded by Mr. Regan. ***The Board voted 5-0 in favor.***

### **Drury Square Village District Bylaw: Proposal**

Mr. Menard explained that Town Counsel has reviewed the Drury Square Bylaw and asked the Board to send the bylaw to the Board of Selectmen to be put on the Town Meeting warrant.

Mr. Lynch stated that the current state of Drury Square is not safe and expressed optimism that the new bylaw would create a more walkable area.

Mr. Brooks agreed and added that this would create a more viable town center.

Mr. Chambers made a motion to send the Drury Square Bylaw Proposal to the Board of Selectmen, seconded by Mr. Lynch. ***The Board voted 5-0 in favor.***

### **Signatures:**

**230 Leicester St. Dorothy Page 117 Washington St.**

Mr. Brooks, Mr. Regan, and Mr. Lynch signed the decision.

### **B & P Properties**

Mr. Brooks, Mr. Regan, and Mr. Lynch signed the decision.

### **Minutes:**

**1/08/19**

Mr. Regan made the motion to approve the January 08, 2018 Planning Board meeting minutes as amended, seconded by Mr. Lynch. ***The Board voted 5-0 in favor.***

**1/22/19**

Mr. Regan made the motion to approve the January 08, 2018 Planning Board meeting minutes as amended, seconded by Mr. Lynch. ***The Board voted 5-0 in favor.***

### **Member Discussion:**

#### **MVP Workshop**

Mr. Menard invited Planning Board members to attend an MVP Workshop about climate change. The meeting will take place on Thursday, February 28, 2019 in the Board of Selectmen's Room.

### **Adjournment**

Mr. Regan made the motion to adjourn at 9:12pm, seconded by Mr. Lynch. ***The Board voted 5-0 in favor.***

Next meeting will be March 12, 2019 at 7 PM, at which time the Planning Board will reorganize.

Respectfully Submitted,  
Rachel Pressey, Staff Assistant to the Town Manager.

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