



City of Auburn, Maine

Planning & Permitting Department

Eric Cousens, Director

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Draft Minutes **September 12, 2023**

1. PRESENTATION ON UTILITY EXPANSION IN SOUTH AUBURN **Beginning at 5:30 p.m.*

Jeff Preble from Wright Pierce presents on sewer study. The areas included are from South Main Street area out to Broad Street and Mill Street and into the Carrier Court neighborhood and south to Hackett Road. The study area for sewer is also on Washington Street from Brickyard Circle to Hardscrabble. There are two separate pressure zones for water. Most of the area described is in the high-pressure zone, but around Vickery Road it becomes the low zone; makes a difference when connecting between the two system.

Evan Cyr asks if the low zone means that pumps are required. Jeff Preble answers that there are pressure reducing stations or valves at connecting points for fire purposes and maintains circulation. Connection Points are at Carrier Court, Hector Street, and Vickery Road, also South Main and Ipswich and ends at Mill Street and Broad Street. The area by exit 75 is served by a pump station on Washington Street which connects by a forced main up Hardscrabble Road. There is an area by Filomar and Washington where there is sewer service and Brickyard Circle. On Riverside Drive, the water system ends at Delekto's and on Mill and Broad and more area served on Washington Street for the water system compared to the sewer.

The study considered phases. The Vickery Road area makes sense to consider first to Prospect Hill or to Witham Road and Broad Street depending on development plans. They look at the elevations to determine where pump stations may be needed. By Prospect Hill golf course, the low part of the Street is by Lubear, so this would need a pump station, but they also need to connect to existing stations. This is the same for lower Broad Street. This area would require a few pump stations because it is hilly.

On Washington Street, must consider how to cross Little Androscoggin River.

Focusing on the South Main area, the connection could go from Ipswich and South Main Street down Vickery Road to Riverside. To get a gravity system there, they would need to run through the gully. Riverside flows to the treatment plant by gravity. John asks why they are considering tying into Hector specifically why they would go cross-country instead of along the roadway. Jeff Preble says that going off the road and seeking easement would be to get a gravity connection.

Evan Cyr asks the difference between gravity using an easement and a pump station.

The line may also need to veer off the road down Main Street to LuBear to achieve a gravity flow. There could also be gravity from Lane down to Lubear. There is also a potential to move along the Turnpike.

Jeff Preble talks about the difficulty of crossing railroad tracks by Hackett Road.

They outlined phases to tie in dead ends incrementally. Jeff Preble reviews map of expansion phases.

Evan Cyr asks why we may expand down Broad Street over South Main.

Jeff Preble says that while it depends on the development pattern, the Broad and Mill Street connection will be necessary to achieve fire flows. The model was made to achieve high-density fire flows.

Wright-Pierce looked at an eight- and twelve-inch loop at Broad Street and twelve inches from South Main toward Vickery and on Riverside and twelve inch down at the Riverside area. There must be a minimum of 20 PSI to 80 or 90 PSI. Jeff Preble shows map depicting eight-inch line and twelve-inch line. Jeff Preble shows the possibility of cross-country connection close to South Main Street and Vickery Road including possibly through Parcel ID 183-029.

Eric Cousens states that the city is working on a grant application to expand services to the Vickery area including sidewalks and connecting dead end water mains which would improve water quality.

2. ROLL CALL:

Present: Darren Finnegan, Tim Deroche, Paul Jacques, Stacey LeBlanc, Evan Cyr, Amanda Guerrette, Riley Bergeron. *Toni Ferraro and David Trask are absent so Tim DeRoche and Amanda Guerrette will be elevated to full members for the duration of the meeting.*

3. **MINUTES:** Review July 11, August 8, and August 10, 2023, meeting minutes. All meetings are available on YouTube <https://www.youtube.com/c/CityofAuburnMaine>

Motion to approve the Minutes from July 11th, August 8th, and August 10th: Darren Finnegan; **second:** Evan Cyr. **VOTE** 7-0-0 motion passes.

4. **PUBLIC HEARING / SITE PLAN REVIEW/ SPECIAL EXCEPTION:** Diamond Point Development, LLC is proposing the development of a three-story self-storage facility located on Turner Street, and Center Street, Parcel I.D.s 251-019, 251-021, and 251-022. This item is pursuant to Chapter 60, Article IV, Division 12 General Business District, Chapter 60, Article XVI, Division 2-Site Plan Review, and Chapter 60, Article XVI, Division 3- Special Exception

Katherine Cook presents the staff report.

Andrew Kurmin, Aaron Sommer, and Ricardo De Rojas attended the meeting to answer questions.

Tim DeRoche asks where snow will be pushed on site to not obstruct other properties. The applicant points out the few areas available for this purpose.

The board questions whether the waiver for loading dock dimensional requirement is needed.

Motion to open public comment: Paul Jacques; **second:** Riley Bergeron. **VOTE** 7-0-0 motion passes.

Motion to close public comment: Evan Cyr; **second:** Riley Bergeron. **VOTE** 7-0-0 motion passes.

Eric Cousens comments that this site plan provides a public good for the city.

Motion: Evan Cyr; **second:** Paul Jacques. “I make a motion to grant waivers to the site plan and special exception the site plan for the four waivers described on page three of five under section 3 in the staff report dated September 12th, 2023.” **VOTE:** 7-0-0 Motion passes.

Motion: Evan Cyr; **second:** Paul Jacques. “I make a motion to approve the proposed three-story self-storage facility located on Turner Street Parcel IDs 251-019, 251-021, and 251-022 to include the waiver requirements previously approved by the board as presented in the report and in the attached application with the following conditions: 1.) that the site will be right turn only entering and exiting, 2.) the gated access shown on the plan will remain gated with access only for emergency vehicles and CMP who has an easement to use this access, 3.) obtain an NRPA Permit-By-Rule to place stormwater outlet systems within 75 feet of the high-water line prior to construction, 4.) Receive a stormwater management permit prior to construction, 5.) Receive a Tier-1 wetland permit from the Maine DEP prior to construction, 6.) Receive a general permit from ACOE prior to construction, 7.) obtain a Maine General Construction Permit from the Maine DEP prior to construction, 8.) grant the City of Auburn a 20-foot-wide easement along the river for a future path as depicted on the site plan, 9.) no development activity shall occur until all permits have been received from Code Enforcement, and 10.) no development activity shall occur until all bonding and inspection fees have been determined by the engineering department.” **VOTE:** 7-0-0 motion passes.

5. **PUBLIC HEARING / SITE PLAN REVIEW/ SPECIAL EXCEPTION:** Life Forest Management Company in Partnership with Whistle Ridge Farm are proposing a conservation cemetery for the burial of cremains on Trapp Road shown on Auburn’s GIS system as Parcel I.D. 035-009. No buildings are a part of this proposal, and all practices will be in line with accepted conservation standards. This item is pursuant to Chapter 60, Article IV, Division 2-Agriculture and Resource Protection District, Chapter 60, Article XVI, Division 2-Site Plan Review, and Chapter 60, Article XVI, Division 3- Special Exception.

Staff report presented by Katherine Cook

Discussion: Riley Bergeron asks whether the Veteran Burial waiver form is enough to alleviate the maintenance responsibilities for municipalities. Staff answers that the requirement to keep the headstones clear of overgrown grass, fallen branches, etc. does not apply because this is not classified as a cemetery from the state’s perspective because there will be no full-body burials.

Motion to open public comment: Evan Cyr; **second:** Riley Bergeron. **VOTE:** 7-0-0.

Motion to close public comment: Evan Cyr; **second:** Riley Bergeron. **VOTE:** 7-0-0.

Motion: Evan Cyr; **second:** Tim DeRoche. “I make a motion to approve the proposed conservation cemetery at Parcel I.D. 035-009, as described in the materials provided in this hearing, seeing that they meet the findings described in the staff report with the following conditions: 1.) the conservation cemetery shall only bury cremains, and no full-body burials will occur at the site; 2.) construction of bog bridges will be used for all wetland crossings; 3.) all required State approvals will be sought and

gotten to include CDC and Vitol Records; 4.) and that the city Engineering Dept. shall inspect paved apron.” **VOTE:** 7-0-0 motion passes.

6. **PUBLIC HEARING/ SITE PLAN REVIEW/ SPECIAL EXCEPTION:** Residuals Management International, LLC is proposing a business recycling wooden pallets with employee housing at 249 Merrow Road, Parcel I.D. 186-012. The site has an existing office building, work building, and warehouse. The applicant is proposing minor site grading and construction. This item is pursuant to Chapter 60, Article IV, Division 15- Industrial District, Chapter 60, Article XVI, Division 2-Site Plan Review, and Chapter 60, Article XVI, Division 3- Special Exception.

Staff report presented by John Blais.

Discussion: Tim DeRoche asks about whether there is a plan for possible soil contaminates. Staff explains that there was no reason to expect the applicant should have done an environmental assessment based on the scope of the work. Staff suggests that a condition of approval could be to get the well tested for water quality and to hook up to city sewer and water.

Jeff Allen from AE Hodsdon Engineers speaks on behalf of the project that the soil may have come into question if they were grading the site, but they are only installing a loading dock. Also mentions that paper, plastic and cardboard will be recycled at the site. Agent also explains what recycling wood pallets entails.

Motion to open public comment: Evan Cyr; **second:** Darren Finnegan. **VOTE:** 7-0-0

Mark Ferguson of 51 Carpenter Road in Poland Spring Maine, friend of Peter Bolduc, the applicant, describes how the loading dock and other efforts on the site have gradually cleaned it up since they acquired it, and the benefits of having folks recovering from chemical dependencies working.

Maureen O’Brien of 42 Winter Street asks if this is a drug treatment residential program. Staff clarifies that it is a business that happens to employ people in recovery. Any occupancy under eight people must be looked at as a single-family home.

Motion to close public comment: Evan Cyr; **second:** Darren Finnegan. **VOTE:** 7-0-0

Amanda Guerrette asks if there will be a supervisor living in the home with the residents working on the site.

Peter Bolduc of 840 Bakers Town Road in Poland Maine, applicant, says that this is not a medical facility of any kind, but for men who are advancing in recovery and are stepping up to the next level. There are more senior men who exhibit leadership qualities who will be in the house. It is a holistic program altogether.

Motion: Riley Bergeron; **second:** Evan Cyr. “I make a motion to approve the proposed recycling business with employee housing at 249 Merrow Road, Parcel I.D. 186-012. Pursuant to Chapter 60, Article IV, Division 15- Industrial District, Chapter 60, Article XVI, Division 2-Site Plan Review, and Chapter 60, Article XVI, Division 3- Special Exception. with the following conditions: 1.) No development activity until any bonding or inspection fees are determined by the Auburn Engineering

Department if required; 2.) no development activity until all building permits are secured by Code Enforcement; 3.) no cutting of existing buffer areas.” **VOTE:** 7-0-0.

7. **PUBLIC HEARING Realignment of Miller Street (150 +/- feet):** This section of road is shown on the map below and is part of larger project to develop the commercial and residential space at 186 Main Street. This project will adhere to Chapter 46, Article VI, Division 3, Section 46-374 and Title 23, Part 3, Chapter 304 §3026-A, 1-6 as required and applies.

John Blais presents the staff report

Discussion: Evan Cyr asks where the road alignment is in the process with Council. John Blais answers that regardless of what project is at 186, the road realignment will serve a public good.

Motion to open public comment: Evan Cyr; **second:** Paul Jacques. **VOTE** 7-0-0

Motion to close public comment: Evan Cyr; **second:** Darren Finnegan. **VOTE** 7-0-0

Motion: Evan Cyr; **second:** Amanda Guerrette. “I make a motion to provide a positive recommendation to discontinue a 90.94-foot section of Miller Street and realigning a 125.34-foot section of Miller Street more fully described in Exhibit A and Easement Plan dated May 5th, 2023, as it applies to Title 23, Part 3, Chapter 304 §3026-A, 1-6 of Maine State Statute as required and applies. Other associated tasks include providing continuance of public utilities as Title 23, Part 3, Chapter 304 §3026-A, (6) of Maine State Statute and under Sec. 46-374 of the City of Auburn Ordinance.” **VOTE:** 7-0-0 motion passes.

8. **PUBLIC HEARING Discontinuance of Chestnut Street (250 +/- feet):** This section of road is shown on the map below and is part of larger project with the redevelopment of the PAL Center. This project will adhere to Chapter 46, Article VI, Division 3, Section 46-374 and Title 23, Part 3, Chapter 304 §3026-A, 1-6 as required and applies.

John Blais presents staff report.

Motion to open public comment: Evan Cyr; **second:** Paul Jacques. **VOTE** 7-0-0

Maureen O’Brian of 42 Winter Street is concerned about the cost and construction of the proposed PAL Center. Believes that City should prioritize maintenance and other projects before this. States that we do not need this.

Joe Maley of 82 Webster Street is neither for nor against the project but has the following questions: 1.) Is the facility just for youth? 2.) What is the expected use of the building? 3.) Why do we need to close Chestnut Street? 4.) How many businesses has the Board allowed to close a street for? 5.) Have there been any traffic studies? 6.) Will the closed part of Chestnut be accessible to cross for the public?

Judy Rousseau-Gagnon of 9 Walnut Street is concerned about making the exit from the PAL Center on Walnut Street because of speeding and kids who live on the street. Also asks how the city will handle parking because of the narrow width of the street

Russell Stewart of 13 Walnut Street lives on the corner and is concerned about the safety of his kids because of the existing speed of cars coming around the corner. Asks that the road be kept a dead-end.

Motion to close public comment: Evan Cyr; **second**: Darren Finnegan. **VOTE** 7-0-0

Discussion: Planning Board asks staff to answer the questions that the public asked. John Blais clarifies that traffic study will be done under site plan review, but not at this stage. He also maintains that there will be pedestrian and bike access through the park, but no motorized vehicles. Discusses the benefits of the PAL Center. The need to close the road is about safety and leveraging land and water conservation funds for future projects. Evan Cyr asks if Walnut St. will continue to be an outlet for the PAL Center. John Blais clarifies that there will be more outlets than just this.

Motion: Riley Bergeron; **second**: Tim DeRoche. "I make a motion to provide a positive recommendation to discontinue (252.05') section of Chestnut Street which more fully described in Exhibit B and Easement Conveyances & Partial Discontinuance Plan dated August 31st, 2023, as it applies to Title 23, Part 3, Chapter 304 §3026-A, 1-6 as required and applies. Other associated tasks include providing continuance of public utilities as Title 23, Part 3, Chapter 304 §3026-A, (6) and under Sec. 46-374 of the City of Auburn Ordinance." **VOTE:** 7-0-0 motion passes.

9. **EXTENSION:** Business Real Estate, LLC is requesting an extension of the approvals for the warehouse project located at 1145 Center Street, Parcel I.D. 325-048. The project was originally approved on August 9, 2022, and is pursuant to Sec. 60-1308.- Expiration of approval.

Katherine Cook presents staff report.

Discussion is about whether the one-year extension is sufficient because building costs may not go down. Eric Cousens suggests that in the future, the city consider an ordinance change to allow for an initial approval timeline of two years to reduce the number of extension requests.

Motion: Darren Finnegan; **second**: Paul Jacques.

"I make a motion to approve a one-year extension, until August 9, 2024, for be granted to Business Real Estate, LLC under Sec. 60-1308. All conditions of the Letter of Approval sent on August 9, 2022, apply." **VOTE:** 7-0-0 motion passes.

10. **WORKSHOP/ ZONING MAP AMENDMENT: Area B:** Consider two different options to rezone "Area B," generally located between Vickery Road to the Maine Turnpike. This workshop is based on direction from Planning Board on August 8, 2023.

Katherine Cook presents the staff report

Discussion: Evan Cyr asks what the closest zone is to what the Comprehensive Plan suggests would be. The area south of Vickery Road supports suburban growth.

Eric Cousens believes that Option 1 is closer in line with the Comprehensive Plan than Option 2 and offers for staff to bring another zoning district closer to the eight-unit per acre density that the Comprehensive Plan recommends.

Amanda Guerrette supports option 1 because it is close to the Comprehensive Plan.

Evan Cyr believes that Option 1 is what we are best able to move forward with right now, but asks to keep discussing Option 2, even if it requires a Comprehensive Plan amendment.

Riley Bergeron agrees with Evan Cyr.

Evan Cyr asks that in the next month or two, if Option 2 does not appear in October's packet, that the board at least have a workshop to discuss how we could pursue Option 2, and to discuss a possible amendment to the Comprehensive Plan and what it would take to apply a new zone to the residential growth areas of the Future Land Use Plan. Staff agrees to have a public hearing on Option 1 in October and workshop a zone that supports eight units- acre for November. Eight units per acre will not require a comprehensive plan change and could be accomplished with one of the less urban form-based code transects.

11. WORKSHOP/ TEXT AMENDMENT/ MINIMUM DWELLING SIZE:

John Blais presents the staff report.

Discussion about size limits for financing.

Evan Cyr is concerned that reducing minimum home size because he thinks it could encourage people to create the smallest lots possible with cash purchases and does not achieve its goals of creating more opportunity to build equity.

Evan Cyr and Stacey LeBlanc do not think permanent homes that are 190 square feet should be encouraged.

Staff has been directed to initiate a public hearing to set minimum home size to 400 square feet.

12. PUBLIC COMMENT:

Stephen Beale of 575 Johnson Road suggests that behind every text or map amendment there was a note in parentheses that specifies "Planning Board Origination," "Council origination," or "petition origination." This may make it easier for the board and the public to understand the timeline and reason for each item.

13. MISCELLANEOUS:

- a. Upcoming Agenda Items
- b. Eric Cousens prepares the Planning Board to prepare for the Lake Auburn Watershed changes. Eric Cousens will check how the watershed boundary change is getting initiated.

14. ADJOURNMENT

Motion to Adjourn: Evan Cyr; **second:** Darren Finnegan. **VOTE: 7-0-0**