

PLANNING BOARD Meeting Minutes
June 6, 2023 – 6:00PM

1. **ROLL CALL:**
Absent: Evan Cyr
2. **MINUTES:** Review May 9, 2023, meeting minutes. All meetings are available on YouTube <https://www.youtube.com/c/CityofAuburnMaine>
3. **PUBLIC HEARING/ZONING TEXT AMENDMENT:** *The City Council directed the Planning Board to make a recommendation on whether to eliminate the income standard in all areas outside the Lake Auburn watershed overlay district as an ordinance text amendment within Chapter 60, Article IV, Division 2-Agriculture and Resource Protection District. (It also affects Chapter 60, Article I-In General (Definitions)). This public hearing will consider two proposed sets of text amendments: "Proposal A", the same proposal considered at the public hearing on May 9, 2023; and "Proposal B", as the Planning Board directed staff to prepare at its May 9, 2023 meeting. The proposed text changes are available at <https://www.auburnmaine.gov/pages/government/planning-board-agendas> and in the Planning Department in City Hall. This item is pursuant to Chapter 60, Article XVII, Division 2-Amendment to the Zoning Ordinance, and Division 3-Public Hearing.*

Staff Report: Eric Cousens

Motion to open Public Comment

Chris Carson of Jacques Rd. states he is a member of the "Save Auburn AGRP Group" and wants to thank Staff for their work. Speaks in favor of "Proposal B" as it complies with the Comp Plan.

Stephen Beale of 575 Johnson Rd. speaks in support of "Proposal B"

Pam Rousseau of 745 West Auburn Rd. speaks in support of "Proposal B"

John Cleveland of 183 Davis Ave. speaks in support of "Proposal B"

Motion to close public comment made by David Trask and seconded by Riley Bergeron
VOTE 7-0-0

Riley Bergeron reads comments of Evan Cyr

MOTION: Tim DeRoche makes a motion; Toni seconds.

"I make a motion to recommend amending Sec. 60-1 of Article I, In General, as shown in Proposal "B", Sec. 60-145 and Sec. 60-146 of Article IV, District Regulations. Division 2, Agricultural and Resource Protection District as shown in Proposal "B", and amend Sec. 60-952 of Article XII- Environmental Regulations, Divisions 4, Lake Auburn Watershed Overlay District, also as shown in "Proposal B."

The following motions are amendments to the main motion, above.

Motions 1-7 are directly from Evan Cyr's proposed amendments to Proposal "B", submitted 6/6/2023.

Motions 8-9 are from AGRP Zone Group public comment from Steve Beale dated 6/5/2023.

MOTION: Riley Bergeron; Second: David Trask

Riley Bergeron suggests an amendment for "Sec. 60- 145 (a)(1)(a) to include the language 20% of 2 acres, which ever is less" in reference to lot size. Dave Trask seconds.

VOTE: Amendment passes 7-0-0

MOTION: Riley Bergeron; Second: David Trask

Riley Bergeron offers another amendment that 60-145(a)(1)(b)(ii) should be amended to consider all permitted agricultural uses rather than just farming. Dave Trask Seconds.

VOTE: Amendment passes 7-0-0

MOTION: Riley Bergeron; Second: Toni Ferraro

Riley Bergeron would also like to include an amendment for Section 60-145(a)(1)(b)(vii) to read not be sited in any portion of a parcel that has been classified as being: "a.

Enrolled in the State of Maine Farmland Tax Program in the last five years, or" **VOTE:** Amendment passes 6-1-0

MOTION: Riley Bergeron; Second: Tim DeRoche

Riley Bergeron offers another amendment for section 60-145(a)(1)(c) which only references Section 60-145(a)(1)(a) but there are also requirements for a residence later in that section. This could be accomplished by reading, "No certificate of occupancy shall be issued for any such residence until satisfactory evidence that the requirements set forth in Section 60-145(a)(1)(a) and Section 60-145(a)(1)(b)(ii) have been presented"

VOTE: Amendment passes 7-0-0.

MOTION: Riley Bergeron; Second: Toni Ferraro

Riley Bergeron also offers an amendment to Sec. 60-145 (a)(1)(d) for it to read: "which the lot upon which the residence is constructed fails to meet the requirements set forth in Sec. 60-145(a)(1)(a) or the residence fails to remain accessory to an approved plan in accordance with Section 60-145(a)(1)(b)(ii). **VOTE:** Amendment passes 6-1-0

MOTION: Riley Bergeron; Second: Tim DeRoche

Riley Bergeron offers another amendment for Section 60-146(1) to read, "and measuring less than 250 feet in width at the street frontage along a publicly accepted street," **VOTE:** Amendment passes 4-3-0

7. MOTION: Riley Bergeron; Second: Toni Ferraro

Riley Bergeron offers an amendment on Section 60-146(3) to read a maximum depth of 30% or 400 feet, whichever is less.

Riley Bergeron clarifies that his amendment refers to where the house should be set on the lot, the same text provided as public comment. David Trask also seconds after this clarification. **VOTE:** Amendment passes 7-0-0

MOTION: Tim DeRoche; Second: Riley Bergeron

Tim DeRoche proposes an amendment found in Mr. Beale's public comment in Section 145(a)(3) that 'firewood processing and Christmas tree cultivation' should follow the words maple sugaring." **VOTE:** Amendment passes 7-0-0

MOTION: David Trask; Second: Toni Ferraro

David Trask offers an amendment that in Section 145(b)(8)(a) the words except for approved conservation cemeteries which shall be at least 10 acres in size" should be added. VOTE: Amendment passes 7-0-0

10. MOTION: David Trask; Second: Toni Ferraro

David Trask would like to amend where referenced the Lake Auburn watershed to include the Taylor Pond watershed as well. VOTE: Amendment passes 7-0-0

MOTION: Tim DeRoche; Second: David Trask

"I make a motion to approve the B option with said amendments (1-10)" VOTE: Motion passes 7-0-0.

4. **PUBLIC HEARING/SPECIAL EXCEPTION/SITE PLAN REVIEW:** JCS 18, LLC is proposing to develop a City-owned parcel of land located at 186 Main Street, Parcel I.D. 231-020. The proposal includes a new five-story mixed-use building that will be three floors with 18 units of multi-family apartment housing and 1,118 square feet of retail/commercial space and one floor with an 118-seat restaurant/brewery space. The proposal is pursuant to Chapter 60, Article IV, Division 14-Form-Based Code-T-5.1; Chapter 60, Article XVI, Division 2-Site Plan Review; Chapter 60, Article XVI, Division 3-Special Exception; and Chapter 60, Article XII, Division 5-Shoreland Overlay District (SLO).

Pam Rousseau of

MOTION: David Trask makes a motion; Toni Ferraro seconds.

"I'll make the motion to Approve the proposal pursuant to Chapter 60, Division 14-Form-Based Code- T-5.1, Chapter 60, Article XVI, Division 2- Site Plan Review, Chapter 60, Article XVI, Division 3- Special Exception, and Chapter 60, Article XII, Division 2 and 5 Floodplain Overlay District and Shoreland Overlay District (SLO) with the following conditions:

1. Filed approval Androscoggin County Registry of Deeds for road realignment of Miller Street.
2. Filed approval Androscoggin County Registry of Deeds for easement to Auburn Sewer and Water District.

3. Filed approval Androscoggin County Registry of Deeds for Rights of Use, Maintenance, and Access easement to (Great Falls) JCS 18, LLC.
4. Filed approval Androscoggin County Registry of Deeds for Rights of Use, Access easement to Turson LLC
5. NRPA Permit by Rule by MaineDEP
6. Flood Hazard Development Permit
7. Traffic Movement Permit

VOTE: Motion passes 7-0-0.

5. **PUBLIC HEARING/ZONING MAP AMENDMENT:** Auburn voters submitted a petition to amend the zoning of a 15.5-acre parcel of land at 37 Loring Avenue (Parcel I.D. 211-282) from the Urban Residential (UR) district to the Multi-Family Suburban (MFS) district in order to support higher density opportunities in a residentially zoned neighborhood along Loring Avenue. This item is pursuant to Chapter 60, Article XVII, Division 2-Amendment to the Zoning Ordinance or Zoning Map.

MOTION: Toni Ferraro makes a motion; Tim DeRoche seconds.

"My motion is not to go forward my findings are (that) if you go down Loring Ave, I really do not understand how you could fit a firetruck down there or the amount of traffic that would come along with a larger development for multifamily (buildings)". Riley Bergeron clarifies that the reasons to deny the proposal are safety and traffic. Toni Ferraro confirms this is the intention. **VOTE:** Motion passes to not recommend the zone change 7-0-0.

6. **PUBLIC HEARING/ZONING TEXT AMENDMENT:** This public hearing will consider amending Sec. 60-500(2), Sec. 60-526(2), and Sec. 60-579(2) of the Zoning Ordinance to increase the maximum building coverage in the General Business (GB) and Minot Avenue (GBII) zoning districts from 30% coverage to 60% coverage, and increase the maximum building coverage in the Industrial (ID) zoning district from 40% coverage to 60% coverage. This item is pursuant to Chapter 60, Article XVII, Division 2-Amendment to the Zoning Ordinance, and Division 3-Public Hearing.

MOTION to open Public Comment; Toni Ferraro, Second: Riley Bergeron.

Joe Tardif, owner of 353 Riverside Drive speaks in favor stating the need to grow the business and wanting to stay in this community.

Tim DeRoche asks staff why 60% was chosen for increased building footprint and not higher. Eric Cousens clarifies that that was due to looking at other zones and talking amongst staff,

MOTION: Riley Bergeron makes a motion; David Trask seconds.

I make a motion to make a favorable recommendation to City Council to amend text Chapter 60, Article IV, DIV 12, General Business, Sec 60-500 (2) DIV 13, General Business II, Sec. 60-526 (2) DIV 15 Industrial, Sec. 60-579 (2) to allow for a total lot area of 60 percent of commercial or office building density.

AMENDMENT: Tim DeRoche makes a motion; Darren Finnegan Seconds.

"I make a motion to amend the motion to raise it to 75% of commercial or office building density." VOTE 2-5-0 Motion fails.

VOTE: 7-0-0 Original Motion passes.

7. **EXTENSION:** 607 Lewiston Junction Road, LLC is requesting a one-year extension, for approval under Sec. 60-1308 for the construction of a solid waste processing facility in the Industrial District, (PID 142-004), 607 Lewiston Junction Road. Timing for the start of the project is delayed because the applicant is still waiting for all the necessary licensing. The request is pursuant to Sec. 60-1308- Expiration of approval.

Motion: David Trask; Second: Tim DeRoche(?)

"I make a motion to approve a one-year extension, until June 28, 2024, for approval under Sec. 60-1308 for the 7+/- acre development of Auburn Recycling Facility: 607 Lewiston Junction Rd., LLC, with conditions one through eight named in the Corrected Approval Letter dated 7/5/2022." **VOTE:** 7-0-0 Motion passes.

8. REVIEW PLANNING BOARD POLICIES AND PROCEDURES:

9. PUBLIC COMMENT:

10. MISCELLANEOUS:

- a. Upcoming Agenda Items
 - i. Update on Lake Auburn watershed discussions
 - ii. Upcoming zoning discussions

11. ADJOURNMENT

Auburn Planning Board meetings can be viewed LIVE on the City of Auburn YouTube channel (<https://www.youtube.com/c/CityofAuburnMaine>), and on Great Falls Television (Spectrum Cable Channel 11) when they are held.

Following live broadcasts, Planning Board meetings are *rebroadcast* at 7:00AM, noon, and 7:00PM on Tuesdays on GFTV and are available anytime on our YouTube channel.