



City of Auburn, Maine

Planning & Permitting Department

Eric Cousens, Director

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PLANNING BOARD Minutes

February 13th 2024 – 6:00 p.m.

City Council Chambers, 60 Court Street

1. **ROLL CALL:** Riley Bergeron, Ryan Smith, Paul Jacques, Stacey LeBlanc, Dave Trask, Tim DeRoche, Amanda Guerette (elevated to full member). Darren Finnegan was in attendance but arrived after the commencement of the meeting.
2. **BOARD MEMBER RECOGNITION:** Presented by Eric Cousens to Evan Cyr for his participation and dedication to the City of Auburn as a member of the Planning Board.
3. **CITY MANAGER CIP OVERVIEW:** City Manager, Phil Crowell and Director of Engineering, Dan Goyette, present Capital Improvement Plan Overview along with the proposed budget for fiscal year 2025 and beyond.
0:23:51
4. **MINUTES:** Review January 9, 2024 minutes. All meetings are available on YouTube <https://www.youtube.com/c/CityofAuburnMaine>.
Motion to approve: Tim DeRoche, **Second:** Dave Trask, **Vote:** 7-0-0 **Motion Carries**
5. **PUBLIC HEARING/ EXTENSION/ SITE PLAN AMENDMENT:** Hexagon Solar is requesting a second extension to their original planning board approval from March 2021, located at Parcel I.D.s 325-030, 326-001, and 326-001-001. The applicant also proposes a site plan amendment reducing the size of the project from 4 MW to 0.99 MW.

Staff Report by Katherine Cook. Recommend approving extension and site plan amendment.

Dave Trask asks if the board is able to approve a 2-year extension and staff indicate that they can do that.

Applicant Cady Merrick with Hexagon Energy is present and open to answering any questions.

Motion to Open Public Comment: Dave Trask, **Second:** Tim DeRoche, **Vote:** 7-0-0 **Motion Carries**

Public Comment: no public comment

Motion to Close Public Comment: Stacey LeBlanc, **Second:** Dave Trask, **Vote:** 7-0-0 **Motion Carries**

Discussion: None

Motion: Dave Trask - I make a motion to approve Hexagon Energy's site plan and special exception amendment and extension to their original Planning Board approval, until March of 2026, located at Parcel I.D.s 325-030, 326-001, and 326-001-001. The approval is for the site plan amendment reducing the size of the project from 4 MW to 0.99 MW with the findings that the proposal meets the provisions of Chapter 60, Article XVI Division 2- Site Plan Review and Division 3- Special Exception Review. **Second:** Riley Bergeron, **Vote:** 7-0-0, **Motion Carries**

0:31:20

6. **PUBLIC HEARING/ TEXT AMENDMENT:** Consider adding Sec. 60-1383. Effective Date and Applicability Date of Ordinance #26-11202023. This text change would delay the applicability date of amending approximately 60 acres in parts of Parcel ID 289-001, 289-002, and 277-026 from the Agriculture and Resource Protection (AGRP) zoning district to the General Business (GB) zoning district until July 1, 2024. City Council has proposed this text change to allow residents and the City Council time to determine whether additional amendments related to this item are desirable. The proposal was initiated by the city and is pursuant to Chapter 60, Article XVII, Division 2 Amendment to the Zoning Ordinance or Zoning Map.

Board Summary: Stacey LeBlanc summarizes the process in which the Planning Board went through to come to their decision on this recommendation for a zoning change and recommends that the board postpone this decision until they receive a more detailed request from City Council on why they are asking for a delay in applicability date.

Staff Report by Eric Cousens. Staff explains that the City Council has some concerns over some of the approved uses in the General Business zone and how that relates to the protection of Lake Auburn. John Blais emphasizes that this is not a request to change the zone, but an opportunity to provide more time to plan thoroughly in preparation for this change.

Dave Trask asks whether the process which the Planning Board followed on this specific topic followed protocol and had sufficient time for review and public comment and staff indicated that it did follow the proper protocol.

Ryan Smith asks staff for the reason why staff recommends the motion to postpone the applicability date. Eric Cousens indicated that the Council asked for this date change in order to work with the applicant and the council to find a common ground plan for future use and development.

Stacey LeBlanc expresses concern over providing a delay without understanding the areas of concern by the council or what the proposed changes would be to the zone change.

Motion to Open Public Comment: Tim Deroche, **Second:** Dave Trask, **Vote:** 7-0-0 **Motion Carries**

Steven Beal - 575 Johnson Road: Explains that some of the concern about this particular parcel is the complexity of the types of soils and elevation variations within the lot. Furthermore, there are more acceptable uses in General Business than uses that require special exception. For these reasons, Mr. Beal expresses that the Council has a desire to have more time to consider the applicant's plan.

Motion to Close Public Comment: Dave Trask, **Second:** Riley Bergeron, **Vote:** 7-0-0 **Motion Carries**

The board expresses concern over creating limitations on zoning uses in order to support or exclude specific developers. Stacey LeBlanc indicates that by choosing General Business zoning allows the city to have some control over what development can replace the gravel pit with something that would help to protect Lake Auburn. Paul Jacques doesn't want to set a precedent that the Planning Board and Council are wishy-washy on zoning changes.

Motion: To Postpone Agenda Item #6 to a date certain of the regularly scheduled meeting on April 9th in order to hear further details from the Council on their request to delay the applicability date: Dave Trask **Second:** Tim DeRoche, **Vote:** 5-2-0 **Motion Carries**

1:14:25

7. **PUBLIC HEARING/ TEXT AMENDMENT/ ZONING BOARD OF APPEALS:** City Council initiated an amendment to the Auburn Code of Ordinances to reinstate the Zoning Board of Appeals by reincorporating the entirety of Chapter 60, Article XV with some amendments. This proposal is pursuant to Chapter 60, Article XVII, Division 2 Amendment to the Zoning Ordinance or Zoning Map.

Staff Report by John Blais.

Motion to Open Public Comment: Dave Trask, **Second:** Riley Bergeron, **Vote:** 7-0-0 **Motion Carries**

Motion to Close Open Comment: Dave Trask, **Second:** Riley Bergeron, **Vote:** 7-0-0 **Motion Carries**

Motion: I make a motion to forward a favorable recommendation to City Council to

amend Chapter 60, Article XV Sec. 60-1130-31, Sec. 60-1135 with proposed edits and to reinstate the zoning BOARD OF APPEALS as a stand-alone board: Dave Trask, **Second:** Ryan Smith, **Vote:**7-0-0 **Motion Carries**

1:18:54

8. PUBLIC COMMENT: No Public comment

9. CHAIRPERSON VOTE: Vote on who will serve as chair and co-chair for 2024.

Dave Trask nominates Stacey LeBlanc for chair. **Vote:** 7-0-0

Dave Trask nominates Paul Jacques for co-chair. **Vote:** 7-0-0

10. AD-HOC COMMITTEE APPOINTMENT: Chairperson to appoint two planning board members to join an Ad Hoc committee to review the City of Auburn's ordinances for consistency with Maine state law, LD 2003.

Stacey LeBlanc, as chair, will appoint board members with time and consideration.

11. SNRB REPRESENTATIVE APPOINTMENT:

Stacey LeBlanc, as chair, appoints Paul Jacques

1:23:00

12. WORKSHOP: Review LD 2003 Rulemaking and interaction with Auburn Zoning Ordinances

Presentation by Katherine Cook. Provides some background on LD 2003 ruling and where Auburn's ordinances are out of compliance with the law. Discussion regarding density bonus, growth areas, multi-unit zoning setbacks and road frontage requirements and how it all fits in with current ordinances.

13. MISCELLANEOUS:

Upcoming Agenda Items – Board wants to revisit some of the un-resolved topics from the past year and create a list that they can present to the board to see what they want to focus on.

Comprehensive Plan – The city is considering starting the process to draft a new Comprehensive Plan. The terms of the 2010 Comprehensive Plan will be expiring soon and the updates from 2021 do not override the original 2010 Comprehensive Plan. This process will take 18 months – 2 years to complete.

1:58:00

14. ADJOURNMENT

Motion to Adjourn: Dave Trask, **Second:** Tim DeRoche, **Vote:** 7-0-0 **Motion Carries**

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.