



AUBURN PLANNING BOARD MEETING

September 15, 2015

Agenda

6:00 P.M. - City Council Chambers (Auburn Hall)

1. ROLL CALL:

2. MINUTES: Approval request of the July 14, 2105 meeting minutes.

3. NEW BUSINESS and PUBLIC HEARING:

- A. Woodbury Heights Phase 2 - George Bouchles, Surveyor, and agent for Bouffard and McFarland Builders, is seeking approval of a major subdivision of 5 additional lots (lots 6-10), subsequent to 5 lots that were approved by the Planning Board at their March 10, 2015 meeting for a property located at 113 Woodbury Road, pursuant to Chapter 60, Division 4 Subdivision; Sections 1359 and 1362, of the Auburn Code of Ordinances.
- B. Jason Courbron, Land Use Consultant, and agent for John Vallieres, is seeking approval of a special exception and site plan review for a change in use from a gas station/service station to a used car auto sales/service station for property located at 204 Minot Avenue, pursuant to Chapter 60, Section 499 (b) (3) and Section 1277 Site Plan Review and 1336 Special Exception.

4. OLD BUSINESS:

- A. Review and discussion of revised "Adaptive Re-use" Ordinance.
- B. Discuss revised timeline for Form Based Code including possible work session.

5. MISCELLANEOUS:

6. PUBLIC COMMENT:

7. AJOURNMENT:

Next scheduled meeting is on October 13, 2015 6 p.m. Council Chambers

City of Auburn, Maine

"Maine's City of Opportunity"

Office of Planning & Development

PLANNING BOARD STAFF REPORT

To: Auburn Planning Board

From: Douglas M. Greene; AICP, RLA
City Planner

Re: Woodbury Heights Subdivision- Phase 2- Major Subdivision

Date: September 15, 2015

I. PROPOSAL-

George Bouchles, Surveyor, and agent for Bouffard and McFarland Builders, is seeking approval of a major subdivision of 5 additional lots (lots 6-10), subsequent to 5 lots that were approved by the Planning Board at their March 10, 2015 meeting for a property located at 113 Woodbury Road, pursuant to Chapter 60, Division 4 Subdivision; Sections 1359 and 1361, Subdivision of the Auburn Code of Ordinances.

This property had a Comprehensive Plan Map Amendment approved by the Planning Board and City Council to change its Future Land Use from Agriculture/Rural to Low Density Residential. The property is entirely zoned Low Density Rural Residential (LDRR).

All the 5 proposed lots (lots 6-10) are located along Woodbury Road. A 60 foot future right of way (with tapers- 100 foot wide at Woodbury Road) space has been reserved midway along Woodbury Road for a possible future road, which could serve the interior part of the site and potentially connect to Danville Corners Road.

A preliminary submission reviewed by the Planning at their May 12th meeting. At that meeting, the Planning Board requested more information about: 1.) The proposed future road and 2.) Requested that an internal lot, labeled "future development" which did not have the required minimum lot frontage (250 feet) be addressed at the time of the final plan submission.

The Planning Board also questioned if the applicant would be responsible for making improvements to Woodbury Road. The staff does not feel the Subdivision section of the Zoning Ordinance does not give that authority to the Planning Board unless a traffic study is required (over 100 new peak hours trips) and warrants road improvements due to the new traffic. Woodbury Road (including ditches) is a public right of way and it is the City's responsibility to maintain it.

PROPERTY DESCRIPTION-

The 57 acre property has road frontage on Danville Corner Road and Woodbury Road. Danville Corner Road is straight, improved road while Woodbury Road is a lesser quality road with portions being gravel and parts paved. There are steeper slopes on the rear western portion of the property, a cleared former pasture in the center and the rest of the property being wooded. A petroleum pipeline transects the property as well. Currently, based on the first phase approval and recording of 5 lots, a home on lot 1 is under construction on 2 other driveways have been permitted. .

II. DEPARTMENT REVIEW-

This plan was reviewed by the Plan Review Committee on July 18, 2015.

- a. Police- No comments were received from Police.
- b. Auburn Water and Sewer District- Had no concerns.
- c. Fire Department- David O'Connell, Fire Safety Inspector, had the following comment.
 - Any new road into the complex will need to be graded appropriately for fire apparatus to enter and be able to turn around. This will be addressed at the time a new road is considered for construction.
- d. Engineering/Public Services- Gary Johnson and Kevin Doyle- Based on a field visit of Woodbury Road by City Staff, the following condition and note should be placed on the plan.
 - **"Each of the proposed Phase 2 lots will require drive opening permits and fill permits prior to development activity. Where driveway culverts are needed the developer will need to provide sufficient grading and stabilization of the roadside ditch."**
- e. Public Services- Kevin Doyle- Concurred with Gary Johnson's comments.
- f. Lewiston Auburn Airport- Rick Lanman, LA Airport Manager is requesting a condition and note be added to the subdivision plan that state: **"Lots 6, 7, 8, 9 and 10 of Phase 2 are located within an Area of Approach for Aircraft to the Lewiston Auburn Airport"**.
- g. Planning and Development- The Planning and Development Department has the following comments:
 - The 24.62 acre, internal lot labeled "Land to be Retained by Owners" does not meet the Low Density Rural Residential District street frontage requirement of 250 feet. The applicant should resolve this issue when a Final Subdivision Plan is submitted. A revised plan now show a cul-de-sac extending into the internal lot that, when constructed, will create the needed lot frontage. The

Staff is recommending a condition and note be placed on the plan that states, **“Before the last lot of either lots 6, 7, 8 or 9 is sold, the developer shall construct the Cul-de-Sac to public street standards.”**

- Application Comments- Staff asks the applicant to submit a copy of a corrected application with the following corrections:
 - Section 1 Cover Letter Re: lists plan as “Minor Subdivision Plan”. Change to “Major”.
 - Section 8- Correct “All lots will be located on Woodbury Road.”

III. PLANNING BOARD ACTION- the Planning Board is being asked to review this **Final Subdivision Plan** application using Chapter 60- Sections 1359, 1362 and 1365 Division 4 Subdivision, of the Auburn Code of Ordinances. A Preliminary Subdivision Plan, if recommended for approval, will then require the filing of a Final Subdivision plan.

A. Sec. 60-1359. – **(Subdivision) Guidelines.**

When reviewing any subdivision for approval, the planning board shall consider the following criteria, and before granting either approval or denial, shall determine that the proposed subdivision:

- (1) Will not result in undue water, air or noise pollution. In making this determination it shall at least consider:
 - a. The elevation of land above sea level and its relation to the floodplains, the nature of soils and subsoils and their ability to adequately support waste disposal;
 - b. The slope of the land and its effect on effluents;
 - c. The availability of streams for disposal of effluents; and
 - d. The applicable state and local health and water resources regulations, including stormwater management requirements in accordance with section 60-1301(14);
- (2) Has sufficient water available for the reasonably foreseeable needs of the subdivision;
- (3) Will not cause an unreasonable burden on an existing water supply, if one is to be utilized;
- (4) Will not cause unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result;
- (5) Will not cause unreasonable highway or public road congestion or unsafe conditions with respect to use of the highways or public roads existing or proposed;
- (6) Will provide for adequate sewage waste disposal;
- (7) Will not cause an unreasonable burden on the ability of a municipality to dispose of solid waste and sewage if municipal services are to be utilized;
- (8) Will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites or rare and irreplaceable natural areas;
- (9) Is in conformance with a duly adopted subdivision regulation or ordinance, comprehensive plan, development plan, or land use plan, if any;
- (10) Is funded by a subdivider has adequate financial and technical capacity to meet the standards of this section;

- (11) Will not adversely affect the character of the surrounding neighborhood and will not tend to depreciate the value of property adjoining the neighboring property under application;
- (12) Has provisions for on-site landscaping that are adequate to screen neighboring properties from unsightly features of the development;
- (13) Will not create a fire hazard and has provided adequate access to the site for emergency vehicles;
- (14) Will not, alone or in conjunction with existing activities, adversely affect the quality or quantity of groundwater;
- (15) Does not have long-term cumulative effects of the proposed subdivision will that unreasonably increase a great pond phosphorus concentration during the construction phase and life of the proposed subdivision.

The Staff's finds that the Application submitted for Woodbury Heights, Major Subdivision meets the criteria as set forth in Section 60-1359.

B. Sec. 60-1362.—Major subdivision final plan.

- (a) The subdivider shall, within six months after the preliminary approval of the preliminary plan, file with the planning board an application for approval of the final subdivision plan in the form described herein. If the final plan is not submitted to the planning board within six months after the approval of the preliminary plan, a single six-month extension may be given upon a showing of good cause in writing by the applicant to the planning board not less than 30 days before the expiration of approval of his existing plan. The planning board shall approve or disapprove the requested extension at its next regular meeting. The planning board may refuse without prejudice to act on the final plan and require resubmission of the preliminary plan. All applications for final plan approval for major subdivisions shall be accompanied by a fee in the amount provided in the city fee schedule, payable by check to the city.
- (b) The planning board shall, within 30 days after the public hearing on a final plan, conditionally approve, approve, approve with conditions, or disapprove the final plan. Any such decision of the planning board shall include findings of fact, and any approval with conditions or disapproval shall be accompanied by the reasons therefore in writing.
- (c) In reviewing a subdivision, the planning board shall consider previous subdivision of the same applicant, subdivider or principals of such application. If the developer has failed to complete the public improvements shown on an approved plan to the satisfaction of the planning board, then this shall constitute conclusive evidence of technical capabilities of the applicant or developer to comply with the terms of this chapter or to complete work required by a plan.

The Staff's finds that the Application submitted for Woodbury Heights, Major Subdivision Final Plan meets the criteria set forth in Section 60-1362.

Sec. 60-1365. General Requirements.

In reviewing applications for the subdivision of land, the board shall consider the following general requirements. In all instances the burden of proof shall be upon the persons proposing the subdivision.

- (1) *Subdivision plan shall conform to the comprehensive plan.* Any proposed subdivision shall be in conformity with the comprehensive plan of the city and with the provisions of all pertinent state and local codes and ordinances.
- (2) *Preservation of natural and historic features.* The board may require that a proposed subdivision design include a landscape plan that will show the preservation of existing trees and vegetation, graded contours, streams and the preservation of scenic, historic or

environmentally desirable areas. The street and lot layout shall be adapted to the topography. Extensive grading and filling shall be avoided as far as possible.

(3) *Lots.*

- a. The lot size, width, depth, shape and orientation and the minimum building setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated.
- b. Depth and width of properties reserved or laid out for all purposes shall be adequate to provide for off-street parking and service facilities for vehicles required by the type of use and development contemplated.

The Staff's finds that the Major Subdivision Final Plan Application submitted for Woodbury Heights meets the criteria set forth in Section 60-1365.

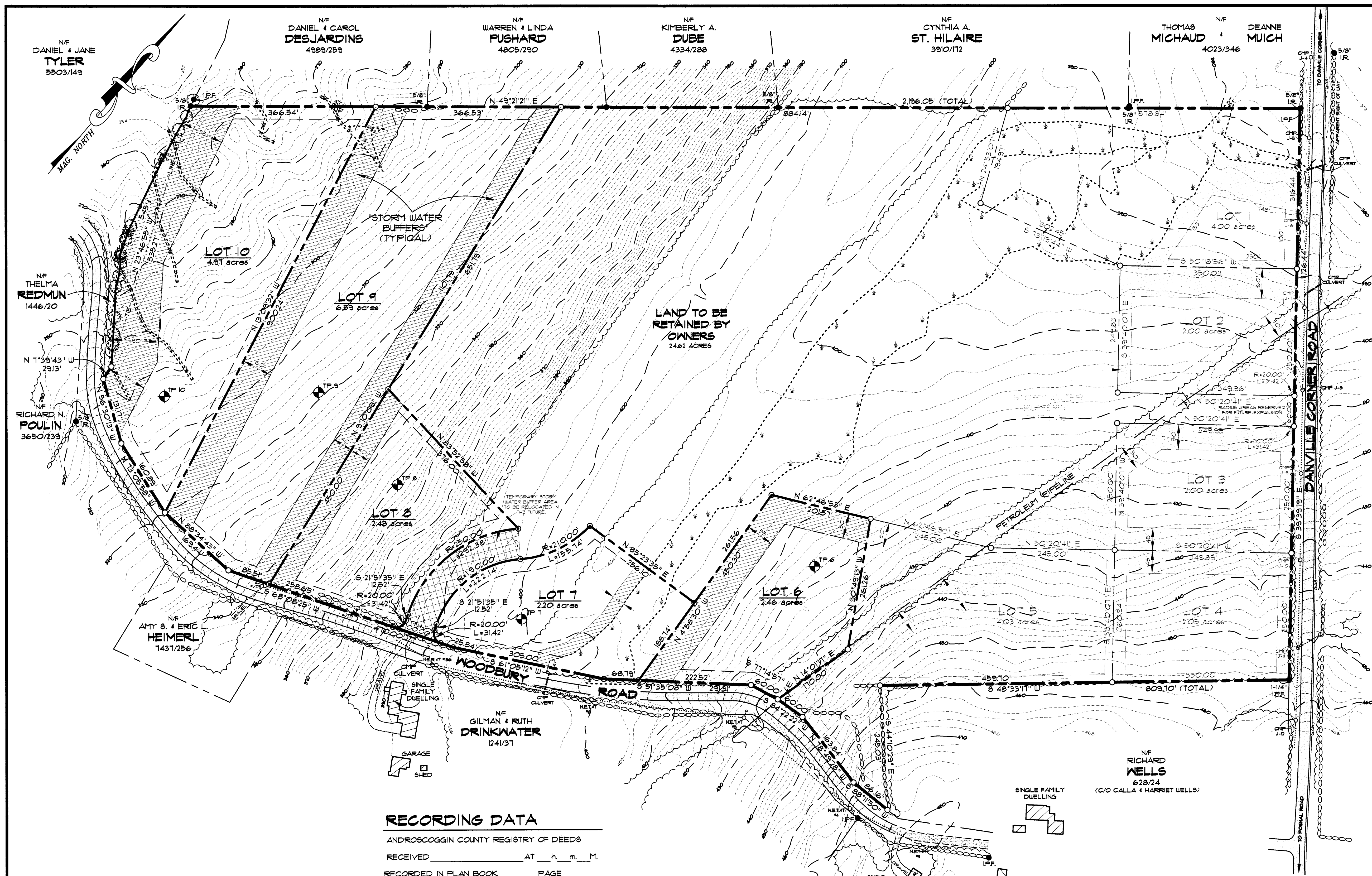
IV. STAFF RECOMMENDATION-

The Staff recommends **APPROVAL** of the Final Subdivision for Woodbury Heights, Lots 6-10 with the finding that it meets the requirements of Chapter 60, Sections 1359, 1362 and 1365 of the Auburn Zoning Ordinance.

This recommendation of **APPROVAL** is subject to the following conditions being completed prior to the recording of the Subdivision Plan:

1. The applicant shall secure approval from the tax assessor for a lot numbering sequence to ensure compatibility with the existing tax system. The numbering system will not be construed to indicate anything more than identification of parcels for taxation purposes.
2. A note shall be added to the plan stating, **"Lots 6, 7, 8, 9 and 10 of Phase 2 are located within an Area of Approach for Aircraft to the Lewiston Auburn Airport."**
3. A note shall be added to the plan stating, **"Each of the proposed Phase 2 lots on Woodbury Road will require drive opening permits and fill permits prior to development activity. Where driveway culverts are needed the developer will need to provide sufficient grading and stabilization of the roadside ditch."**
4. A note shall be added to the plan stating, **"Before the last lot of either lots 6, 7, 8 or 9 is sold, the developer shall construct the Cul-de-Sac to public street standards."**


Douglas M. Greene, A.I.C.P., R.L.A.
City Planner



- NOTES:**
- 1) ALL BEARINGS REFER TO MAGNETIC NORTH AS OBSERVED FEBRUARY 3, 1998, AND AS SHOWN ON AND ORIENTED TO A PLAN AS REFERRED TO IN NOTE 3 BELOW.
 - 2) ALL BOOK AND PAGE NUMBERS REFER TO THE ANDROSCOGGIN COUNTY REGISTRY OF DEEDS.
 - 3) TOTAL AREA OF PARCEL = 51.39 ACRES. (LOTS 6 THRU 10 = 18.10 ACRES).
 - 4) REFERENCE IS MADE TO A PLAN ENTITLED "STANDARD BOUNDARY SURVEY - NORWOOD SUBDIVISION" DATED AUGUST 10, 1999 BY GULLEBERG LAND SURVEYING, AND RECORDED AT SAID REGISTRY IN PLAN BOOK 40, PAGE 199. REFERENCE IS ALSO MADE TO A PLAN ENTITLED "WOODBURY HEIGHTS" DATED FEBRUARY 10, 2015, TO BE RECORDED AT SAID REGISTRY.
 - 5) FOR INFORMATION REGARDING THE WOODBURY ROAD REFERENCE IS MADE TO THE CITY OF AUBURN'S COUNCIL RECORDS VOLUME 18, PAGE 246, DATED NOVEMBER 20, 1961. THIS ACTION BY THE COUNCIL WAS MADE TO OFFICIAL NAME CERTAIN ROADS WITHIN WARD FIVE. RESEARCH AT THE ABOVE REFERENCED REGISTRY, THE CITY OF AUBURN AND THE COUNTY COMMISSIONERS' OFFICE INDICATED THE EXISTENCE OF THIS ROAD TO AT LEAST 1954. NO FORMAL DEFINITION FOR ITS LOCATION AND WIDTH WAS FOUND. THE APPARENT RIGHT OF WAY OF THE WOODBURY ROAD WAS ESTABLISHED AS A THREE (3) ROD WIDE ROAD (495') UTILIZING EXISTING MONUMENTATION FOUND (I.E. STONEWALL, IRON PIPES OR RODS, ETC.) AND THE CENTERLINE OF THE EXISTING ROAD AS BEST AS PRACTICABLE.
 - 6) THE PREMISES IS SHOWN ON THE CITY OF AUBURN'S MUNICIPAL TAX MAP NO. 110, LOT 9 AND IS CURRENTLY LOCATED WITHIN THE "LOW DENSITY RURAL RESIDENCE DISTRICT". DIMENSIONAL REQUIREMENTS FOR THIS ZONE ARE AS FOLLOWS:
A) MINIMUM LOT SIZE = 46,560 SQ. FT. (1 ACRE)
B) MINIMUM FRONTAGE = 250'
C) MINIMUM FRONT AND REAR YARD SETBACK = 25'
D) MINIMUM SIDE YARD SETBACK = 15'
E) MAXIMUM HEIGHTS = 35'
 - 7) SOURCE DEED AND CURRENT OWNER: B&M DEVELOPERS, INC. - REFERENCE IS MADE TO A DEED FROM INEZ BUCK, NANCY MONEIL & JUDITH DAVIS-KOVATZ TO B&M DEVELOPERS, INC. DATED SEPTEMBER 19, 2014, AND RECORDED AT SAID REGISTRY IN BOOK 8991, PAGE 44.
 - 8) THE PREMISES IS SUBJECT TO A PETROLEUM PIPELINE EASEMENT CONVEYED TO BUCKEYE PIPE LINE TRANSPORTATION, LLC DATED JULY 19, 2011, AND RECORDED AT SAID REGISTRY IN BOOK 8234, PAGE 91. THE LOCATION OF THE PIPELINE, AS SHOWN ON THIS PLAN, IS APPROXIMATE BASED ON SIGNAGE LOCATED ALONG ITS LENGTH AS IT PASSES THROUGH THIS PARCEL.
 - 9) WETLANDS AS SHOWN ON THIS PLAN WERE DELINEATED BY VAUGHN SMITH ASSOCIATES, AND LOCATED WITH A TRIMBLE HAND HELD GPS (SUB METER) UNIT, AND ORIENTED TO EXISTING PROPERTY INFORMATION AS SHOWN AND IS SUBJECT TO ERRORS TYPICALLY FOUND WITH THIS TYPE OF SURVEY LOCATION UNIT.
 - 10) THIS PLAN WAS PREPARED UNDER THE DIRECT SUPERVISION OF GEORGE S. BOUCHLES, PLS 2295.

- LEGEND:**
- IRON PIPE OR ROD FOUND
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RECORDING DATA

ANDROSCOGGIN COUNTY REGISTRY OF DEEDS

RECEIVED _____ AT _____ h. _____ m. _____ M.

RECORDED IN PLAN BOOK _____ PAGE _____

ATTEST _____ REGISTRAR

STORMWATER BUFFER AREA RESTRICTIONS:

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B. NO UNDERGROWTH, GROUND COVER VEGETATION, LEAF LITTER, ORGANIC DUFF LAYER OR MINERAL SOIL MAY BE DISTURBED EXCEPT THAT ONE WINDING PATH, THAT IS NO WIDER THAN SIX FEET AND THAT DOES NOT PROVIDE A DOWNHILL CHANNEL FOR RUNOFF, IS ALLOWED THROUGH THE AREA.

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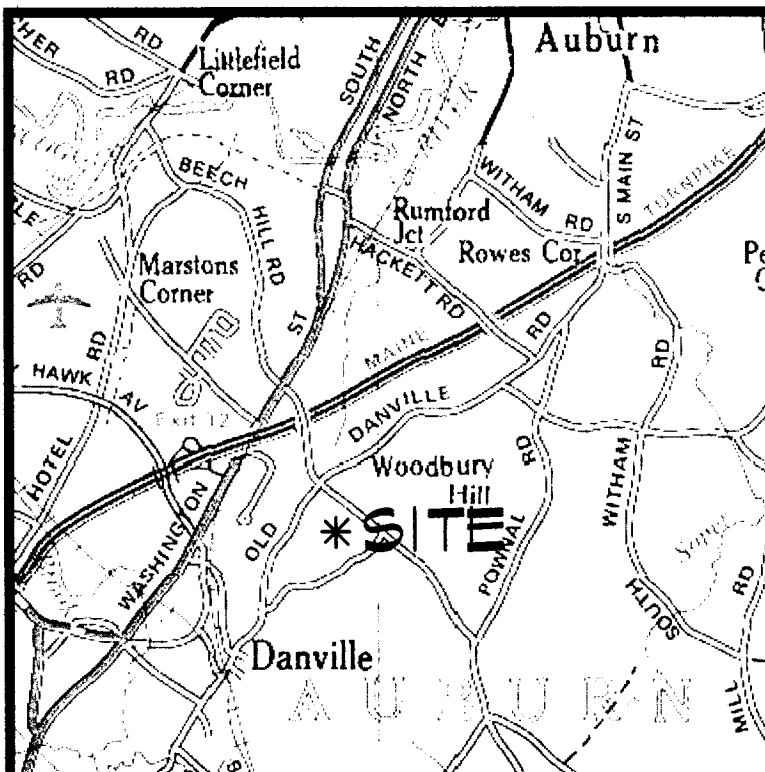
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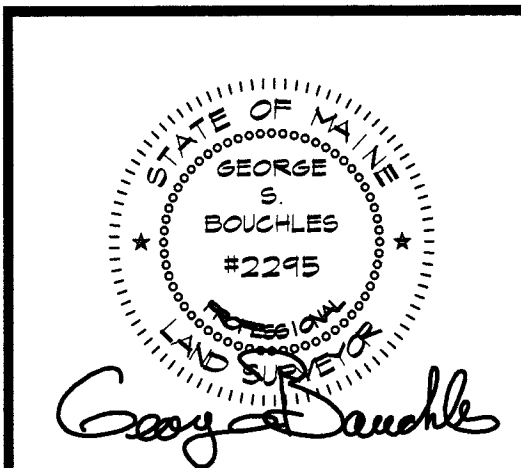
APPROVAL:

BY THE CITY OF AUBURN PLANNING BOARD

CHAIRMAN: _____ DATE: _____



LOCATION MAP
(NOT TO SCALE)



SUBDIVISION & TOPOGRAPHIC SITE PLAN
WOODBURY HEIGHTS - PHASE 2
WOODBURY & DANVILLE CORNER ROADS AUBURN, MAINE
ANDROSCOGGIN COUNTY

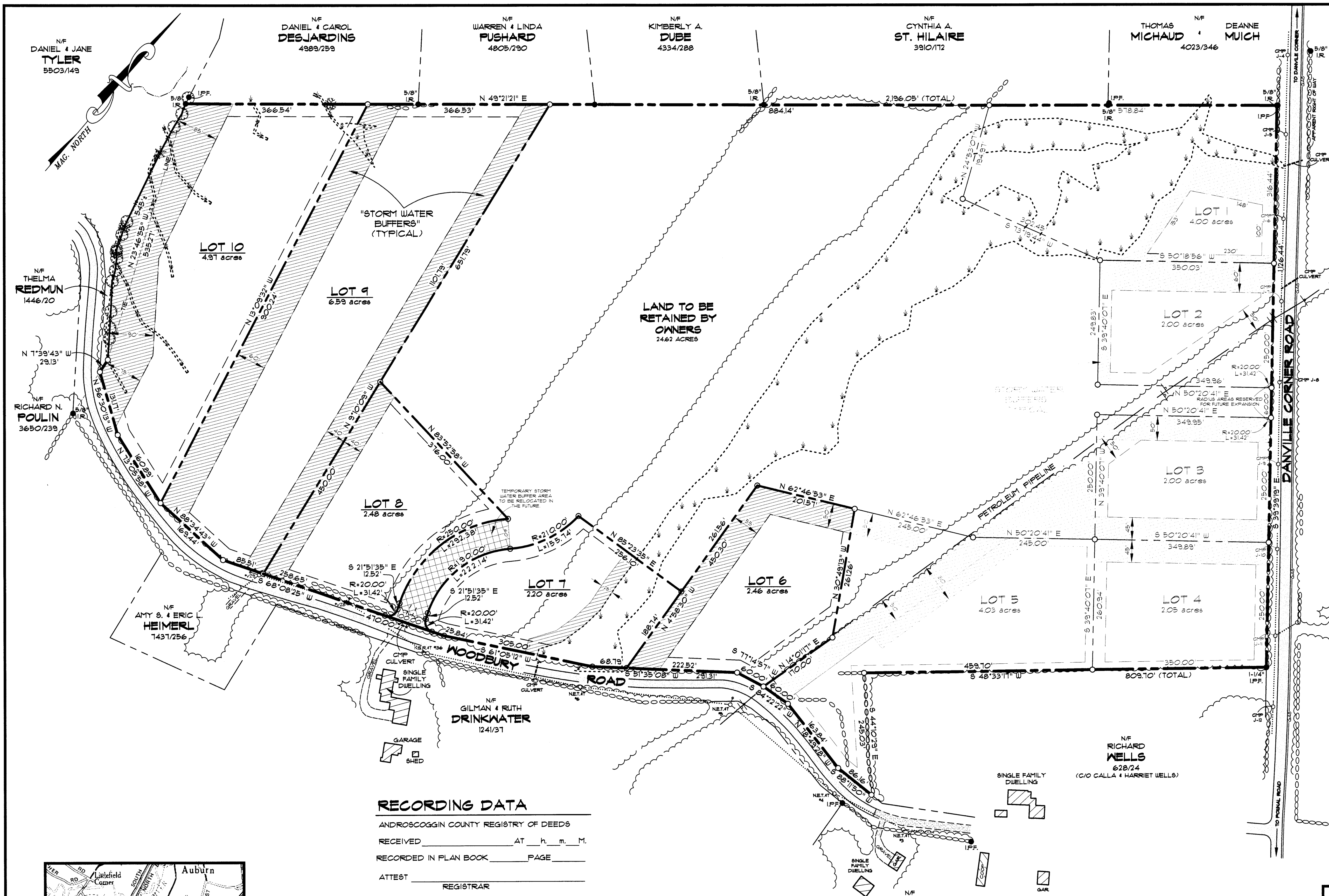
OWNERS OF RECORD AND PREPARED FOR
B&M DEVELOPERS, INC.
135 CENTER STREET AUBURN, MAINE 04210

prepared by
CADmaster Drafting,
Land Surveying & Septic Designs
191 Madison St. - Auburn, ME 04210
tel./fax = 689-3232 cell=240-3567

PLAN DATE: APRIL 10, 2015
JOB NUMBER: 14-060

SCALE: 1" = 100'
CADD: 14-060PHASE2PLAN.DWG

SHEET
1 OF 2



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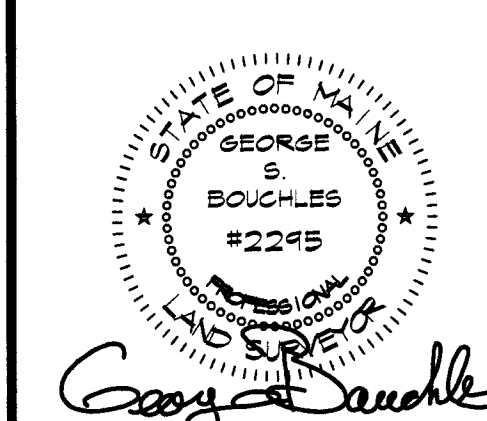
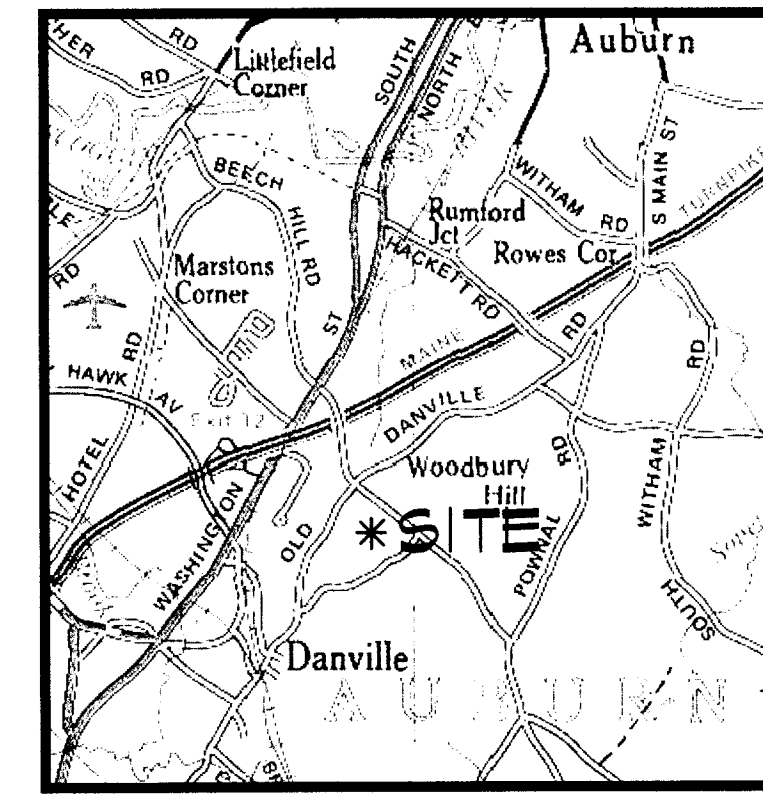
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APPROVAL:

BY THE CITY OF AUBURN PLANNING BOARD

CHAIRMAN: _____ DATE: _____



SUBDIVISION PLAN
WOODBURY HEIGHTS - PHASE 2
WOODBURY & DANVILLE CORNER ROADS AUBURN, MAINE
ANDROSCOGGIN COUNTY

OWNERS OF RECORD AND PREPARED FOR
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135 CENTER STREET AUBURN, MAINE 04210

prepared by
CADmaster Drafting,
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191 Madison St. - Auburn, ME 04210
tel./fax = 689-5252 cell=240-5567

PLAN DATE: APRIL 10, 2015
JOB NUMBER: 14-060
SCALE: 1" = 100'
CADD: 14-060PHASE2FLANDWG
SHEET 1 OF 2

City of Auburn, Maine

"Maine's City of Opportunity"

Office of Planning & Development

PLANNING BOARD STAFF REPORT

To: Auburn Planning Board

From: Douglas M. Greene; AICP, RLA
City Planner

Re: 204 Minot Avenue, Special Exception and Site Plan Review, Use Car Lot and Service Station

Date: September 15, 2015

- I. PROPOSAL- Jason Courbron, Land Use Consultant, an agent for John Vallieres, is seeking approval of a special exception and site plan review for a change in use from a gas station/service station to a used car auto sales/service station for property located at 204 Minot Avenue, pursuant to Chapter 60, Section 499, b, 3. and Section 1277 Site Plan Review and 1336 Special Exception.

THE SITE- The property at 204 Minot Avenue is a narrow lot, bounded by Minot Ave. to the west, High Street to the south and Central Maine Railroad Right of Way to the north and east. It is currently an abandoned gas station/ service station. The Minot Avenue frontage is 230 feet in length and has 3 access drives with the High Street frontage being 78 feet in width with 1 access drive. The 10,018 sf. lot is predominately pavement or building with 9,536 sf. of impervious surface.

ZONING - The property is zoned General Business (GB) to which auto sales and auto repair is a special exception/site plan review and requires approval from the Planning Board.

COMPREHENSIVE PLAN- The property is located in an area designated in the 2010 Comprehensive Plan as Gateway, which recommended the city acquire the property. Initially, the staff pursued city acquisition over a Planning Board review of the used car sales proposal. The City Council voted to not purchase the property and the staff is now ready to present the staff review of a Special Exception and Site Plan Review.

- II. DEPARTMENT REVIEW- This application was reviewed by the Plan Review Committee on April 23, 2015, August 20, 2015 and the last revised plan on September 9th.
1. Police- The Police Department expressed traffic safety concerns for the High Street entrance, especially given the close proximity to the railroad tracks and is requesting the Minot Avenue one-way exit closest to the High/Minot intersection be a right out only. (April 23 2105 comments)

2. Auburn Water and Sewer- A restoration of service fee would have to be paid for the water service (\$45). At that time we would install a water meter and set up an account. (9/9/15 comment)
3. Fire Department- David O'Connell- Fire Prevention Officer- The size of the parking lot is too small for fire apparatus to enter and would have to block off Minot Avenue, if they had to respond. The building will need to meet the National Fire Protection Association (NFPA) requirements for a repair garage (I.E. fire extinguishers, storage of flammable liquids, Exit signs). Due to the parking layout, if there is an emergency, the fire department would most likely need park our apparatus on Minot Ave. We should be able to get an ambulance in to the parking lot though. (9/9/15)
4. Engineering-The application material indicates the applicant intends to reduce the number and size of curb cuts into the property. This needs to be done with granite curbing and the adjacent sidewalk built up to match curb grade. Estimate approximately 80 LF of curbing needed. All work within the right of way will require bonding and an inspection fee to ensure the work is done properly.

Access off High Street into the southerly lot will be extremely difficult during PM peak hour, particularly for vehicles traveling east on High. Left turns out of either Minot Avenue entrance will be difficult, especially during the peak hours. (9/10/14)

5. Planning and Development- The Planning Staff has the following comments Site Plan comments:
 - High Street entrance needs to be signed as “one-way only”.
 - Exit on Minot Ave. (closest to High and Minot intersection) need to signed and marked on ground as a “right out only”.
 - Wheel stops are needed on all angled parking along Minot Ave.
 - The parking stalls along the southern end of the site need to be angled in the direction of incoming traffic flow.
 - Additional landscaping information is requested for this gateway into Downtown Auburn.
 - As per Chapter 60-607- (13, d) Off Street Parking- requires a 10 foot landscape buffer in any front yard adjacent to a street right of way unless a waiver is requested and approved by the Planning Board.
 - The driveway spacing on High Street (40 feet) and the Minot Ave. driveway closest to the High and Minot intersection (90 feet) does not meet the driveway spacing requirement of Chapter 60-800 of 105 feet for a 25 mph highway speed unless waiver is requested and approved by the Planning Board.
 - Provision of elevation drawings or a description that depicts the exterior treatment of the structure.

III. PLANNING BOARD ACTION- The Planning Board needs to review, consider and take action on the Special Exception, Site Plan Review and Waiver requests.

A. SPECIAL EXCEPTION-Sec. 60-1336. Conditions.

(a) As conditions prerequisite to the granting of any special exceptions, the board shall require evidence of the following:

- (1) That the special exception sought fulfills the specific requirements, if any, set forth in the zoning ordinance relative to such exception.
- (2) That the special exception sought will neither create nor aggravate a traffic hazard, a fire hazard or any other safety hazard.
- (3) That the special exception sought will not block or hamper the master development plan pattern of highway circulation or of planned major public or semipublic land acquisition.
- (4) That the exception sought will not alter the essential characteristics of the neighborhood and will not tend to depreciate the value of property adjoining and neighboring the property under application.
- (5) That reasonable provisions have been made for adequate land space, lot width, lot area, stormwater management in accordance with section 60-1301(14), green space, driveway layout, road access, off-street parking, landscaping, building separation, sewage disposal, water supply, fire safety, and where applicable, a plan or contract for perpetual maintenance of all the common green space and clustered off-street parking areas to ensure all such areas will be maintained in a satisfactory manner.
- (6) That the standards imposed are, in all cases, at least as stringent as those elsewhere imposed by the city building code and by the provisions of this chapter.
- (7) That essential city services which will be required for the project are presently available or can be made available without disrupting the city's comprehensive plan.

STAFF COMMENTS: The Staff is asking the applicant to address the ingress and egress spacing from intersection, turning directions and related signage (condition # 2) along with providing as much landscaping and green space as possible given the site's status as a gateway in to the downtown area (condition # 5).

B. SITE PLAN REVIEW- Sec. 60-1276. - Purpose. The purpose of site plan review is to ensure that the design and layout of certain developments permitted by special exceptions, or other developments noted herein, will constitute suitable development and will not result in a detriment to city, neighborhood or the environment.

Sec. 60-1277. - Objective. In considering a site plan, the planning board shall make findings that the development has made provisions for:

- (1) Protection of adjacent areas against detrimental or offensive uses on the site by provision of adequate surface water drainage, buffers against artificial and reflected light, sight, sound, dust and vibration; and preservation of light and air;
- (2) Convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent areas;
- (3) Adequacy of the methods of disposal for wastes; and
- (4) Protection of environment features on the site and in adjacent areas.

STAFF COMMENTS: The Staff wants to be sure that the Site Plan addresses objective # 2, regarding vehicular safety and movement both off-site and on-site.

Sec. 60-1304. -Public hearing; findings. The planning board shall, within 30 days of receipt of a completed application, hold a public hearing. Notice of a hearing shall be given

in the manner provided for in division 3 of article XVII of this chapter. The planning board will take final action on the site plan within 60 days of receiving a completed application, or within such other time limit as may be mutually agreed to. Such final action shall consist of either:

- (1) A finding and determination that the proposed project will constitute a suitable development and will not result in a detriment to the neighborhood or the environment; or
- (2) A written denial of the application stating the reasons for such denial, upon a finding that:
 - a. The provisions for vehicular loading, unloading and parking and for vehicular and pedestrian circulation on the site and onto adjacent public streets will create hazards to safety.
 - b. The bulk, location or operation of proposed buildings and structures will be detrimental to and adversely affect the use and values of existing development in the neighborhood or the health or safety of persons residing or working therein.
 - c. The provisions for on-site landscaping are inadequate to screen neighboring properties from unsightly features of the development.
 - d. The site plan does not adequately provide for the soil and drainage problems which the development may give rise to in accordance with section 60-1301(14).
 - e. The provisions for exterior lighting create safety hazards for motorists traveling on adjacent streets, or are inadequate for the safety or occupants or users of the site, or will create a nuisance affecting adjacent properties.
 - f. The proposed development will unduly burden off-site sewer drainage or water systems.
 - g. The proposed development will create a fire hazard by failing to provide adequate access to the site, or to buildings on the site, for emergency vehicles.
 - h. The proposed development violates provisions of the zoning regulations applicable to the site or other applicable laws, regulations or ordinances.
 - i. The proposed development will unduly impact the ability to provide municipal services.

Sec. 60-1305. – Site Plan Review- Subject to conditions, modification, restrictions, etc.

Approval may be made subject to conditions, modifications and restrictions as the planning board may deem necessary; and any construction, reconstruction, alteration or addition shall be carried on only in conformity to such conditions, modifications or restrictions and in conformity with the application and site plan.

STAFF COMMENTS: The Staff reported the following concerns regarding the Site Plan prior to a revised Site Plan submitted on September 10.

- Angled parking is in the wrong direction of traffic flow on south side lot.
- Exit on Minot Ave. (closest to High and Minot intersection) need to signed and marked on ground as a “right out only”.
- Wheel stops are needed on all angled parking along Minot Ave.
- The parking stalls along the southern end of the site need to be angled in the direction of incoming traffic flow.
- Additional landscaping information is requested for this gateway into Downtown Auburn.

- As per Chapter 60-607- (12, d) Off Street Parking- requires a 10 foot landscape buffer in any front yard adjacent to a street right of way unless a waiver is requested and approved by the Planning Board.
- The driveway spacing on High Street (40 feet) and the Minot Ave. driveway closest to the High and Minot intersection (90 feet) does not meet the driveway spacing requirement of Chapter 60-800 of 105 feet for a 25 mph highway speed unless waiver is requested and approved by the Planning Board.

C. WAIVER REQUESTS: The applicant is requesting the following waivers:

1. **Chapter 60-607 (13,d) Off Street Parking**, which requires a 10 foot landscape buffer in any front yard adjacent to a street right of way.

Due to severe site constraints of a very narrow lot, the applicant requests a waiver from the 10' buffer for the following areas along Minot Avenue:

- southerly of the building from 10' down to 4'
- northerly of the building from 10' down to 0'.

The Site Plan Ordinance Section 60-1312 allows the Planning Board to modify dimensional requirements as long the objectives and intent of Site Plan Review is carried out. The Staff recommends **APPROVAL** of these requests.

2. **Chapter 60-800- Curb Cuts and Driveway Spacing** requires entrances be 105 feet from an intersection for a 25 mph highway speed.

The driveway spacing on Minot Avenue closest to High Street, as shown on the site plan, is 90' and cannot meet the requirement due to the limits of the lot. However, the applicant has removed the High Street entrance along with another entrance on Minot Avenue (closest to the High Street intersection) and has agreed to a 2 way entrance with a "right out only", near the southern side of the existing building.

This waiver request is eligible to be granted under Chapter 60- Sec. 806 of the Access management standards.

An applicant for a project subject to site plan review or a developer or owner of property which is subject to the access management standards may request, with the exception of section 60-799, a modification of such standards. Such requests shall be made to the planning board. Modifications to the access management standards may be allowed upon a demonstration of need by the applicant provided the planning board makes a finding that the objectives of access management have been satisfied.

The Staff recommends **APPROVAL** of this request.

IV. STAFF RECOMMENDATIONS-

A. SPECIAL EXCEPTION: The Staff recommends **APPROVAL** and makes the following finding for the Special Exception application for an Auto Sales and Auto Repair Use the following reasons:

1. The application at 204 Minot Avenue for Used Car Sales and Repair meets the conditions (1-7) of Chapter 60-Sec. 60-1336 (Special Exception).

B. SITE PLAN REVIEW: The Staff recommends **APPROVAL** and makes the following finding for the Special Exception application for an Auto Sales and Auto Repair Use the following reason:

1. The application at 204 Minot Avenue for Used Car Sales and Repair meets the conditions (1-7) of Chapter 60-Sec. 60-1336 (Special Exception).

C. WAIVER REQUESTS: The Staff recommends **APPROVAL** of the waiver request for the following reasons:

1. The waiver request for the required 10' buffer in two areas; one for a reduction from 10' to 4' (southern frontage) and one from 10' to 0' generally meets the intent and objective of the Site Plan Review.
2. The narrow lot makes the implementation of the 10' a hardship on the functioning of the property.
3. The waiver request for an entrance spacing from an intersection generally meet the intent of Chapter 60, Section 806.
4. The applicant has removed 2 non-compliant entrances, which improves vehicular safety in the area.

C. CONDITIONS: The Staff makes these recommendations of **APPROVAL** with the following conditions:

1. Prior to any development activity, the applicant shall establish any inspection fees or bonding amounts with the Division of Engineering.
2. The development at 204 Minot Avenue shall comply with the final Site Plan as considered at the September 15, 2015 meeting.
3. The three landscaped areas, as shown on the 9/15/15 site plan shall be approved by the City Planner.
4. Wheel stops for all vehicles parked along any street right of way shall be placed in a manner that prohibits any portion of a vehicle from encroaching into the street right of way.
5. The corner of High Street and Minot Avenue, marked in cross hatch on the Site Plan shall be considered for acquisition by the City of Auburn for future intersection improvements.
6. Any right of way improvements at the corner of High Street and Minot Avenue shall not be required.
7. No sign shall be permitted on the existing sign pole at the intersection of High Street and Minot Avenue until a Maine DOT signage waiver is approved.


Douglas M. Greene, A.I.C.P., R.L.A.
City Planner



SurveyWorks, Incorporated

Land Use Consultants
www.surveyworksinc.com

September 10, 2015

Douglas Greene, City Planner
Planning & Permitting Department
City of Auburn
60 Court Street
Auburn, ME 04210

RE: Vallieres Auto Sales and Service
204 Minot Avenue, Auburn – Map 230, Lot 159

Mr. Greene and Planning Board Members,

Pursuant to an onsite at 204 Minot Avenue in Auburn with the owner of the proposed Vallieres Auto Sales and Service, representatives of SurveyWorks, Inc. and Douglas Greene, City Planner at the Auburn Planning and Permitting Department, we are requesting the following waivers:

1. *Chapter 60-607. (13,d) Off Street Parking which requires a 10 foot landscape buffer in any front yard adjacent to a street right of way*

Due to severe site constraints of a very narrow lot, the applicant respectfully requests a waiver from the 10' buffer for the following areas:

- a. Southerly of the building on Minot Avenue down to 4'
- b. Northerly of the building on Minot Avenue down to 0'.
- c. Southerly of the building on High Street down to 0'.

Without this waiver parking on the site would not allow for traffic flow though the lot.

2. *Driveway spacing requirement of Chapter 60-800 of 150 feet for a 35 mph highway speed*
 - a. The driveway spacing on Minot Avenue closest to High Street, as shown on the site plan, is 81' and does not meet the spacing requirement and cannot meet the requirement due to the limits of the lot. However, the applicant has limited the driveway to "right turn only" when exiting. The applicant has also eliminated the driveway entrance that currently exists nearest the intersection of Minot Avenue and High Street and the driveway entrance that currently exists on High Street.

The applicant respectfully requests a waiver from the 150' spacing requirement for this driveway down to 81'.

Following is a list of changes made to the site plan in addition to the changes that are addressed above in the waiver requests:

1. Concrete wheel stops have been placed at each parking stall.

2. Additional landscaping information has been noted on the plan to be approved by the City Planner prior to installation.
3. A proposed 526 square foot area to be acquired by the City of Auburn for future traffic flow improvements has been added to the plan at the corner of Minot Avenue and High Street.
4. The 3-point turn concern was addressed by Jeff Amos, PE and is in your packet in the form of an email from Mr. Amos.

The applicants plan for the exterior treatment of the structure is to repair and/or replace the steel siding and to paint a cream color, Navajo Sand, with a complementary color trim.

Respectfully submitted,

A handwritten signature in blue ink that reads "George A. Courbron". The signature is fluid and cursive, with the first name "George" and last name "Courbron" clearly legible.

George A. Courbron
President

GAC/ljm

NOTES:

- 1) ALL BEARINGS REFER TO MAGNETIC NORTH AS SHOWN ON THE PLAN REFERENCED IN NOTE 8A BELOW.
- 2) ALL BOOK AND PAGE NUMBERS REFER TO THE ANDROSCOGGIN COUNTY REGISTRY OF DEEDS (ACRD).
- 3) OWNER OF RECORD: JOHN M. VALLIERES, SEE DEED FROM LEMILT'S PETROLEUM, INC. DATED SEPTEMBER 29, 2012 RECORDED IN THE ACRD IN BOOK 8801 PAGE 155.
- 4) TOTAL AREA OF SURVEYED PARCEL 9,536.19 sqft.
- 5) PARCEL IS DELINEATED ON THE CITY OF AUBURN'S GIS/TAX MAP 230 LOT 159.
- 6) CURRENT ZONING: THE PROPERTY IS LOCATED IN THE GENERAL BUSINESS DISTRICT. YOU SHOULD CONSULT WITH THE CITY OF AUBURN'S LAND USE ORDINANCE AND THE CODE ENFORCEMENT OFFICER IN REGARDS TO THE PARTICULARS TO THESE ZONES. FOR SETBACKS SEE CODE OF ORDINANCES CITY OF AUBURN, CHAPTER 60 ZONING, ARTICLE IV DISTRICT REGULATIONS, DIVISION 12 GENERAL BUSINESS DISTRICT, SEC 60-500 DIMENSIONAL REGULATIONS
- 7) THE EXISTING DWELLING IS NOT LOCATED IN A 100 YEAR FLOOD HAZARD AREA BASED ON THE CITY OF AUBURN'S FLOOD INSURANCE RATE MAP PANEL 328 OF 410 NUMBER 2300IC0328E EFFECTIVE DATE JULY 8, 2013
- 8) PLAN REFERENCE:
A) "SITE PLAN" BY CULLENBERG LAND SURVEYING DATED JANUARY 3, 2013, (UNRECORDED)
B) "STATE OF MAINE DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP" DATED AUGUST 1989, RECORDED IN THE ACRD IN PLAN BOOK 31 PAGE 55.
- 9) THE DEPTH, SIZE, LOCATION, EXISTENCE, NONEXISTENCE OF UNDERGROUND UTILITIES AND/OR STRUCTURES WERE NOT LOCATED AS PART OF THIS SURVEY. YOU ARE REQUIRED TO NOTIFY DIG SAFE OR OTHER QUALIFIED AGENCIES TO LOCATE ALL UNDERGROUND UTILITIES AND STRUCTURES BEFORE BEGINNING ANY EXCAVATION.
- 10) THIS SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
- 11) THE PARCEL IS NOT LOCATED IN A 100 YEAR FLOOD HAZARD AREA BASED ON THE TOWN OF AUBURN'S FLOOD INSURANCE RATE MAP, PANEL 328 OF 410, MAP NUMBER 2300IC0328E EFFECTIVE DATE JULY 08, 2013.
- 12) PROPERTY INFORMATION BASED ON SITE PLAN PROVIDED BY CLIENT, PRODUCED BY CULLENBERG LAND SURVEYING DATED JANUARY 3, 2013.

LANDSCAPE NOTE:

- THE FOLLOWING LANDSCAPE AREAS SHALL BE APPROVED BY THE CITY PLANNER PRIOR TO INSTALLATION
- 1.) THE LANDSCAPE AREA ON HIGH STREET SHALL BE OF THREE SHRUBS AND ANNUAL FLOWERS.
- 2.) THE LANDSCAPE BUFFER ALONG MINOT AVENUE SHALL CONSIST OF EVERGREEN OR DECIDUOUS SHRUBS PLANTED 3 FOOT ON CENTER AND MAINTAINED AT BETWEEN 24" AND 36" TALL.
- 3.) THE LANDSCAPE AREA AT THE NORTHERN BOUNDARY SHALL BE OF 2 EVERGREEN OR DECIDUOUS TREES AND 5 SHRUBS.

SITE PLAN

"VALLIERES AUTO SALES & SERVICES"

204 MINOT AVENUE AUBURN, MAINE

ANDROSCOGGIN COUNTY

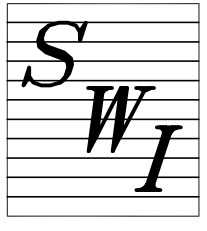
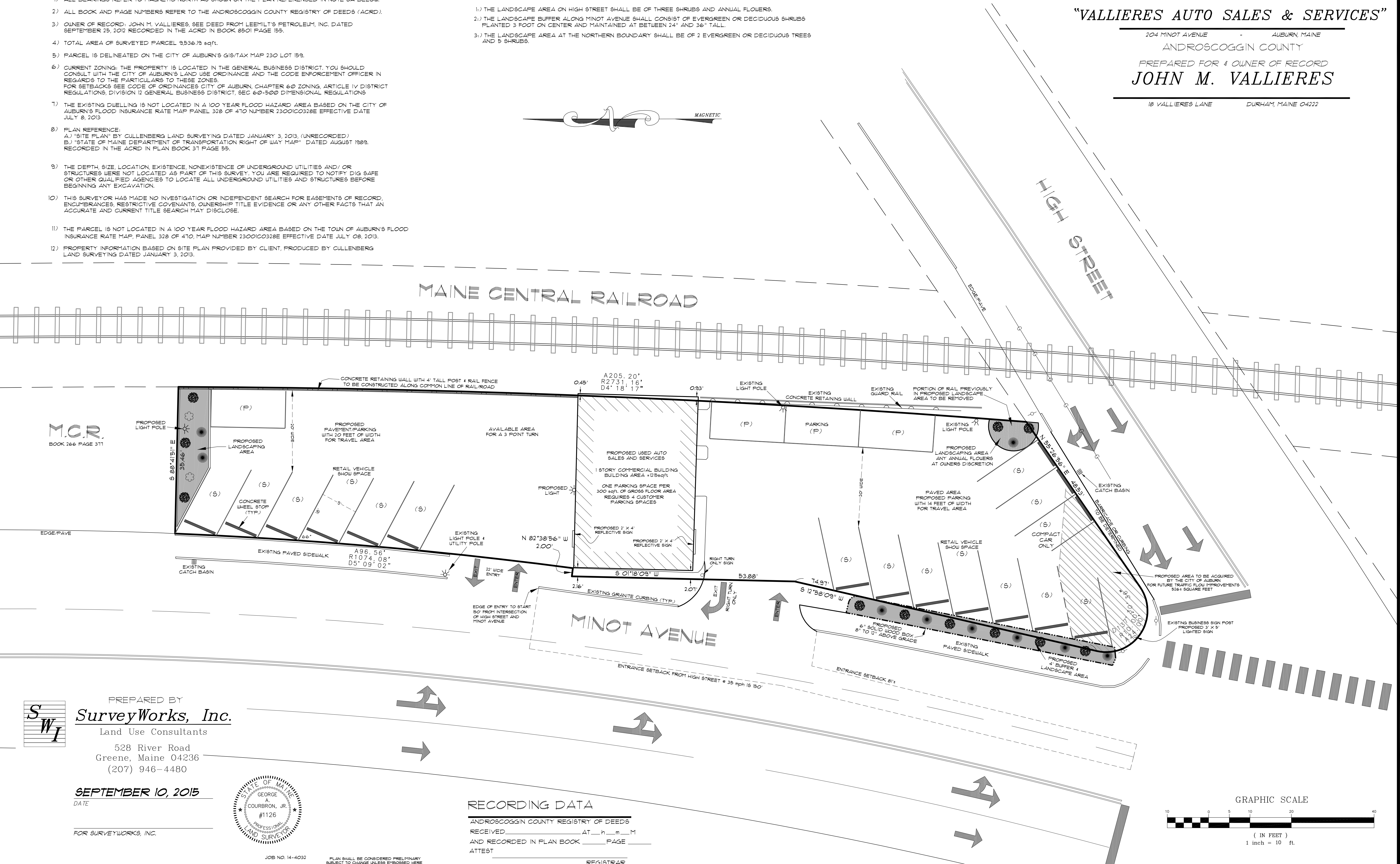
PREPARED FOR & OWNER OF RECORD

JOHN M. VALLIERES

18 VALLIERES LANE

DURHAM, MAINE 04222

MAINE CENTRAL RAILROAD

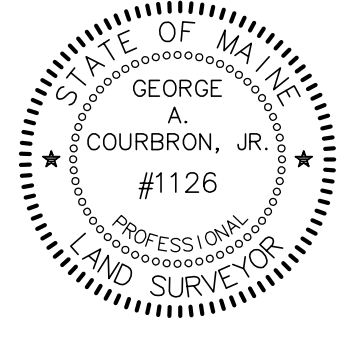


PREPARED BY
SurveyWorks, Inc.
Land Use Consultants

528 River Road
Greene, Maine 04236
(207) 946-4480

SEPTEMBER 10, 2015
DATE

FOR SURVEYWORKS, INC.



JOB NO. 14-4032

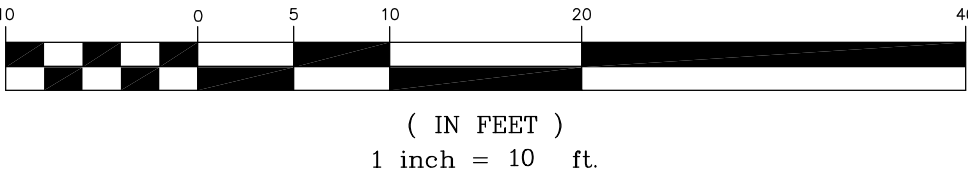
PLAN SHALL BE CONSIDERED PRELIMINARY
SUBJECT TO CHANGE UNLESS EMBOSSED HERE

RECORDING DATA

ANDROSCOGGIN COUNTY REGISTRY OF DEEDS
RECEIVED _____ AT _____ M
AND RECORDED IN PLAN BOOK _____ PAGE _____
ATTEST _____

REGISTRAR

GRAPHIC SCALE



SurveyWorks, Inc.

From: Jeff Amos, P.E. <jeff@terradyconsultants.com>
Sent: Thursday, September 10, 2015 8:23 AM
To: 'SurveyWorks, Inc.'
Subject: RE: 204 Minot Avenue
Attachments: 3 Point Turn.pdf

A 3 point turn is very easy to make with a large passenger car. The vehicle in this exhibit is 19' long.

Jeff Amos, P.E.

From: SurveyWorks, Inc. [<mailto:contact@surveyworksinc.com>]
Sent: Thursday, September 10, 2015 7:56 AM
To: Jeff Amos <jeff@terradyconsultants.com>
Subject: 204 Minot Avenue

Hello Jeff,

Please see the attached plan and the area that needs a 3 point turn around.

Call George with any questions.

Thank you!



Lisa Merrill, Office Manager
SurveyWorks, Inc.
528 River Road
Greene, ME 04236
(207) 946-4480 office
(207) 946-4483 fax
www.surveyworksinc.com

GAC/ljm

CONCRETE RETAINING WALL WITH 4' TALL POST & RAIL FENCE
TO BE CONSTRUCTED ALONG COMMON LINE OF RAIL/ROAD

A205.20'
R2731.16'
D4°18'17"

PROPOSED
PAVEMENT/PARKING
WITH 20 FEET OF WIDTH
FOR TRAVEL AREA

AASHTO 2011 (US)

I need a 3 point turn around in this area only

RETAIL VEHICLE
SHOW SPACE

(S)

(S)

(S)

A96.56'
R1074.08'
D5°09'02"

EXISTING
LIGHT POLE
UTILITY

AASHTO 2011 (US)

PROPOSED
LIGHT

N 82°38'56" W
2.00'

PROPOSED 2' X 4'
REFLECTIVE SIGN

PROPOSED US
SALES AND S

1 STORY COMMERC
BUILDING AREA

ONE PARKING S
300 sqft. OF GROSS
REQUIRES 4 CU
PARKING SP

2.16'

MINOT

SCALE

1 inch = 10 feet

“Vallieres Auto Sales and Service”

**204 Minot Avenue, Auburn
Tax Map 230, Lot 159**

**Prepared For:
John Vallieres
18 Vallieres Lane
Durham, Me 04222**

April 10, 2015

Prepared By:



Survey Works, Incorporated
Land Use Consultants

TABLE OF CONTENTS

Application Letter

Agent Authorization Letter

Estimate of Project Cost

Banking Summary of Funds Available

Development Review Check List

Development Review Application

Special Exception Narrative

Sign Permit Application

Commercial Building Permit

Source Deed & Tax Assessors Information Card

Current Site/Building Photo

Auburn Parcel Map with Locations of Like Businesses

Preliminary Plan Reduction



Survey Works, Incorporated

Land Use Consultants
www.surveyworksinc.com

April 13, 2015

Douglas Greene, City Planner
Planning & Permitting Department
City of Auburn
60 Court Street
Auburn, ME 04210

RE: Vallieres Auto Sales and Service
204 Minot Avenue, Auburn – Map 230, Lot 159

Mr. Greene,

SurveyWorks, Inc. is pleased to represent Mr. John Vallieres in this application for Special Exception/Site Plan permitting. The site located at 204 Minot Avenue in Auburn was, for many years, the Getty Gas/Service Station. The site is a flat site with no restrictive geological features. The total area of the existing building and lot is 9,536'±.

Mr. Vallieres is proposing a change of use of the existing 1,215 square foot building from a gas/service station to a used auto sales/service station. The westerly 1/3 of the building will be used as an office and sales department, while the easterly 2/3 of the building will contain 2 bays for servicing vehicles. In addition, the proposal calls for a net reduction of impervious areas with some pavement and gravel being removed and landscaped to add green space. Except for the added green space, the proposal calls for no significant changes to the site other than a reduction in curb cuts for enhanced traffic safety.

We will be available at the planning board meeting scheduled May 12, 2015 to answer in more detail any of your questions or concerns.

Respectfully submitted,

Jason Courbron, Project Manager

February 5, 2015

SurveyWorks, Inc.
528 River Road
Greene, ME 04236

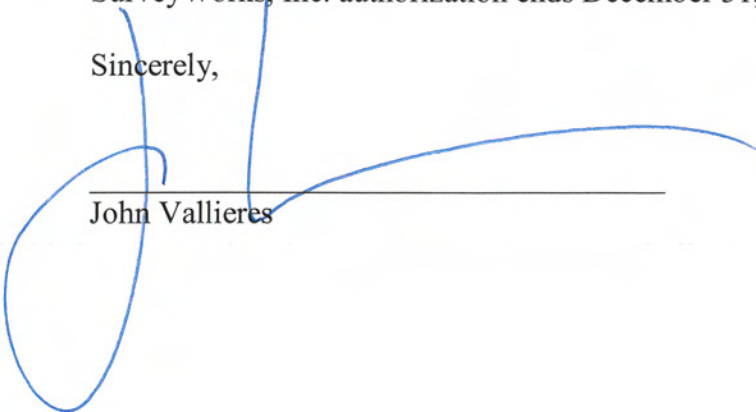
RE: Agent Authorization for John Vallieres Auto Outlet
204 Minot Avenue, Auburn, Maine.

To whom it may concern:

I hereby authorize SurveyWorks, Inc. to act on my behalf as my agent in the processing of any required application, and to furnish, upon request, supplemental information in support of this application. I have also retained SurveyWorks, Inc. to act as my agent at any and all Planning Board meetings related to this project.

SurveyWorks, Inc. authorization ends December 31, 2015.

Sincerely,



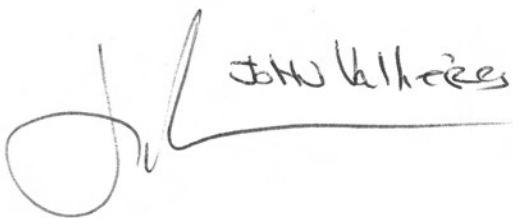
John Vallieres

Estimated cost to complete project: **204 Minot Avenue**

Interior office	\$3,200.00
Pavement of back of property	\$7,500.00
Replace retaining wall	\$1,500.00
Plant green area for City of Auburn	\$1,000.00
Misc. items	\$2,000.00

\$15,200.00

Please see the attached copy of my bank statement as proof that I have the funds available to complete this pr







A handwritten signature in black ink, appearing to read "John Wilkes". The signature is written in a cursive style with a large, looped initial "J" and a long horizontal stroke extending to the right.

Account Summary

Options  Edit |  2 Holds

Actions	Account	Type	Number	Available	Balance
---------	---------	------	--------	-----------	---------

Deposit Accounts

 	 PRIME SHARE	Savings	XXXXXX0625-S00	\$230.97	\$2,263.14
 	 CLASSIC CHECKING	Checking	XXXXXX0625-S71	\$17,467.67	\$17,467.67
Deposit Accounts – Sub Total:					\$19,730.81

Loans and Credit Cards

 	 SHARE SECURED make payment – due 4/15/2016	Loan	XXXXXX0625-L11		\$7.17
 	 SHARE SECURED VISA make payment – due 4/25/2015	Credit	XXXXXX0625-L80	\$11.23	\$1,973.77
Loans and Credit Cards – Sub Total:					\$1,980.94

Account Summary Total

All Accounts Total:	\$17,749.87
---------------------	-------------

800-750-0959 | Fax: (207) 330-4099
Routing and Transit number — 211287463

[Five County Credit Union Home](#)
[Learn about SSL Certificates](#)

Federally Insured By NCUA



Additional coverage up to \$250,000 provided
by Excess Share Insurance Corporation, a
licensed insurance company.



– Current time is 4/2/2015 11:48:01 AM – 0 – W1 –



Development Review Checklist

City of Auburn Planning and Permitting Department
City of Lewiston Department of Planning and Code Enforcement



**THE FOLLOWING INFORMATION IS REQUIRED WHERE APPLICABLE TO BE
SUBMITTED FOR AN APPLICATION TO BE COMPLETE**

PROJECT NAME: Vallieres Auto Sales and Service

PROPOSED DEVELOPMENT ADDRESS and PARCEL #: 204 Minot Avenue - Map 230 Lot 159

Required Information		Check Submitted		Applicable Ordinance	
		Applicant	Staff	Lewiston	Auburn
Site Plan					
	Owner's Names/Address		X		
Auto Outlet	Names of Development	*	X		
	Professionally Prepared Plan		X		
	Tax Map or Street/Parcel Number		X		
	Zoning of Property		X		
	Distance to Property Lines	*	X		
	Boundaries of Abutting land		X		
Add to zone note	Show Setbacks, Yards and Buffers	*			
	Airport Area of Influence (Auburn only)		N/A		
	Parking Space Calcs		X		
	Drive Openings/Locations		X		
	Subdivision Restrictions		N/A		
Describe in building	Proposed Use	*	X		
	PB/BOA/Other Restrictions		N/A		
Make Appointment	Fire Department Review	*To be provided by Planning Department			
	Open Space/Lot Coverage		N/A		
	Lot Layout (Lewiston only)		N/A		
	Existing Building (s)				
	Existing Streets, etc.				
	Existing Driveways, etc.				
	Proposed Building(s)				
	Proposed Driveways				
Landscape Plan					
	Greenspace Requirements		X		
	Setbacks to Parking		N/A		
	Buffer Requirements		N/A		
	Street Tree Requirements		N/A		
	Screened Dumpsters		N/A		
	Additional Design Guidelines		N/A		
	Planting Schedule		N/A		

Required Information		Check Submitted		Applicable Ordinance	
		Applicant	Staff	Lewiston	Auburn
Site Plan					
Stormwater & Erosion Control Plan					
See attached narrative. We are increasing the pervious area. There are no additional proposed site improvements increasing stormwater and erosion control	Compliance w/ chapter 500		N/A		
	Show Existing Surface Drainage		N/A		
	Direction of Flow		N/A		
	Location of Catch Basins, etc.		N/A		
	Drainage Calculations		N/A		
	Erosion Control Measures		N/A		
	Maine Construction General Permit		N/A		
	Bonding and Inspection Fees	*To be provided by Planning Department			
	Post-Construction Stormwater Plan		N/A		
	Inspection/monitoring requirements		N/A		
	Third Party Inspections (Lewiston only)		N/A		
Lighting Plan					
See narrative	Full cut-off fixtures		X		
	Meets Parking Lot Requirements		X		
Traffic Information					
	Access Management		X		
	Signage		X		
Ask Eric	PCE - Trips in Peak Hour				
	Vehicular Movements		N/A		
	Safety Concerns		N/A		
	Pedestrian Circulation		N/A		
	Police Traffic		N/A		
	Engineering Traffic		N/A		
Utility Plan					
	Water		Existing		
Need letters from John	Adequacy of Water Supply		Existing		
	Water main extension agreement		N/A		
	Sewer		Existing		
	Available city capacity		Existing		
	Electric		Existing		
	Natural Gas		Existing		
	Cable/Phone		Existing		
Natural Resources					
	Shoreland Zone		N/A		
	Flood Plain		N/A		
	Wetlands or Streams		N/A		
	Urban Impaired Stream		N/A		
	Phosphorus Check		N/A		
	Aquifer/Groundwater Protection		N/A		
	Applicable State Permits	X			

Required Information		Check Submitted		Applicable Ordinance	
		Applicant	Staff	Lewiston	Auburn
Site Plan					
	No Name Pond Watershed (Lewiston only)		N/A		
	Lake Auburn Watershed (Auburn only)		N/A		
	Taylor Pond Watershed (Auburn only)		N/A		
Right Title or Interest					
	Verify		X		
	Document Existing Easements, Covenants, etc.		X		
Technical & Financial Capacity					
	Cost Est./Financial Capacity	X			
	Performance Guarantee	*To be determined by Planning Board			
State Subdivision Law					
	Verify/Check		N/A		
	Covenants/Deed Restrictions		N/A		
	Offers of Conveyance to City		N/A		
	Association Documents		N/A		
	Location of Proposed Streets & Sidewalks		N/A		
	Proposed Lot Lines, etc.		N/A		
	Data to Determine Lots, etc.		N/A		
	Subdivision Lots/Blocks		N/A		
	Specified Dedication of Land		N/A		
Additional Subdivision Standards					
	Single-Family Cluster (Lewiston only)		N/A		
	Multi-Unit Residential Development (Lewiston only)		N/A		
	Mobile Home Parks		N/A		
	Private Commercial or Industrial Subdivisions (Lewiston only)		N/A		
	PUD (Auburn only)		N/A		
A JPEG or PDF of the proposed site plan					
Final sets of the approved plans shall be submitted digitally to the City, on a CD or DVD, in AutoCAD format R 14 or greater, along with PDF images of the plans for archiving					



Development Review Application

City of Auburn Planning and Permitting Department
City of Lewiston Department of Planning and Code Enforcement



PROJECT NAME: Auto Outlet

PROPOSED DEVELOPMENT ADDRESS: 204 Minot Avenue

PARCEL ID#: Map 230 Lot 159

REVIEW TYPE: Site Plan ☒ Site Plan Amendment ☐
 Subdivision ☐ Subdivision Amendment ☐

PROJECT DESCRIPTION: Convert an old gas station into a used car dealership

CONTACT INFORMATION:

Applicant

Name: SurveyWorks, Inc.
Address: 528 River Road, Greene
Zip Code 04236
Work #: 946-4480
Cell #:
Fax #: 946-4483
Home #:
Email: contact@surveyworksinc.com

Project Representative

Name: George A. Courbron
Address: 528 River Road, Greene
Zip Code 04236
Work #: 946-4480
Cell #:
Fax #: 946-4483
Home #:
Email: contact@surveyworksinc.com

Property Owner

Name: John Vallieres
Address: 18 Vallieres Lane, Durham
Zip Code 04222
Work #:
Cell #: 240-7350
Fax #:
Home #:
Email: john.vallieres@yahoo.com

Other professional representatives for the project (surveyors, engineers, etc.),

Name:
Address:
Zip Code
Work #:
Cell #:
Fax #:
Home #:
Email:

PROJECT DATA

The following information is required where applicable, in order complete the application

IMPERVIOUS SURFACE AREA/RATIO

Existing Total Impervious Area	9536.2±	sq. ft.
Proposed Total Paved Area	4614.0±	sq. ft.
Proposed Total Impervious Area	623.1±	sq. ft.
Proposed Impervious Net Change	8913.1±	sq. ft.
Impervious surface ratio existing	100	% of lot area
Impervious surface ratio proposed	93	% of lot area

BUILDING AREA/LOT

COVERAGE

Existing Building Footprint	1215	sq. ft.
Proposed Building Footprint	1215	sq. ft.
Proposed Building Footprint Net change	0	sq. ft.
Existing Total Building Floor Area	1215	sq. ft.
Proposed Total Building Floor Area	1215	sq. ft.
Proposed Building Floor Area Net Change	0	sq. ft.
New Building	no	(yes or no)
Building Area/Lot coverage existing	13	% of lot area
Building Area/Lot coverage proposed	13	% of lot area

ZONING

Existing	General Business
Proposed, if applicable	N/A

LAND USE

Existing	Commercial
Proposed	Commercial

RESIDENTIAL, IF APPLICABLE

Existing Number of Residential Units	N/A
Proposed Number of Residential Units	N/A
Subdivision, Proposed Number of Lots	N/A

PARKING SPACES

Existing Number of Parking Spaces	0
Proposed Number of Parking Spaces	4
Number of Handicapped Parking Spaces	1
Proposed Total Parking Spaces	

ESTIMATED COST OF PROJECT

DELEGATED REVIEW AUTHORITY CHECKLIST

SITE LOCATION OF DEVELOPMENT AND STORMWATER MANAGEMENT

Existing Impervious Area	9536.2	sq. ft.
Proposed Disturbed Area	4000	sq. ft.
Proposed Impervious Area	9536.2	sq. ft.

1. If the proposed disturbance is greater than one acre, then the applicant shall apply for a Maine Construction General Permit (MCGP) with MDEP.
2. If the proposed impervious area is greater than one acre including any impervious area created since 11/16/05, then the applicant shall apply for a MDEP Stormwater Management Permit, Chapter 500, with the City.
3. If total impervious area (including structures, pavement, etc) is greater than 3 acres since 1971 but less than 7 acres, then the applicant shall apply for a Site Location of Development Permit with the City. If more than 7 acres then the application shall be made to MDEP unless determined otherwise.
4. If the development is a subdivision of more than 20 acres but less than 100 acres then the applicant shall apply for a Site Location of Development Permit with the City. If more than 100 acres then the application shall be made to MDEP unless determined otherwise.

TRAFFIC ESTIMATE

Total traffic estimated in the peak hour-existing _____ passenger car equivalents (PCE)
(Since July 1, 1997)

Total traffic estimated in the peak hour-proposed (Since July 1, 1997) _____ passenger car equivalents (PCE)
If the proposed increase in traffic exceeds 100 one-way trips in the peak hour then a traffic movement permit will be required.

Zoning Summary

1. Property is located in the General Business zoning district.
2. Parcel Area: .22± acres / 9536.2± square feet(sf).

Regulations	Required/Allowed	Provided
Min Lot Area	10000 sq ft	/ 9536.2± sq ft
Street Frontage	100'	/ 297.92'
Min Front Yard	25'	/ 2'
Min Rear Yard	35'	/ 0'
Min Side Yard	25'	/ 95'±
Max. Building Height	45'	/ 15'±
Use Designation	Automobile Sales & Services / Used Car Dealership	
Parking Requirement	1 space/ per square feet of floor area	
Total Parking:	/	
Overlay zoning districts(if any):	/	
Urban impaired stream watershed?	YES <input checked="" type="radio"/> NO <input type="radio"/> If yes, watershed name _____	

DEVELOPMENT REVIEW APPLICATION SUBMISSION

Submissions shall include fifteen (15) complete packets containing the following materials:

1. Full size plans containing the information found in the attached sample plan checklist.
2. Application form that is completed and signed.
3. Cover letter stating the nature of the project.
4. All written submittals including evidence of right, title and interest.
5. Copy of the checklist completed for the proposal listing the material contained in the submitted application.

Refer to the application checklist for a detailed list of submittal requirements.

L/A's development review process and requirements have been made similar for convenience and to encourage development. Each City's ordinances are available online at their prospective websites:

Auburn: www.auburnmaine.org under City Departments/ Planning and Permitting/Land Use Division/Zoning Ordinance

Lewiston: <http://www.ci.lewiston.me.us/clerk/ordinances.htm> Refer to Appendix A of the Code of Ordinances

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, I certify that the City's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

This application is for development review only; a Performance Guarantee, Inspection Fee, Building Permit Application and other associated fees and permits will be required prior to construction.

Signature of Applicant:

Date:

4/10/15

DATE: 3/17/2015

TO: Auburn Planning Board

Below is a brief narrative explaining how the **Special Exception** application at 204 Minot Avenue will meet the guidelines of Chapter 60, Section 1336 of the Auburn Zoning Ordinance

Sec. 60-1336. Conditions.

(a) As conditions prerequisite to the granting of any special exceptions, the board shall require evidence of the following:

- (1) That the special exception sought fulfills the specific requirements, if any, set forth in the zoning ordinance relative to such exception.

(Answer): All of the specific requirements of the General Business District have been met or are not applicable due to the fact that, besides new pavement, no new structures or additions are to be part of this project.

- (2) That the special exception sought will neither create nor aggravate a traffic hazard, a fire hazard or any other safety hazard.

(Answer): All chemical hazards have been eliminated with the removal of all underground and above ground pumps, petroleum storage tanks prior to purchasing the property. This proposed change of use is not adding any more traffic or any new hazards than had previously been part of this site. The change of use will actually lessen the amount of traffic to and from this site as compared to when the site was being used as a gas station. Additionally, for many years people have consistently used the High Street entrance of this site as a cut through to avoid waiting at the light to turn onto Minot Avenue. With the change of on-site traffic flow and the reduction of curb cuts, the ability to cut through would no longer be available, reducing potential accidents. Please also note that this change of use is consistent with other businesses in the area, as shown on the Auburn Parcel Map showing locations of similar businesses at the end of this application request, and will not draw additional traffic.

- (3) That the special exception sought will not block or hamper the master development plan pattern of highway circulation or of planned major public or semipublic land acquisition.

(Answer): As part of this project, we are creating green spaces that will be in the view of the people entering this section of the city. The master development plan states what the lot should look like and that it should be viewed as a visual welcoming to the down town portion of Auburn. We feel we can achieve this and still use the existing building and parking area for a business that is much more appealing than its previous use.

- (4) That the exception sought will not alter the essential characteristics of the neighborhood and will not tend to depreciate the value of property adjoining and neighboring the property under application.

(Answer): This change of use will not alter the characteristics of the neighborhood except for the landscaping needed to meet the needs of the master development plan. These changes will only better the neighborhood with the city's plan in mind.

- (5) That reasonable provisions have been made for adequate land space, lot width, lot area, stormwater management in accordance with section 60-1301(14), green space, driveway layout, road access, off-street parking, landscaping, building separation, sewage disposal, water supply, fire safety, and where applicable, a plan or contract for perpetual maintenance of all the common green space and clustered off-street parking areas to ensure all such areas will be maintained in a satisfactory manner.

(Answer): This lot is an existing lot of record and has been for a very long time. With no new changes in lot configuration, the reduction of impervious areas, and no change in the use or location of utilities, this project is ensuring that all will be maintained in a satisfactory manner, better than its previous use.

- (6) That the standards imposed are, in all cases, at least as stringent as those elsewhere imposed by the city building code and by the provisions of this chapter.

(Answer): All standards of this project are as stringent as those standards elsewhere imposed. Special exceptions are made due to the fact that this is a grandfathered lot and any variances needed are due to existing features that may or may not meet current code, namely entry ways and setbacks to the project which have been in existence and used for fifty years. All other aspects of this change of use do adhere to the City of Auburn Land Use and Building Codes.

- (7) That essential city services which will be required for the project are presently available or can be made available without disrupting the city's master development plan.

(Answer): All essential city services are already in existence from the site's previous use and if any changes are to be made they would be minor and not disrupt the City of Auburn's Master Development Plan.



CITY OF AUBURN SIGN PERMIT APPLICATION

Tax Map #: 230-159 Permit #: _____ Date: _____
Temporary – Expiration Date _____ Zone: GB Fee: _____

Please attach a site plan or tax map for any pylon/ground signs showing the following:

1. Lot size and shape
2. Location of building (if any)
3. Location of sign.
4. Distance of sign from side lines & road travel way

Property Owner: John Vallieres Owner Address: 18 Vallieres Lane, Durham, ME
Address of Sign: 204 Minot Avenue, Auburn Installer: _____
Business Name: Auto Outlet Installer Phone #: _____
Business Owner: John Vallieres Business Phone #: _____
Business Mailing Address: _____

Please attach a sketch or rendering of each sign.

TYPE OF SIGN AND DIMENSIONS

Permit Fee for Each Sign = (Sign area in square feet x \$0.50) + \$25 per sign. (Rounded up to nearest dollar)

Wall Sign(s): Number of signs: 3
Dimensions of Sign 1: 3 x 5 Dimensions of Sign 3: 3 x 6
Dimensions of Sign 2: 2 x 4 Dimensions of Sign 4: _____ x _____
Method of Support: 1. metal post 2 & 3. Anchored to the building

Are any of the signs: Projecting _____ Roof _____ Illuminated 1 Reflective 2 & 3 Non-illuminated _____

****Note: For electrified signs, the Sign Permit will not be valid until an Electrical Permit has been obtained by a licensed electrician.**

Ground Sign(s): Number of signs: _____ Dimensions of Sign 6: _____ x _____
Dimensions of Sign 5: _____ x _____ Dimensions of Sign 7: _____ x _____
Method of Support: _____

Projecting Sign: Height from under side of sign to ground _____
Ground Sign: Overall height of sign _____
Height under sign to ground _____
Roof Sign: Height of sign _____
Height from under side of sign to roof _____

VALUE OF SIGNS

Value of Sign 1: 300 Sign 2: 200 Sign 3: 200 Sign 4: _____
Sign 5: _____ Sign 6: _____ Sign 7: _____ TOTAL: _____

**** Note: If the above property is not owned by the applicant, the signature of the property owner must be obtained prior to permit being issued.**

Signatures: OWNER [Signature] APPLICANT _____



60 Court Street
Auburn, Maine 04210
Tel: (207) 333-6601 ext. 1158
Fax: (207) 333-6625

Commercial Building PERMIT

Permit No: CB-6135-2013

Work Class: Alterations

Status: Issued

Expiration Date: 12/05/2014

Permit Information

Job Address	Parcel:	230159000	Square Feet:	0
204 MINOT AV AUBURN, ME 04210	District:	City of Auburn	Valuation:	\$ 2,500.00
	Issue Date:	12/5/2013		

Description of Work

Opening up & remodeling office

Additional Info

Front Setback: 25.00 Rear Setback: 35.00 Side Setback: 25.00 Shoreside Setback: 0.00

Contacts

Type	Contact Name	Address	Business Phone
Owner	John Vallieres	18 Vallieres Ln Durham, ME 04222	

Contractors

Type	Contact Name	Address	Business Phone
Contractor			

Permit Conditions

Conditions

All Construction shall meet the standards of MUBEC 2009, NEC 2011, State of Maine Internal Plumbing Code, 2010 Edition, and NFPA 101, 2009 edition, ADA 2010 & MHRA

All Property Line Setbacks shall be met

COMMENTS

Fees Due

Invoice Number: 4990
Commercial Alteration \$43.00
Invoice Total: \$43.00

Fees Paid

Invoice Number: 4990
Check 505
Commercial Alteration \$43.00
 \$43.00
Invoice Fees Paid: \$43.00

Inspections

IMPORTANT: APPLICATION IS HEREBY MADE TO THE BUILDING OFFICIAL FOR A PERMIT SUBJECT TO THE CONDITIONS AND RESTRICTIONS SET FORTH ON THIS APPLICATION AND THE FOLLOWING:

1. The City's approved plans and permit inspection card must remain on the job site for use by City inspection personnel.

Date: 12/5/2013

Approved By:

Kathryn Dowd

**SHORT FORM QUITCLAIM DEED
WITH COVENANT**

LEEMILT'S PETROLEUM, INC., A New York Corporation, having a place of business at 125 Jericho Turnpike, Ste 103, Jericho, NY 11753, for consideration paid, grants to **John M. Vallieres** whose mailing address is 18 Vallieres Lane, Durham, ME 04222, with Quitclaim Covenant, the premises located in the City of Auburn, County of Androscoggin and State of Maine, as described on **EXHIBIT A** attached hereto and made a part hereof.

Meaning and intending to convey the same premises as conveyed in a deed from David Brewster dated October 28, 1986, and recorded in the Androscoggin County Registry of Deeds in Book 2005, Page 297 on October 29, 1986.

Grantee is purchasing the premises in its "AS IS WHERE IS" condition and shall assume all responsibility and liability with respect to the condition of the premises and shall comply with all environmental laws, rules and regulations. Grantee shall be responsible for and shall defend, indemnify and hold Grantor and its parent and affiliated companies and their successors and assigns harmless from and against all claims, actions, losses, demands, judgments, damages or liabilities (including, without limitation, reasonable attorneys' fees, costs and disbursements), injuries, fines, payments, administrative orders, consent agreements, penalties, cost and expenses of any kind whatsoever brought with respect to any and all environmental conditions and contamination on, under or related to the premises and from Grantee's failure to comply with or to remediate the premises in accordance with all applicable laws, rules and regulations, including, without limitation, with respect to the use of underground storage tanks on the premises and for any contamination related to or emanating from such underground storage tanks or their associated piping, lines and motor fuel dispensing systems, and their compliance with applicable laws. The foregoing obligations and indemnity of the Grantee shall be deemed a covenant running with the land and shall be binding on the Grantee, its successors and assigns, and any subsequent purchasers or owners of the premises.

Grantee agrees that the premises shall not be used, in whole or in part, (i) as an automobile service station, petroleum station, gasoline station or for the purpose of conducting or carrying on the business of selling, offering for sale, storage, handling, distributing or dealing in petroleum, gasoline, motor vehicle fuel, diesel fuel, kerosene, benzol, naphtha, greases, lubricating oils, or any fuel used for internal combustion engines, or lubricants in any form, or other petroleum or petroleum-related products customarily associated with service stations (provided however that may sell, store, and use motor vehicle fuel and lubricants in limited amounts which are customary in connection with the operation of automobile repair facilities of similar size), or (ii) for a period of thirty (30) years following the date hereof, for residences of any type, places of worship, bed and breakfast facilities, rooming houses, hospitals, nursing homes or similar geriatric facilities, child care, playground or recreational area, schools (or any similar use which is intended to house, educate or provide care for children, the elderly or the infirm), agricultural uses, or the construction or installation of any water wells for drinking or food processing. These covenants and use restrictions shall bind the Grantee, its successors and assigns, future owners of

MAINE REAL ESTATE
TRANSFER TAX PAID

the premises and the premises itself, and shall be deemed covenants running with the land and each portion thereof.

IN WITNESS whereof, the said LEEMILT'S PETROLEUM, INC. has caused this instrument to be executed by Joshua Dickler, its Sr. Vice Pres., thereunto duly authorized, this 25th day of September, 2012.

LEEMILT'S PETROLEUM, INC.

Kyosha Jacke
Witness

By: Jd - 12 -
Its: Sr. Vice President

SEAL

STATE OF NEW YORK
County of Nassau, ss.

September 25, 2012

Then personally appeared the above-named Joshua Dickler in his/her capacity as Sr. Vice President of LEEMILT'S PETROLEUM, INC., and acknowledged the foregoing instrument to be his/her free act and deed in said capacity and the free act and deed of said corporation.

Before me,

Christine Fitter
Notary Public

Printed Name

CHRISTINE FITTER
Notary Public, State of New York
No. 4948579
Qualified in Suffolk County
Certified in Nassau County
Commission Expires March 20, 2015

EXHIBIT A

A certain parcel of land and buildings situated in the City of Auburn, in the County of Androscoggin and State of Maine, bounded and described as follows:

Beginning at a point of intersection, at or near Valuation Station 191.1 ± and twelve (12) feet westerly of the present location of the westerly rail of the main track and right-of-way of the Railroad as shown on Valuation Section V-2, Sheet 23 of Federal Valuation Survey Plan of June 30, 1916 (said Valuation Plans are on file in the office of the Chief Engineer, Maine Central Railroad Company, Administration Building, Rigby Road West, P.O. Box 9701, Portland, Maine 04104). Said point being on the northerly sideline of High Street, so-called;

Thence southwesterly along the northerly sideline of said High Street a distance of seventy-eight (78) feet, more or less, to a point of intersection with the easterly sideline of Minot Street, so-called;

Thence northwesterly along the easterly sideline of said Minot Street a distance of ninety (90) feet, more or less, to a point;

Thence continuing northerly along the easterly sideline of said Minot Street a distance of one hundred fifty (150) feet, more or less, to a point;

Thence easterly at right angles to said Minot Street, on a line a distance of forty (40) feet, more or less, to a point, said point lying twelve (12) feet westerly of the present location of the westerly rail of the main line track and right-of-way of the Railroad as previously described;

Thence southerly on a line always twelve (12) feet from and parallel to said westerly rail a distance of two hundred (200) feet, more or less, to the point of beginning, meaning and intending to convey 10,000 square feet, more or less.

Excepting and reserving, however, those parcels of land affected by certain Layouts and Takings as set forth in instruments recorded in the Androscoggin County Registry of Deeds in Book 2077, Page 313, and Book 2466, Page 193.

ANDROSCOGGIN COUNTY
TINA M CHOUINARD
REGISTER OF DEEDS

Unofficial Property Record Card - Auburn, ME

General Property Data

Parcel ID 230-159	Account Number 230159000
Prior Parcel ID --	
Property Owner VALLIERES JOHN M	Property Location 204 MINOT AV
	Property Use AUTO
Mailing Address 18 VALLIERES LN	Most Recent Sale Date 9/25/2012
	Legal Reference 8501-155
City DURHAM	Grantor LEEMILTS PETROLEUM INC,
Mailing State ME Zip 04222	Sale Price 39,600
ParcelZoning	Land Area 0.230 acres

Current Property Assessment

Card 1 Value	Building Value 48,800	Xtra Features Value 6,000	Land Value 91,700	Total Value 146,500
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Building Description

Building Style COMM	Foundation Type SLAB	Flooring Type N/A
# of Living Units 0	Frame Type MASONRY	Basement Floor N/A
Year Built 1960	Roof Structure FLAT	Heating Type FORCED H/A
Building Grade AVERAGE	Roof Cover TAR+GRAVEL	Heating Fuel OIL
Building Condition Average	Siding CONC BLOCK	Air Conditioning 0%
Finished Area (SF) 1512	Interior Walls N/A	# of Bsmt Garages 0
Number Rooms 0	# of Bedrooms 0	# of Full Baths 0
# of 3/4 Baths 0	# of 1/2 Baths 0	# of Other Fixtures 0

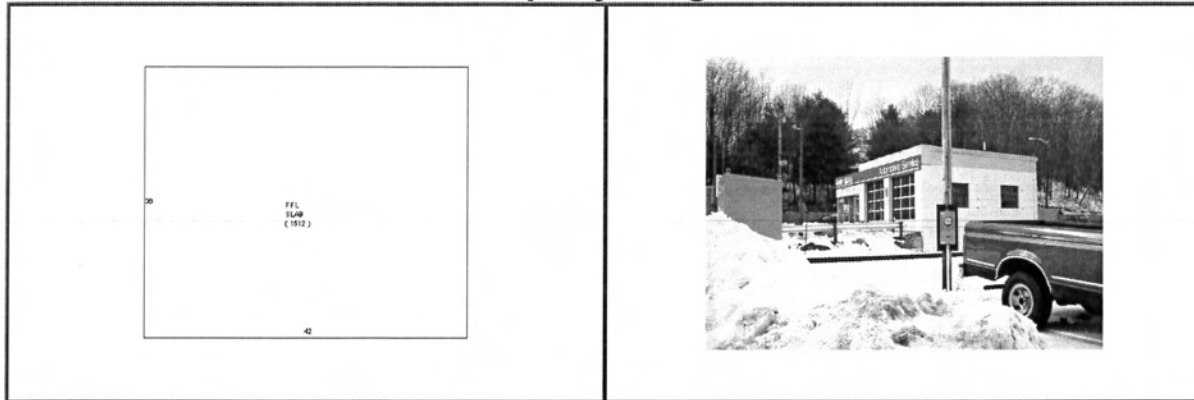
Legal Description

sale was an auction 2012

Narrative Description of Property

This property contains 0.230 acres of land mainly classified as AUTO with a(n) COMM style building, built about 1960 , having CONC BLOCK exterior and TAR+GRAVEL roof cover, with 0 unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

Property Images



Disclaimer: This information is believed to be correct but is subject to change and is not warranted.



Google earth

feet
meters

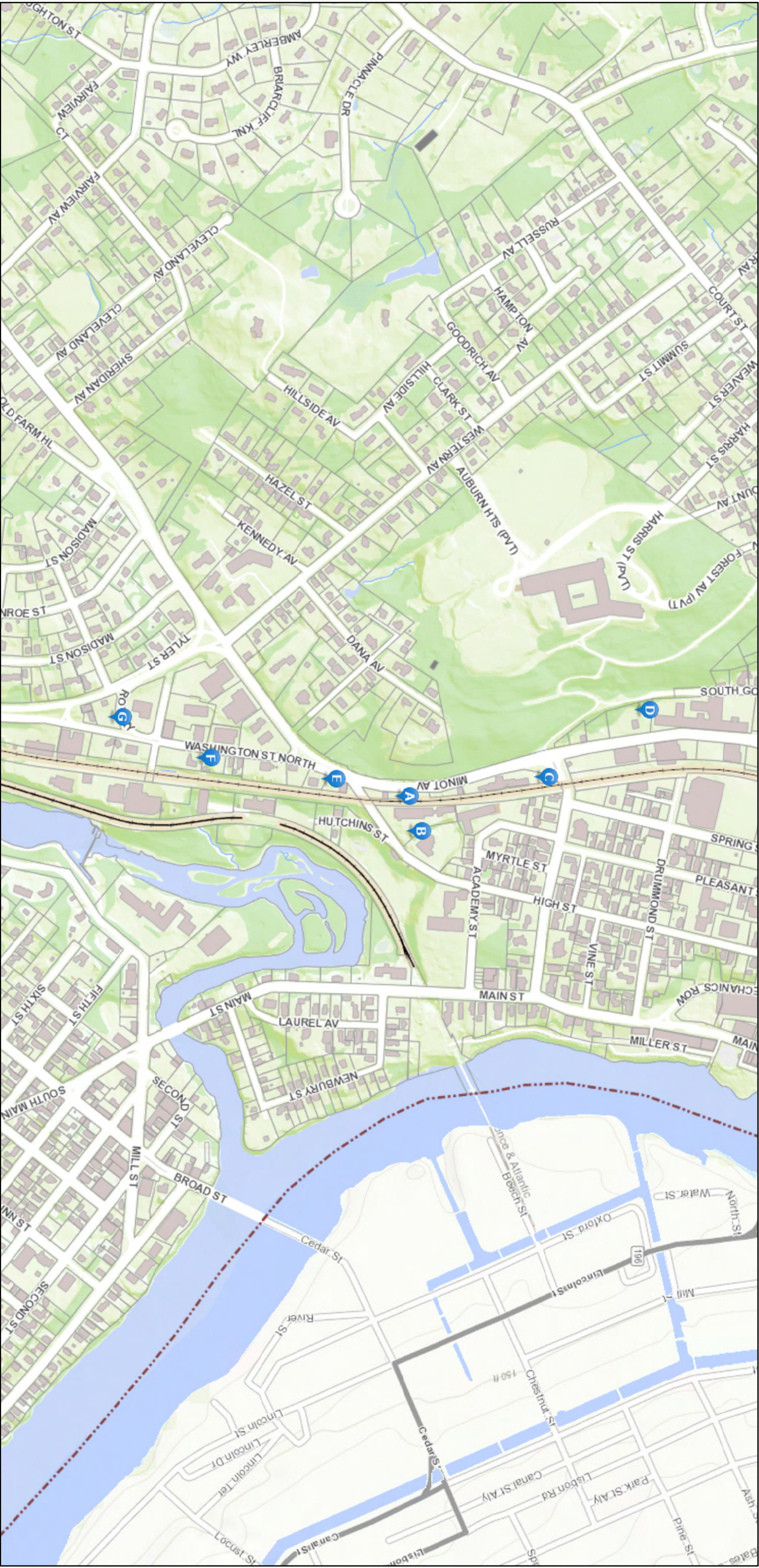
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Google earth

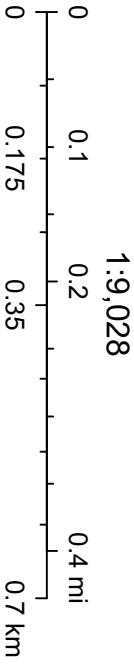
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Auburn Parcel Map



April 3, 2015
Parcels

- A - 204 Minot Avenue - Map 230 Lot 159 - John Vallieres - Formerly a Getty Gas Station
- B - 179 High Street - Map 230 Lot 160 - Coastal Trading and Pawn
- C - 150 Minot Avenue - Map 230 Lot 157 - Webster Trading Company (also Budget Rentals)
- D - 81 Minot Avenue - Map 230 Lot 66 - Godin's Auto Sales
- E - 2 Washington St North - Map 230 Lot 171 - East Coast Auto Sales
- F - 54 Washington St North - Map 220 Lot 94 - Hart's Classics, Inc (used car dealership)
- G - 89 Washington St North - Map 220 Lot 84 - Scott Thayer Auto Sales



Sources: Esri, HERE, DeLorme, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, Geobase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

ALL BOOK AND PAGE NUMBERS REFER TO THE ANDREWS COUNTY REGISTRY OF DEEDS (ACRD).
ALL BEARINGS REFER TO MAGNETIC NORTH AS SHOWN ON THE PLAN REPRODUCED IN NOTE 8A BELOW.

- 4) OWNER OF RECORD, TOWN OF ALBUQUERQUE, HAS BEEN OBTAINING PETROLEUM, INC. DATED SEPTEMBER 25, 2003 RECORDED IN THE ACORD IN BOOK 8501 PAGE 95.
- 5) TOTAL AREA OF SURVEYED PARCEL .935695 aqt.
- 6) PARCEL IS DELINEATED ON THE CITY OF ALBUQUERQUE'S 6/16/74 MAP 230 LOT 35.
- 7) CONSENT ZONING: THE PROPERTY IS LOCATED IN THE GENERAL BUSINESS DISTRICT YOU SHOULD CONSULT WITH THE CITY OF ALBUQUERQUE TO OBTAIN ORDINANCE AND THE CODE ENFORCEMENT OFFICER IN ORDER TO DETERMINE THE ZONING OF THE PROPERTY.
- 8) FOR SETBACKS SEE CODE OF ORDINANCES CITY OF ALBUQUERQUE CHAPTER 66 ZONING ARTICLE IV DISTRICT REGULATIONS, DIVISION 2 GENERAL BUSINESS DISTRICT, SEC. 66-500 DIMENSIONAL REGULATION.
- 9) THE EXISTING FLOOD INSURANCE RATE MAP NUMBER 318 OF 410 NUMBER 3300030328 EFFECTIVE DATE JULY 8, 2013.
- 10) THE EXISTING FLOOD INSURANCE RATE MAP PANEL 318 OF 410 NUMBER 3300030328 EFFECTIVE DATE JULY 8, 2013.
- 11) PLAN REFERENCE: CULLENBERG, LAND SURVEYING DATED JANUARY 3, 2013. (UNRECORDED)
- 12) STATE OF NEW MEXICO DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, DATED AUGUST 1989, RECORDED IN THE ACORD IN PLAN BOOK 31 PAGE 95.
- 13) THE DEPTH, SIZE, LOCATION, EXISTENCE, NONEXISTENCE OF UNDERGROUND UTILITIES AND/OR STRUCTURES WERE NOT LOCATED AS PART OF THIS SURVEY. YOU ARE REQUESTED TO NOTIFY D&E SAFE OR OTHER QUALIFIED AGENCIES TO LOCATE ALL UNDERGROUND UTILITIES AND STRUCTURES BEFORE BEGINNING ANY EXCAVATION.
- 14) THIS SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EVIDENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, COVENANTS, TITLE EVIDENCE OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
- 15) THE PARCEL IS NOT LOCATED IN A 100 YEAR FLOOD HAZARD AREA BASED ON THE TOWN OF ALBUQUERQUE'S FLOOD INSURANCE RATE MAP PANEL 318 OF 410 MAP NUMBER 3300030328 EFFECTIVE DATE JULY 8, 2013.

THIS SURVEY CONFORMS TO THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS, CHAPTER 90 (STANDARDS OF PRACTICE), EXCEPT FOR THE FOLLOWING AGREED TO EXCEPTION (S):

- 1) NOT ALL PUBLIC AND/OR PRIVATE RECORDS (DEEDS, PLANS, ETC.) REVIEWED HAVE BEEN NOTED ON THIS PLAN
- 2) NO SURVEYORS REPORT WRITTEN (SEE SURVEYOR'S NOTE 9). ON THIS PLAN
- 3) SUBJECT TO A REVIEW OF A LAND TITLE OPINION NOTING EASEMENTS OR RESTRICTIONS, INCLUDING OR BENEFITING THE PROPERTY. SEE NOTE 11.

THIS STATEMENT AND FINDINGS MADE ARE AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THE SURVEY, WITHIN THE SCOPE OF SERVICE REQUESTED AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EITHER EXPRESSED OR IMPLIED.

[illegible]

04 MINOT AVENUE - AUBURN, MAINE
ANDROSCOGGIN COUNTY

PREPARED FOR & OWNER OF RECORD
JOHN M. VALLIERES

18 VALLIERES LANE DURHAM, MAINE 04222

"VALLIERES AUTO SALES & SERVICES"

ANDROSCOGGIN COUNTY

PREPARED FOR & OWNER OF RECORD
JOHN M. VALLIERES

18 VALLIERES LANE DURHAM, MAINE 04222

MARCH 30, 2015
DATE

PREPARED BY
IrveyWorks, Inc.
Land Use Consultants
528 River Road
Greene, Maine 04236 -
(207) 946-4480



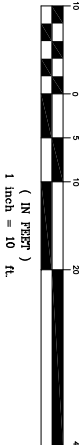
JOB NO. 14-4032

PLAN SHALL BE CONSIDERED PRELIMINARY
SUBJECT TO CHANGE UNLESS EMBOSSED HERE

RECORDING DATA

ANDROSCOGGIN COUNTY REGISTRY OF DEEDS
RECEIVED _____ AT _____ h _____ m _____ IN
AND RECORDED IN PLAIN BOOK _____ PAGE _____
ATTEST _____

GRAPHIC SCALE





Survey Works, Incorporated
Land Use Consultants

City of Auburn, Maine

"Maine's City of Opportunity"

Office of Planning and Development

To: Auburn Planning Board

From: Douglas M. Greene, AICP, RLA; City Planner

Date: September 11, 2015

RE: September 15, 2015 Planning Board Meeting
Revised Adaptive Re-use Text Amendment

As per the comments and suggestions from the Planning Board at the August 11th meeting, I have made significant changes to the Adaptive Re-use Text Amendment.

The requested changes required shifting much of the previous sections and as a result, the revision dated August 14, 2015 does not contain much strike-through. To help your review, I've included Adaptive Re-use Text Amendment from the August 11th meeting along with this revised version.

I appreciate your continued effort and interest in this important work and look forward to getting closer to a final draft.

ARTICLE XIV. - HISTORIC AND ARCHAEOLOGICAL RESOURCES

DIVISION 1 - GENERAL

Sec. 60-1094. - Purpose.

The provisions set forth in this article are intended to protect the public health and safety, promote the general welfare of the community and conserve the environment by assuring that all projects requiring planning board review are designed and developed in a manner which ensures that adequate provisions are made for protection of historic and archaeological resources; minimizing the adverse impacts on adjacent properties; and fitting the project harmoniously into the fabric of the community and promoting economic viability of important historic properties.

(Ord. of 9-21-2009, § 5.8A)

Sec. 60-1095. - Submission requirements.

The location of historic and/or archaeological resources must be indicated on the plans if the area is located within identified historic or archaeological areas shown on the Maine Historic Preservation Commission Maps in the Planning and Development Office.

(Ord. of 9-21-2009, § 5.8B)

Sec. 60-1096. - Standards of approval.

The plan for the development will reflect the natural capabilities of the site to support development. Building lots and support facilities will be clustered in those portions of the site that have the most suitable conditions for development. The development shall include appropriate measures for protecting these resources including, but not limited to, modification of the proposed design of the site, time of construction, and limiting the extent of excavation.

(Ord. of 9-21-2009, § 5.81C)

DIVISION 2 - ADAPTIVE RE-USE OF STRUCTURES OF COMMUNITY SIGNIFICANCE

Sec. 60-1100. -Purpose-

The purpose of this Section is to encourage the preservation and re-use of certain structures, that by their past use and importance to the community, are worthy of special considerations and flexibility in order to preserve them and make them economically viable for preservation. In addition, the adaptive re-use must not be a detriment to the surrounding properties and neighborhood.

Section 60-1101- Definitions-

Adaptive Re-use- the process of reusing an old site or building for a purpose other than which it was built for, designed for, or for a use not allowed as a permitted use or a special exception in the zoning district the property is situated in-.

~~*Adaptive Re-use Historic Structure*-Any building constructed before January 1, 1955.~~

Structures of Community Significance - A building that by virtue of its use in the community has created a value deserving of preservation and continued use.

Section 60-1102- ~~Criteria and Eligibility~~ Applicability for Adaptive Re-use Consideration.

- A. Eligible Criteria - A potential applicant for Adaptive Re-Use must first meet the following criteria and have a mandatory preliminary staff meeting prior to submitting an application to the Planning Board for their consideration. The applicant shall prepare an Adaptive Re-Use Compliance Statement that addresses the following:

~~1. Age- Eligible structures must have been constructed before January 1, 1955.~~

1. Community Significance- The applicant must be able to document and describe the significance or importance of :

a. The existing structure and facade

b. The site

c. The social contribution

d. The economic contribution,

e. and cultural contribution to the neighborhood, city, and/or the region.

~~2. The Structure has been vacant or underutilized for at least 2 years.~~

~~3. Economic hardship- The applicant shall provide documentation that the preservation of the structure is not economically viable under the current uses and conditions.~~

- B. Mandatory Preliminary Staff Meeting- The applicant shall schedule a preliminary meeting with the Planning applicable Staff to review the project's eligibility, draft application and other site and surrounding issues. The staff will respond to the applicant in writing within 5 working days of the meeting on its determination that the project can proceed or not.

~~C. Presentation to the Plan Review Committee- The Staff or applicant may request that the application be presented to the Plan Review Committee at their regular monthly meeting for a more comprehensive review.~~

~~D.C.~~ Eligible Application- A site or structure that meets 3 of the 4 5 criteria is eligible to proceed with an application procedure process.

Section 60-1103- Application Procedure-

A. Application Requirements- The applicant shall also provide the following:

1. A complete application that meets the requirements of a Special Exception (Sec. 60-1276-1313) and Site Plan Review (Sec. 60-1335-37).
2. Additional Project Narrative Information
 - a. Description of the surrounding neighborhood including ~~h~~ historical, societal, physical, environmental and economic conditions.
 - b. Existing site/structural conditions including: any past, existing or potential environmental issues, parking, open space and historic information.
 - c. Proposed ~~U~~ses and associated activities including a description of hours of operation, signage and number of employees.
 - ~~d. Financial Statement that provides evidence that the proposed use is both feasible and marketable along with documentation of the expected costs and financing is available to complete the project.~~
 - ~~e.d.~~ Parking Plan- that includes existing or relocated on-site parking, any proposed off-site parking such as leased, shared or municipal parking within 500 feet of the project.
 - ~~f.e.~~ A Mitigation Plan that addresses any negative impacts, if any, to the surrounding area.
 - ~~g.f.~~ Treatment of Building Exterior Facade- Photos of the existing structures and elevation drawings that show any proposed changes. Also to be included are any plans for any building additions, demolition or alterations.

B. Planning Board Action-

1. The Planning Board shall review applications for Adaptive Re-use following all the provisions of Special Exceptions (Sec. 60-1276-1313) and Site Plan Review (Sec. 60-1335-37).
2. The Planning Board shall hold a Public Hearing for all Adaptive Re-Use Applications.
- ~~2.3.~~ The Planning Board may modify dimensional requirements as per Site Plan Law 60-1312.

~~C. Special Considerations~~

- ~~1. New Construction Any new construction on the property or additions to the structure must be approved by the Planning Board and shall not exceed 10% of the existing structure. Any request to exceed 10% shall not be approved without a waiver by the Planning Board.~~
- ~~2. Parking The existing number of parking spaces must remain on site but may be relocated on site. Additional parking may be approved that is generated from leased or shared parking with a minimum 5 year option or contract, or be available at municipally owned parking within 1,000 feet.~~
- ~~3. The Planning Board may reduce or waive yard and setback requirements.~~

DRAFT

ARTICLE XIV. - HISTORIC ~~AND~~, ARCHAEOLOGICAL and COMMUNITY RESOURCES

DIVISION 1 - GENERAL

Sec. 60-1094. - Purpose.

The provisions set forth in this article are intended to protect the public health and safety, promote the general welfare of the community and conserve the environment by assuring that all projects requiring planning board review are designed and developed in a manner which ensures that adequate provisions are made for protection of historic and archaeological resources; minimizing the adverse impacts on adjacent properties; and fitting the project harmoniously into the fabric of the community and promoting economic viability of important historic properties.

(Ord. of 9-21-2009, § 5.8A)

Sec. 60-1095. - Submission requirements.

The location of historic and/or archaeological resources must be indicated on the plans if the area is located within identified historic or archaeological areas shown on the Maine Historic Preservation Commission Maps in the Planning and Development Office.

(Ord. of 9-21-2009, § 5.8B)

Sec. 60-1096. - Standards of approval.

The plan for the development will reflect the natural capabilities of the site to support development. Building lots and support facilities will be clustered in those portions of the site that have the most suitable conditions for development. The development shall include appropriate measures for protecting these resources including, but not limited to, modification of the proposed design of the site, time of construction, and limiting the extent of excavation.

(Ord. of 9-21-2009, § 5.81C)

DIVISION 2 - ADAPTIVE RE-USE OF STRUCTURES OF COMMUNITY SIGNIFICANCE

Sec. 60-1100. -Purpose-

The purpose of this Section is to encourage the preservation and re-use of certain structures, that by their past use and importance to the community, are worthy of special considerations and flexibility in order to preserve them and make them economically viable for preservation. In addition, the adaptive re-use must not be a detriment to the surrounding properties and neighborhood.

Section 60-1101- Definitions-

Adaptive Re-use- the process of reusing an old site or building for a purpose other than which it was built for, designed for, or for a use not allowed as a permitted use or a special exception in the zoning district the property is situated in-.

Structures of Community Significance - A building that by virtue of its use in the community has created a value deserving of preservation and continued use.

Section 60-1102- Application Process for Adaptive Re-use Consideration.

- A. Approval of an application for an Adaptive Re-Use of a Structure of Community Significance is a 2 stage process.
 - 1. Preliminary Adaptive Re-use Plan
 - 2. Final Adaptive Re-use Plan

Section 60-1103- Preliminary Adaptive Re-use Plan Application

- A. Purpose -The purpose of the Preliminary Plan Stage is to confer with the Planning Staff for an overview of the project eligibility and potential issues and to have the Planning Board determine if the project is eligible to apply for a Final Plan for an Adaptive Re-use of a Structure of Community Significance.
- B. Process for the Preliminary Adaptive Re-use Process
 - 1. Mandatory Preliminary Staff Meeting- The applicant shall schedule a preliminary meeting with the Planning Staff to review the project's eligibility and other on-site and off-site issues. An on-site visit with staff is recommended. The staff will make a determination to the applicant in writing within 5 working days of the meeting on its determination of the staff's level of support the project. The applicant can proceed to submit a Preliminary Plan Application.
 - 2. The Applicant shall submit a Preliminary Plan for an Adaptive Re-use of a Structure of Community Significance for consideration by the Planning Board. The applicant shall prepare and submit an Adaptive Re-Use Compliance Statement. That contains the following.
 - a. The Adaptive Re-use Compliance Statement in the form of a narrative that addresses the following elements:
 - i. The existing structure and facade
 - ii. The site conditions of the project
 - iii. The social contribution of the project to the neighborhood, city, and/or the region.

- iv. The economic contribution of the project to the neighborhood, city, and/or the region.
 - v. The cultural contribution to the neighborhood, city, and/or the region
 - b. A map showing the existing conditions within the entire property and the surrounding 500 feet of the property.
 - c. Photos of the existing property and structures.
3. Planning Board criteria for Preliminary Plan approval
- a. The Planning Board shall review the Preliminary Plan application and base their decision on the following:
 - i. The application satisfactorily addresses 3 of the 5 elements of the Compliance Statement.
 - ii. The existing site conditions have reasonable potential for Adaptive Re-use.
 - iii. Consideration of a Final Adaptive Re-use Plan will allow for an evaluation of potential impacts on the surrounding area.
4. Planning Board Decision-
- a. The Planning Board shall make a recommendation of approval, disapproval or postponement of the Preliminary Adaptive Re-use Plan within 60 day of the application's initial consideration.
 - b. The applicant may submit a Final Adaptive Re-use Application with a recommendation of approval of the Preliminary Adaptive Re-use Plan by the Planning Board.
 - c. The applicant may appeal to the Zoning Board of Appeals with a recommendation of disapproval of the Preliminary Adaptive Re-use Plan by the Planning Board.

Section 60-1104- Final Adaptive Re-use Plan Application

- A. Purpose -The purpose of the Final Plan Stage is to allow for the full consideration of an Adaptive Re-use project.
- B. Application Requirements- The applicant shall submit provide the following:
 - 1. A complete Development Application
 - 2. A complete Special Exception (Sec. 60-1276-1313) and Site Plan Review (Sec. 60-1335-37) application.

3. Additional Project Narrative Information

- a. Description of the surrounding neighborhood including; historical, societal, physical, environmental and economic conditions.
- b. Existing site/structural conditions including: any past, existing or potential environmental issues, parking, open space and historic information.
- c. Proposed uses and associated activities including a description of hours of operation, signage and number of employees.
- d. Parking Plan- that includes existing or relocated on-site parking, any proposed off-site parking such as leased, shared or municipal parking within 500 feet of the project.
- e. A Mitigation Plan that addresses any negative impacts, if any, to the surrounding area.
- f. Treatment of Building Facade- Photos of the existing structures and elevation drawings that show any proposed changes. Also to be included are any plans for any building additions, demolition or alterations.
- g. Exterior Treatment- Provide a description of any alterations to the exterior grounds including landscaping, lighting, sidewalks, signage or other outdoors elements.

C. Planning Board Action-

1. The Planning Board shall review applications for Adaptive Re-use following all the requirements, of Special Exceptions (Sec. 60-1276-1313) and Site Plan Review (Sec. 60-1335-37) and the Project Narrative.
2. The Planning Board shall hold a Public Hearing for all Adaptive Re-Use Applications.
3. The Planning Board may modify dimensional requirements as per Site Plan Law 60-1312.
3. The Planning Board shall render its decision based on how the application meets:
 - (1) *Protection of adjacent areas against detrimental or offensive uses on the site by provision of adequate surface water drainage, buffers against artificial and reflected light, sight, sound, dust and vibration; and preservation of light and air;*
 - (2) *Convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent areas;*
 - ~~(3) Adequacy of the methods of disposal for wastes; and~~
 - (4) Protection of ~~environment~~ features of community significance on the site and in adjacent areas.

~~(1) That the special exception sought fulfills the specific requirements, if any, set forth in the zoning ordinance relative to such exception.~~

~~(52)~~ That the ~~special exception~~ adaptive re-use sought will neither create nor aggravate a traffic hazard, a fire hazard or any other safety hazard.

~~(63)~~ That the ~~special exception~~ adaptive re-use sought will not block or hamper the master development plan pattern of highway circulation or of planned major public or semipublic land acquisition.

~~(74)~~ That the ~~special exception~~ adaptive re-use sought will not alter the essential characteristics of the neighborhood and will not tend to depreciate the value of property adjoining and neighboring the property under application.

~~(85)~~ That reasonable provisions have been made for adequate land space, lot width, lot area, stormwater management in accordance with section 60-1301(14), green space, driveway layout, road access, off-street parking, landscaping, building separation, sewage disposal, water supply, fire safety, and where applicable, a plan or contract for perpetual maintenance of all the common green space and clustered off-street parking areas to ensure all such areas will be maintained in a satisfactory manner.

~~(96)~~ That the standards imposed are, in all cases, at least as stringent as those elsewhere imposed by the city building code and by the provisions of this chapter.

~~(107)~~ That essential city services which will be required for the project are presently available or can be made available without disrupting the city's master development plan.

4. The Planning Board may impose additional conditions as it deems necessary and include findings in support of them.

5. Any approval of an adaptive re-use will apply to the ownership of the property. Any change of ownership will require a new adaptive re-use application.