

Auburn Planning Board Meeting Minutes

December 10, 2013

(04:00 on DVD)

Roll Call

Full Members present: Robert Gagnon, Evan Cyr, Emily Mottram, Robert Bowyer Presiding, Dan Philbrick, Dan Bilodeau and Marc Tardif.

Associate Members present: Mia Poliquin Pross and Kenneth Bellefleur

Also present representing City staff: Eric Cousens, Director of Planning & Permitting and Douglas Greene, City Planner.

Minutes

No minutes were presented for approval at this time.

Public Hearings:

Christopher C. Branch, P.E., from Sebago Technics, Inc., agent for the Lewiston Auburn Water Pollution Control Authority is seeking an amendment to the existing special exception and site plan approval to modify the conditions of approval for the property located at 230 Penley Corner Road (PID# 137-032), pursuant to Sections 60-172 (b) 12, 60-1305 and 60-1335 (c) of the City of Auburn Ordinances. *This item was tabled at the November 12, 2013 meeting and will be considered at this meeting.*

A motion was made by Evan Cyr and seconded by Dan Philbrick to remove this item from the table. After a vote of 7-0-0, the motion carried.

(05:00 on DVD)

Chairperson Bowyer explained that at the last meeting, it was the drafting of the wording of the conditions that was referred back to City staff of which has now been provided for the Board to review and act upon.

(07:40 on DVD)

Douglas Green mentioned that the conditions of approval could be listed on the site plan as a way to better track them in the future or they can be documented in the approval letter as is policy.

Chairperson Bowyer referred to the language located at special condition N on page 10 which states the applicant shall comply with all applicable Federal, State and local laws.... He said this language is not needed because whether it's in the document or not, the applicant still has an obligation to comply.

(10:38 on DVD)

Dan Philbrick commented that he did not understand why removing any of the language is necessary for the operation of the facility other than cleaning up the document. He said it did not matter to him whether or not the language remained.

Robert Gagnon stated he preferred to leave the language in.

Chairperson Bowyer asked the remaining members if they thought the language should remain or be omitted. There was no response from any other member so Chairperson Bowyer stated that he is taking this as a consensus of the Board to leave in the language. Douglas said he would adjust all of the lettering to reflect the Board's decision.

(12:00 on DVD)

A motion was made by Robert Gagnon and seconded by Dan Philbrick to approve this as presented by the Planning staff but with the lettering adjusted. After a vote of 7-0-0, the motion carried.

George S. Bouchles, P.L.S. agent for B & M Builders, is seeking approval of a minor modification to Hickory Ridge Subdivision, Lots 10 & 11, pursuant to Chapter 60, Article XVI, Division 4 – Subdivision of the City of Auburn Ordinances.

(13:50 on DVD)

The applicant submitted an updated site plan showing both lots affected. Douglas said the lot in question still meets the lot frontage, and the changing of the side lot line does not occur until you meet the building line so they are well over the lot size. He added the lot is in the Rural Residential zone which requires a minimum 250 ft of frontage and 150 ft of depth with a minimum lot size of 1 acre.

(16:35 on DVD)

Chairperson Bowyer explained the procedure of the Planning Board meetings.

(17:18 on DVD)

Douglas went over the staff report.

(20:55 on DVD)

George S. Bouchles, P.L.S. agent for B & M Builders gave a brief explanation as to what caused the error and why the minor modification is being requested.

Board members questioned the procedures that are typically followed for builders utilizing surveyors, the procedures for permitting and whether surveys are required prior to issuance and the frontage requirements for this lot. Eric responded saying surveys are not required for permitting but a plot plan showing where the building is being placed on the lot is required. He added that initially in Phase 1, the Board approved the reduction on frontage in the cul-de-sac.

Open Public Hearing

(31:50 on DVD)

A motion was made by Robert Gagnon and seconded by Dan Bilodeau to close the Public Hearing. After a vote of 7-0-0, the motion carried.

A motion was made by Dan Bilodeau and seconded by Robert Gagnon to approve a minor modification to Hickory Ridge Subdivision, Lots 10 & 11, pursuant to Chapter 60, Article XVI, Division 4 – Subdivision of the City of Auburn. After a vote of 7-0-0, the motion carried.

(33:50 on DVD)

Public Hearing for a recommendation to the City Council on a proposal to amend the City Of Auburn Zoning Ordinance, Chapter 60, Section 60-172.a (1) to modify the restriction on residential homes in the Agriculture and Resource Protection District pursuant to Article IV, Division 3- Use Regulations of the City of Auburn Ordinances.

Douglas went over the staff report.

(53:00 on DVD)

Michael Reardon, applicant, stated that he and his wife Darlene are retiring from the farming business but would like to stay in Auburn. He explained their situation and why they are bringing this petition forward.

(55:25 on DVD)

Open Public Hearing

Chris Carson stated that this should be dealt with through a variance because it's an individual situation. He said he lives in the Agricultural zone and is concerned about the ramifications that this might bring to the City.

(58:30 on DVD)

Chairperson Bowyer asked Mr. Reardon if he was actively farming and if there was a residence in conjunction with the farm. Mr. Reardon replied yes to both questions.

Douglas laid out the current conditions to better explain Mr. & Mrs. Reardon's situation.

(1:02:12 on DVD)

Mrs. Reardon pointed out that there is only enough road frontage for one house on that 16 acres.

Chairperson Bowyer stated that the Board has the dilemma of needing to think about the effects on numerous parcels throughout the city while on the other hand trying to think about how it works in the applicants' particular situation. He said there needs to be a heavy dose of research to recognize how many other lots there are in the City that are potentially affected before having some language discussed.

(1:08:30 on DVD)

A lengthy discussion followed amongst the Planning Board members, City staff and the Applicants.

(1:21:08 on DVD)

Eric stated for the record of disclosure that he would not participate in forming a recommendation for this one because he had purchased a property earlier in the summer that has Rural Residential and Agricultural zoning and asked that all correspondence relating to this topic be handled by Douglas.

Douglas suggested looking at the last page of the staff report which shows several recommendations by staff on how the Board could proceed.

(1:23:51 on DVD)

The discussion continued amongst the Board members about land banks, the language that is being sought and potentially bringing this back for a work shop.

(1:28:01 on DVD)

A motion was made by Evan Cyr and seconded by Dan Philbrick to close the Public Hearing. After a vote of 7-0-0, the motion carried.

A motion was made by Evan Cyr and seconded by Robert Gagnon to table this item. After a vote of 7-0-0, the motion to table carried.

OLD BUSINESS:

None at this time.

MISCELLANEOUS

None at this time.

(1:29:10 on DVD)

ADJOURNMENT

A motion was made by Evan Cyr and seconded by Emily Mottram to adjourn. After a vote of 7-0-0, the motion carried