

Auburn Planning Board Meeting Minutes

October 8, 2013

Roll Call

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

Associate Members absent: Mia Poliquin Pross and Kenneth Bellefleur

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

Minutes

A request to approve the August 13, 2013 meeting minutes was made by staff.

Chairperson Bowyer stated the following typographical errors in the minutes:

- 1st page, “the minutes were deferred” not differed
- Top of 3rd page, “several members recused themselves” not recued
- Middle of 3rd page, change the word disclosed to read identified.
- The last page, replace principle with principal

A motion was made by Robert Gagnon and seconded by Evan Cyr to approve the August 13, 2013 meeting minutes with the recommended corrections. After a vote of 7-0-0, the motion carried.

Public Hearings:

George Bussiere, agent for Lake Auburn Community Center, is seeking Site Plan and Special Exception approval for a recreational use of land intended or designed for public use and associated site improvements at 115 North Auburn Road (PID # 363-035), pursuant to Chapter 60, Section 60-172(b)(5) of the City of Auburn Ordinances. *This item was tabled at the August 12, 2013 meeting and has been requested it be taken off the table.*

A motion was made by Evan Cyr and seconded by Robert Gagnon to take the above item off the table. After a vote of 5-0-2, the motion carried. Dan Bilodeau and Emily Mottram abstained.

Chairperson Bowyer explained the procedure that is used for Public Hearings.

Eric Cousens stated for the record that Dan Bilodeau and Emily Mottram stepped down from their Board seats and moved to the audience. He then proceeded to read the staff report.

There was a discussion amongst the Board members and City staff about the parking situation.

Dan Bilodeau, applicant, stated the following:

- Promoting 2 on 2 beach sand volley ball
- Did not have a problem removing the parking near the barn off of the plan
- The part of the barn that is unsafe is slated for demolition and should be completed within the next 3 weeks
- Did not realize there was a complaint about the lighted sign and said will make sure it isn't lit for 24 hrs

A lengthy discussion ensued amongst the Board members, City staff and the applicant regarding the barn's allowed use in Phase I, the parking situation, size of sign and times allowed for lighting.

Open Public Hearing

James McPhee of 72 Hillcrest Street commented that he had reviewed this plan and said it was a good plan as per the Ordinance. He referenced Chapter 60, Section 60-607(12)(A) which requires that the parking lot be of a bituminous, paved or cobblestone type surface and referenced Section 60-607(13) which does not allow backing out of parking spaces on to a street. He said any condition this Board puts on a plan that corrects a deficiency has to be noted in the minutes, has to be written on the letter to the developer, and it has to be put on the plan when it's recorded at the Registry of Deeds. He added that the actual language the Board wants has to be wordsmith tonight, so for posterity, everyone knows exactly what happened at the public hearing. He spoke about 3 nuisances; lighting, parking and noise.

A motion was made by Robert Gagnon and seconded by Evan Cyr to close the public hearing. After a vote of 5-0-0, the motion carried.

Chairperson Bowyer commented that he did not think the Board would need to agree on the wording of the decision today but would need to see a draft and if the Board is disposed toward approving this, that it be approved subject to review of the draft decision in such a way that they don't need to reconvene to approve the decision. He suggested that by some mechanism, the wording be passed around to Board members and the decision be official upon filing after the members have a chance to review revised wording.

Eric replied that he could draft a decision based on the Board's motions tonight and then confirm with the Board that he's captured it accurately before the Chairperson signs it.

Chairperson Bowyer commented about stock language that appears in decisions and suggested the following revisions: Avoid light spill onto adjoining properties instead of talking about the type of bulb used and would prefer to limit vehicle count when talking about parking, instead of limiting the number of people.

Evan Cyr said that such a large sign is not needed and is in favor of limiting the size to 3 x 4 feet and not be illuminated between the hours of 8:30 pm and 7:30 am.

Robert Gagnon said he had Conditions H thru N to add to the proposed language and listed the following;

- H. Portion of barn to remain – (remove: and be relocated)

- I. 20 ft gravel drive into the site
- J. 4 x 3 sign limit and 8:30 pm latest sign is lit
- K. Angled parking to be removed
- L. New parking added where building is demolished
- M. Angled parking stalls on North Auburn Rd to be removed
- N. No parking signs placed where Police deem necessary

The Board members and City staff continued with a discussion about the no parking signs on North Auburn Rd, limiting the number of vehicles on the site, and exempting the parking lot surface material.

A motion was made by Robert Gagnon and seconded by Evan Cyr to approve the Site Plan and Special Exception request for a recreational use of land intended or designed for public use and associated site improvements at 115 North Auburn Road (PID # 363-035), pursuant to Chapter 60, Section 60-172(b)(5) of the City of Auburn Ordinances with the added conditions suggested by the various Board members. After a vote of 5-0-0, the motion carried.

Eric confirmed that he had captured the accurate language of the following conditions:

- Condition letter B would become 13 vehicles rather than the number of people in Phase 1.
- Condition letter F: lighting shall be focused on the property and avoid light spill off of the property and onto other parcels and the street
- New parking to be added when barn is removed
- Angled parking in front of the barn to be removed from the plan
- Strike the note on the plan labeling 2 parking spaces next to the garage because they require backing onto the street
- Barn should not be labeled to be relocated, should be labeled for storage only and to remain for the current time in Phase 1.
- Site lighting shall be limited to the hours of 7:30 am to 8:30 pm
- Sign size shall be limited to 3 x 4 feet
- Entrance/Exit drive will be widened with a year round gravel surface to a width of 20 feet
- We will consult with the Auburn Police Department to determine if they feel that no-parking signs along that section of North Auburn Road are appropriate
- A turn around area of at least 4' long shall be constructed to the east end of the gravel parking lot.

Evan Cyr commented that he did not think the noise issue needed to be addressed since it was in the Agricultural zone where we don't limit the sound of harvesting equipment, tractors, and other farming equipment. Eric explained that the ordinance does limit the noise level in the residential portion of the lot to 50 decibels at the property line and applies whether they were here for a new use or not. He added that the police department will assist us in enforcing noise standards if there are complaints.

The Board members took a brief recess.

Chairperson Bowyer called the meeting back to order and stated that all 7 Board members were seated and prepared to act on the next item on the agenda.

The applicant, Michael Gotto, agent for Steven and Amy Morse, is seeking approval of a minor modification of the Taylor Pond Estates Subdivision, affecting Parcel IDs 266-050 and 266-033, pursuant to Chapter 60, Article XVI, Division 4 – Subdivision of the City of Auburn Ordinances.

Eric read the staff report.

Chairperson Bowyer asked if all members of the subdivision were on board with the land swap. Eric replied that public notice was sent to all property owners and that he had not received any negative comments or concerns from anyone. He said it was his understanding that most if not all of the property owners were members of the same family through blood or by marriage.

Michael Gotto, agent for Steven and Amy Morse stated that the 5 lots of the original subdivision were all owned by members of the same family and all were willing to sign the deed. He said they were just waiting for Board approval before they signed.

There was a discussion amongst the Board members, City staff and the applicant regarding the setback issue, building permits and the timeline of how the error was found and what steps they needed to take in order to rectify the error.

Mr. Gotto provided photos of the site for the Board members to view.

Open Public Hearing

A motion was made by Robert Gagnon and seconded by Evan Cyr to close the public hearing. After a vote of 7-0-0, the motion carried.

A motion was made by Robert Gagnon and seconded by Dan Bilodeau to approve the minor modification of the Taylor Pond Estates Subdivision, affecting Parcel IDs 266-050 and 266-033, pursuant to Chapter 60, Article XVI, Division 4 – Subdivision of the City of Auburn Ordinances.

Even Cyr commented that he was concerned that if this was approved, it might create a precedent for future PUDs. He also mentioned Section 60-420(3) in Chapter 60 of the City of Auburn Ordinance and asked if there was a mechanism under that section that allowed the Board to make a motion. Eric replied that the Board could make amendments because this was not a PUD but a straight subdivision of land. Eric referenced Section 60-1359 in Chapter 60 and stated these were the guidelines for subdivision.

After a vote of 7-0-0, the motion carried.

OLD BUSINESS: None at this time.

MISCELLANEOUS

Eric introduced Douglas Greene as the new City Planner. Doug gave a brief description of his work history and said he was excited to be working in Auburn. Chairperson Bowyer welcomed him on behalf of all of the Board members and said they were delighted to have him on board.

Eric also spoke about the following:

- The Form Based Code Technical presentation would be brought back at a later meeting.
- Committees have been working on the New Auburn Transportation and Land Use Plan and invited the Board members to their next meeting scheduled for Thursday night at 6:00 pm.
- Chairperson Bowyer's appointment to the Board was renewed at last night's Council meeting

ADJOURNMENT