

# Auburn Planning Board Meeting Minutes

## May 12, 2015

### Roll Call

**Regular Members present:** Mia Poliquin-Pross, Evan Cyr, Robert Bowyer, Ken Bellefleur Presiding, Emily Mottram, Marc Tardif, and Dan Philbrick

**Regular Members absent:** None

**Associate Members present:** Elaine Wickman and Nathan Hamlyn

**Associate Members absent:** None

**Also present representing City staff:** Douglas Greene, City Planner

### **Minutes**

A request to approve the March 10, 2015 meeting minutes was made by staff.

A motion was made by Robert Bowyer and seconded by Marc Tardif to approve the March 10, 2015 meeting minutes as presented. After a vote of 7-0-0, the motion carried.

A request to approve the April 14, 2015 meeting minutes was made by staff.

A motion was made by Evan Cyr and seconded by Robert Bowyer to approve the April 14, 2015 meeting minutes as presented. After a vote of 7-0-0, the motion carried.

### Public Hearings:

- 1. Jason Courbron, Land Use Consultant, and agent for John Vallieres, is seeking approval 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, Article 1 (Zoning in General) Section 60-3 (a, b) Purpose; Article XVI Administration and Enforcement, Division 2, Site Plan Review and Division 3, Special Exception. *This item was Postponed***
- 2. George Bouchles, Surveyor, and agent for Bouffard and McFarland Builders, is seeking approval for 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.**

Douglas went over the staff report and presented slides via PowerPoint. Questions were asked by the Board members which were answered by Douglas.

(13:55 on DVD)

George Bouchles, Surveyor and Kim Visbaras of 42 Hersey Hill Road, both representing Bouffard & McFarland Builders, spoke about the project and addressed some of the staff's comments. A revised sketch showing a solution of the non-conforming lot of the retained land was given to the Planning Board members.

Robert Bowyer stated that the Board's rules did not allow Board members to review this document at this time as they would have had to have received it by the Wednesday prior to the meeting. He explained the Board does not like to have things handed out to them and have to attempt to absorb and react to something that is seen only minutes earlier and of which the staff has had no chance to review. Mr. Visbaras said this was not an attempt to override any rules of the Board but was provided as a courtesy to address a staff report condition that had been raised.

Douglas explained why the plans had just been submitted. He asked the representatives to talk about the potential road developments through the property. Mr. Visbaras explained if the retained land was to be sold as a block, then there wouldn't be a road going through as there wouldn't be a need for it. He said there are preliminary sketches but it was still undecided as to whether or not a road would be developed in the interior. He spoke about the pipeline and potential for a cul-de-sac.

(26:17 on DVD)

Robert Bowyer commented that the right-of-way between lots 7 and 8 appeared destined to become a street and would be well in excess of the length of a dead-end as listed as set standards in the subdivision regulations for the length of a dead-end.

Mr. Visbaras replied that it's not a dead-end and it's not a road. On this plan, assuming there is development on the interior of the lot, this may be a road but for today and for this application, this is a storm water area and that's all it is. He added that even before Phase 1 was submitted, City Staff indicated that any contemplation of an internal road was to be a through road and not a dead-end and that's why there are 2 corridors on either end.

Robert Bowyer commented about the grossly substandard condition of Woodbury Road and said if it is to provide frontage for lots as shown on the plans or as a potential access to the interior land, in his view needs to be brought up to a higher standard. He said some arrangement needs to be worked out with the City whereby the developer, at the developer's expense, would upgrade Woodbury Road. He added that a compromised set of engineering standards can be achieved for a new subdivision street so the new expensive houses won't be purchased on a grossly substandard access point.

Mr. Visbaras said he respectfully disagreed with Mr. Bowyer because there was not a single ordinance provision in a subdivision law that the City of Auburn enforces that requires the developer to improve a public street. If a subdivision road is constructed within land that is not improved, it has to be built to the standards adopted by the City. This is a public road and has been for decades and it's the City's responsibility to maintain these roads, not the developer's responsibility to pay for the City's lack of maintenance on this road.

(36:35 on DVD)

### **Open Public Input**

Amy & Eric Heimerl of 160 Woodbury Road spoke about their concern of the condition of the road and the lack of fire hydrants in the area.

A motion was made by Evan Cyr and seconded by Mia Poliquin-Pross to close the public input part of the meeting. After a vote of 7-0-0, the motion carried.

Robert Bowyer commented that he was uncomfortable continuing with this subdivision plan and said he would like to see more creativity in the design of the development so that the topography and wetlands are addressed and asked that the developer come up with something that better fits the land.

Evan Cyr said he was concerned about the negative effect of the road given the additional traffic from the proposed subdivision and also about the creation of a non-conforming lot.

Robert Bowyer clarified that it is not a non-conforming lot, but a non-complying lot and proceeded to explain the difference between the two terms. In reference to the poor conditions of Woodbury Road, he stated we owe it to our responsibility on this Board to avoid situations where new homeowners in a development keep contacting the Public Works Department to repair their roads.

(46:43 on DVD)

Chairperson Bellefleur spoke about his experience living on a dirt road. He said he's all too often had to maintain the road himself and feels Woodbury Road may be better served if it was all dirt instead of partially paved so it could at least be graded. But he's certain there are people still willing to purchase new houses on poorly maintained roads for the same reasons he is willing to live where he does.

A lengthy discussion ensued amongst Board members regarding, among other things, road conditions, the non-compliant lot, the accessibility of fire fighting apparatus and whether or not to approve the item with conditions or to table.

(1:13:00 on DVD)

A motion was made by Evan Cyr, to approve the preliminary 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 subject to conditions 1 through 3 as presented in the staff report.

Robert Bowyer stated that he was voting against approval and requested that all of the issues that had been discussed by various Board members be in the record as part of the motion.

Evan said he would amend his motion to include that the developer's representatives heard loud and clear the discontent of the Board and that instead of adding conditions that are burdensome

to the applicant, would rather put his faith in the developer to come back with a better solution next time.

Emily Mottram asked if the motion could be amended to include clarification of the department review and Evan stated he would be willing to add that as a directive for staff.

The motion was seconded by Marc Tardif. After a vote of 5-2-0, the motion carried. Robert Bowyer and Evan Cyr opposed.

Robert Bowyer stated he voted against this because he believes they are going in the wrong direction and said they need a much more sensitive site plan for this location.

(1:19:45 on DVD)

**NEW BUSINESS:**

**Planning Board recommendations to the city council with regard to the compatibility of the city manager's proposed capital improvements program (CIP) with the comprehensive plan.**

Doug explained what was expected of the Board members. Robert Bowyer asked for a brief explanation about the Minot Avenue Corridor Analysis Design. Douglas proceeded to summarize the plans and said he would come back with more details on each item in the list.

**OLD BUSINESS:**

**Form Based Code Workshop**

The Board members discussed the need to have a workshop to continue moving forward on Form Based Codes. The decision was made to meet on Tuesday, June 26<sup>th</sup> for a workshop if Alan Manoian would be available.

(01:34:48 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.