

Auburn Planning Board Meeting Minutes

February 9, 2016

Roll Call

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

Regular Members absent: 1 vacancy

Associate Members present: Elaine Wickman

Associate Members absent: Nathan Hamlyn

Also present representing City staff: Douglas Greene, City Planner

Chairperson Bellefleur called the meeting to order and stated they would be acting on the Minutes first.

Minutes:

December 8, 2015 Meeting Minutes

Robert Bowyer commented that the December minutes should have indicated which of the 2 Associate Members served as a Full Member during the Public Hearing. After a short discussion, the Board Members recalled that Nathan Hamlyn had served as a Full Member during the December Planning Board meeting.

A motion was made by Robert Bowyer and seconded by Evan Cyr to approve the December 8, 2015 meeting minutes as amended. After a vote of 7-0-0, the motion carried.

January 12, 2016 Meeting Minutes

A motion was made by Dan Philbrick and seconded by Mia Poliquin Pross to approve the January 12, 2016 meeting minutes as presented. After a vote of 6-1-0, the motion carried. Robert Bowyer abstained as he was not present at the January meeting.

Chairperson Bellefleur stated that due to the vacancy on the Board, Elaine Wickman would be acting as a full voting member for this meeting.

Public Hearings & New Business:

(03:23 on DVD)

A. Special Exception and Site Plan request of Kelly B. Boden of Verrill Dana, LLP, project representative for Verizon Wireless, for the installation of a 125' monopole tower with an equipment shelter at 200 Merrow Road (PID 178-005) pursuant to Chapter 60, Article XI (Wireless Communications Facilities) of the Ordinances of the City of Auburn.

Robert Bowyer pointed out that he was a shareholder of Verizon Wireless but because the number of shares was so minimal, he believes it would not be a conflict of interest.

Douglas went over the staff report and presented slides via Power Point.

(10:40 on DVD)

Kelly Bowden, Attorney from Verrill Dana, LLP and Greg Costello, Consulting Engineer spoke about the FAA assessment and explained why they did not expect the tower to be deemed a hazard by the FAA. Ms. Bowden added that this was a low impact project.

Dan Philbrick asked the applicants if they were all set with what the Fire Department was requesting. Mr. Costello replied that the access easement and utility easement combined was 20 feet wide. The Fire Department is requesting a 20' wide road to allow their vehicles access to the site should the need arise. He said his understanding was that they could still utilize the 20' wide easement and establish a 20' wide access road over that easement by running the utilities underground at certain spots.

Dan Philbrick stated that he did not see anything final in respects to the Airport Manager's concerns regarding the missed approach problems for runway 22. He asked if this would be tied into the FAA's final approval once it was received. Ms. Bowen replied that they have an independent consultant which she says, is the same group the FAA uses that will provide a determination like the one the FAA ultimately will do and is confident that they will not be deemed a hazard to the aircraft. She explained the consultant's determination had been provided for the Board Members but the FAA's determination was not yet available.

(22:32 on DVD)

Douglas mentioned to Board Members that one of the conditions (should they approve this application) could be that no building permits would be issued until the FAA permit is received.

Evan Cyr asked what the condition of the road was. Mr. Costello replied there would be some modifications made to the road, specifically, gravel as it is just a dirt road presently. Douglas mentioned that another condition of approval could be added to state that the road would meet the specifications to support the weight of the Fire Department vehicles.

A discussion ensued about the Merrow Road Business Subdivision plan that had been approved by the Planning Board in 2011. The driveway access easement to the cell tower is virtually at the same location as the proposed road (which was never built) for the subdivision. Douglas reiterated that the Board members were only being asked to evaluate the 20' wide access easement.

(34:38 on DVD)

Open Public Input

Phyllis Deringis of 384 Merrow Road spoke about the following:

- Owns 24 acres near proposed tower site
- Life Flight frequently flies over property - concerned of any potential impact of that
- House sits high on ledge – concerned about blinking lights on tower and how it may impact neighborhood

Robert Bowyer asked about the height of other towers within the twin cities. Ms. Bowen clarified that this tower would not be lit but would have a light on the equipment shelter facing in the down direction. She and Mr. Costello went on to explain tab H of the submittal packet which showed the height of towers within a 5 mile radius. Mr. Costello instructed Board Members to look at the FAA Analysis that was provided regarding lighting.

(44:43 on DVD)

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

Douglas went over a series of draft motions that he had prepared.

A motion was made by Evan Cyr to approve the Special Exception and Site Plan request of Verizon Wireless, for the installation of a 125' monopole tower with an equipment shelter at 200 Merrow Road (PID 178-005) pursuant to Chapter 60, Article XI of the Ordinances of the City of Auburn based on the findings provided in the draft motion as provided by staff and to include:

1. The applicant has met the conditions of Section 60-1336 (Special Exception) as follows:
 - The proposal fulfills the requirements of the INDUSTRIAL zone.
 - The proposed development will not create traffic, fire or other safety hazards.
 - Granting the Special Exception will not be an impediment to the implementation of the 2010 Comprehensive Plan.
 - The proposed development will not have a negative effect on the characteristics or values of the neighborhood or surrounding area.
 - The proposed development provides adequate area, open and green space, storm water management, parking, landscaping, building separation, water supply and building separation and the provision of maintenance of all of the above.
 - The standards imposed are at least as stringent as those elsewhere imposed by the city.
 - Essential services are available.
2. The applicant has met the objectives of Section 60-1277 (Site Plan Review) as follows:
 - The development has made provisions to protect adjacent areas against detrimental or offensive uses and will provide adequate surface water drainage and buffers against unwanted light, sound, dust and vibration and the preservation of light and air.
 - The development has made provisions for safe vehicular and pedestrian movement within the site and adjacent areas.
 - The development has made provisions for adequate disposal of wastes and the protection of environmental features of the site and adjacent areas.
3. Waiver Request-The Planning Board approves the waiver request of Section 60-1301 (#10) Soil Suitability as onsite wastewater disposal will not be required. Granting the waiver will still allow the proposal to meet the objectives of Section 60-1277 Site Plan Review.
4. The applicant has met the Approval standards 1-9 of Section 60-841 Wireless Communication Facility
5. Conditions of Approval-

The Approval by the Planning Board is subject to the following conditions:

 1. Prior to issuance of any permits, the applicant will provide an FAA determination of no hazard.
 2. Prior to the issuance of any permits the applicant will provide to the Planning Department an irrevocable letter of credit for the adequate removal and decommission of the facility.
 3. Prior to issuance of any permits, the applicant will provide a stamped plans ensuring proper footings and foundations for the proposed facilities.
 4. The access road shall be able to support the weight and accessibility of fire/rescue apparatus including during the winter and spring seasons.
 5. The access road must be 20 feet wide and have 13' 6" clearance for vehicle access and useable turnaround at the end to meet the approval of the Auburn Engineering and Fire Department.
 6. A Knox Box or key for fire fighter access be provided to the site/fenced in area.

The motion was seconded by Robert Bowyer. After a vote of 7-0-0, the motion carried.

B. Public Hearing regarding an amendment to Chapter 60, Article XIV to allow for the Adaptive Re-use of Structures of Community Significance pursuant to Chapter 60, Article XVII.

The Board Members and staff went over parts of the draft and ironed out some of the typographical errors and questionable items that were found. After a lengthy discussion, it was agreed that Douglas would clean up the draft and resend to Board Members for a final check before sending off to the City Council.

(02:13:30 on DVD)

A motion was made by Robert Bowyer and seconded by Mia Poliquin Pross that a version of the document which is edited to include corrections as discussed and approved at this meeting be circulated among Planning Board Members for final review prior to forwarding on as a favorable recommendation to the City Council.

Douglas mentioned that staff is obligated to prepare a Planning Board report on these types of actions so will get it to the Chairperson for his endorsement before sending to the City Council.

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

Old Business:

A. Continued Discussion of Student Advisory Representative to the Auburn Planning Board.

Evan Cyr suggested they wait to discuss this item until all Board Members had a chance to review the documents.

Douglas mentioned they would be holding elections for a new Chairperson and Vice Chairperson at the next Planning Board meeting.

ADJOURNMENT

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