

# **Auburn Planning Board Meeting Minutes December 19, 2017**

## **ROLL CALL:**

**Regular Members present:** Mia Poliquin Pross, Samuel Scogin, Robert Bowyer, Nathan Hamlyn, Dan Philbrick - Presiding and Marc Tardif

**Regular Members absent:** Evan Cyr

**Associate and other Members present:** Dustin Boutin and Christopher Lewis

**Associate and other Members absent:** Bilal Hussein, Planning Board Student Representative

**Also present representing City staff:** Zach Mosher, Auburn City Planner, Douglas Greene, Urban Development Coordinator and Eric Cousens, Deputy Director of Economic & Community Development

Chairperson Philbrick called the meeting to order at 6:00 pm and asked for a roll call from the members. He said there was a quorum and then asked for a motion on the minutes.

## **MINUTES:**

### **November 14, 2017 Meeting Minutes Approval Request**

A motion was made by Samuel Scogin and seconded by Robert Bowyer to approve the November 14, 2017 meeting minutes as presented. After a vote of 6-0-0, the motion carried.

Chairperson Philbrick explained the process of the Planning Board meeting.

## **PUBLIC HEARINGS & NEW BUSINESS:**

- A. Major Preliminary Subdivision (7 residential lots and new 668 ft cul-de-sac street) – Woodbury Heights Phase IV (PID: 110-009) at 113 Woodbury Road and Danville Corner Road, pursuant to Chapter 60, Division 4 Subdivision; Sections 1359 Subdivision and 1361 Major Preliminary Subdivision Plan of the Auburn Code of Ordinances.**

Zach Mosher, Auburn City Planner went over the staff report and presented slides via PowerPoint. He explained the waivers that were requested by the applicant.

**(09:00 on DVD)**

Kim Visbaras, Counsel for B & M Developers and George Bouchles, Land Surveyor and agent for B & M Developers went over the proposal and answered questions from Board members.

## **Open Public Input**

A motion was made by Samuel Scogin and seconded by Mia Poliquin Pross to open the public input part of the hearing. After a vote of 6-0-0, the motion carried.

(14:30 on DVD)

Shawn Dube of 760 Old Danville Road said he was not opposed to this subdivision but had some concerns about the storm water run-off and proceeded to explain the concerns and possible solutions which would include having a 3<sup>rd</sup> party review of a storm water management plan.

Kimberly Dube of 784 Old Danville Road agreed with her brother Shawn Dube and explained when her house was built; she spent a lot of money and time to manage the drainage issues. She said it's very expensive to maintain property that's on a wet hill and hopes she doesn't have to invest more money into her property because of the clear cutting of the trees that have taken place. She added that she isn't against the subdivision as long as it isn't at her expense and also mentioned having a 3<sup>rd</sup> party review of a storm water management plan.

A motion was made by Samuel Scogin and seconded by Marc Tardif to close the Public Input part of the hearing. After a vote of 6-0-0, the motion carried.

(33:25 on DVD)

A lengthy discussion ensued amongst Board members, City staff and Mr. Visbaras.

(55:00 on DVD)

A motion was made by Marc Tardif and seconded by Samuel Scogin to approve the Major Preliminary Subdivision (7 residential lots and new 668 ft cul-de-sac street) – Woodbury Heights Phase IV (PID: 110-009) at 113 Woodbury Road and Danville Corner Road, pursuant to Chapter 60, Division 4 Subdivision; Sections 1359 Subdivision and 1361 Major Preliminary Subdivision Plan of the Auburn Code of Ordinances and to include the 2 conditions as listed under Section V of the staff report. This motion includes the approval of the waiver request for the maximum length of the cul-de-sac with the Findings relative to the reasons for the waiver and further review of the run-off situation will be completed at the Final Public Hearing.

After a vote of 4-2-0, the motion passed. Samuel Scogin and Robert Bowyer opposed.

Chairperson Philbrick stated that due to a Full Planning Board member being absent, Christopher Lewis's status would be elevated to full voting status.

**B. Special Exception, Site Plan Review and Subdivision Review for a 51 unit apartment building by the Szanton Company on a vacant property (Parcel # 240-212) located on Troy Street, pursuant to Chapter 60-550 Downtown Traditional Center (T-5.1) and Chapter 60-556 Form Based Code Plan Types (b) (3) projects over 12,000 sf. and 60-1359 Subdivision of the Auburn Code of Ordinances.**

Doug Greene went over the staff report and presented slides via PowerPoint. He explained the proposal was actually for a 53 unit apartment building, not 51 units as stated in the staff report and then answered questions from Board members.

(1:36:40 on DVD)

Andy Jackson and Sean Thies from The Szanton Company went over the proposal and answered questions from the Board.

### **Open Public Input**

A motion was made by Samuel Scogin and seconded by Nathan Hamlyn to open the public input part of the hearing. After a vote of 7-0-0, the motion carried.

**(1:58:15 on DVD)**

Don Arel, owner of 52 Hampshire Street said it's a great project but at the wrong location and explained how it will impact the parking at the library and at his property.

Robert Spencer of 11 Bucknam Street, Apt 308 in Mechanic Falls said there were other lots in Auburn that would be better suited to have this project.

A motion was made by Samuel Scogin and seconded by Robert Bowyer to close the Public Input part of the hearing. After a vote of 7-0-0, the motion carried.

**(2:23:50 on DVD)**

A motion was made by Robert Bowyer and seconded by Samuel Scogin to approve the Special Exception, Site Plan and Subdivision review request for a 53 unit apartment building by the Szanton Company on a vacant property (Parcel # 240-212) located on Troy Street, pursuant to Chapter 60-550 Downtown Traditional Center (T-5.1) and Chapter 60-556 Form Based Code Plan Types (b) (3) projects over 12,000 sf. and 60-1359 Subdivision of the Auburn Code of Ordinances with the following 4 Findings as listed on page 7 of the Staff Report:

1. The proposal meets the form based code purpose, intent and requirements of Section 60-550, Downtown Traditional Center (T – 5.1), subject to approval of the following waivers requests:
  - a) Waiver of the required 75% Frontage Build Out. **Staff:** The staff supports this waiver to allow the proposed building frontage of 65% due to the narrow street frontage on Union Street of 50 feet.
  - b) Waiver of 160 foot maximum lot width. **STAFF-** The staff supports this waiver as the proposed development is situated on a 185 feet wide, irregularly shaped, old, non-conforming lot that was in existence prior to 1957.
  - c) Waiver of Section 550.3 External Elements T-5.1 , Driveways, which allows a maximum width of 20 feet. **Staff:** The staff supports the waiver request for the 25 feet driveway width as being reasonable and safe
2. The proposal meets the 7 conditions of Section 60–1336 Special Exception as indicated in this report, Section III, Planning Board Action, B.
3. The proposal meets the four provisions of Section 60 – 1277 Site Plan Review as indicated in this report, Section III, Planning Board Action, C.

4. The proposal meets the fifteen provisions of Section 60 – 1359 Subdivision as indicated in this report, Section III, Planning Board Action, D.

The approval is also subject to the one Condition as listed on page 7 of the Staff Report:

1. No development activity until Bonding and inspection fees are established with the Auburn Engineering Department.

Mr. Bowyer amended his motion to refer to the project as 48 Hampshire Street, LP instead of the Troy Street Project. Mr. Scogin accepted the amendment. After a vote of 7-0-0, the motion carried.

Chairperson Philbrick called for a 5 minute recess. He then called the meeting back to order at 8:34 pm.

**C. Special Exception and Site Plan Review for Becket Academy, Inc to occupy the Auburn Baptist Church located at 227 Poland Rd for their school programs, pursuant to Chapter 60, Division 3 Sec. 60-1336 Special Exception and Chapter 60, Division 2 Sec.60-1277 Site Plan Review of the Auburn Code of Ordinances.**

Zach went over the staff report and presented slides via PowerPoint.

Mike Gotto of Stoneybrook Consultants, Inc and agent for Becket Academy, Inc and David Chabot of Becket Family Services spoke briefly about the proposal and answered questions from Board members.

(2:40:45 on DVD)

**Open Public Input**

A motion was made by Samuel Scogin and seconded by Marc Tardif to open the public input part of the hearing. After a vote of 7-0-0, the motion carried.

Patricia Gautier of 136 Pride Road asked how many students would be at the school. She said she was concerned the kids might wander off into the surrounding forest where there was a brook. Mike Gotto answered they were licensed for 50 students with 30 staff members to supervise them.

Alfreda Fournier of 33 Cherryvale Circle asked where all of the students were coming from. She said this was a lot of special needs students for one school. Mr. Chabot clarified these are special education students who each have an individualized education plan (IEP). He said they will be coming from Lewiston and Auburn and surrounding towns. A brief discussion continued between Ms. Fournier and Mr. Chabot.

(2:48:30 on DVD)

A motion was made by Samuel Scogin and seconded by Mia Poliquin Pross to close the Public Input part of the hearing. After a vote of 7-0-0, the motion carried.

A motion was made by Samuel Scogin and seconded by Marc Tardif to approve the Special Exception and Site Plan for Becket Academy, Inc to occupy the Auburn Baptist Church located at 227 Poland Rd for their school programs, pursuant to Chapter 60, Division 3 Sec. 60-1336 Special

Exception and Chapter 60, Division 2 Sec.60-1277 Site Plan Review of the Auburn Code of Ordinances. After a vote of 7-0-0, the motion carried.

**D. Minor Subdivision Amendment request to a Commercial Subdivision for the creation of an additional lot, a minor amendment to an existing Special Exception and setback waiver for both the parent and child parcels at 65 Mount Auburn Ave, pursuant to Chapter 60, Article XVI, Division 4- Subdivision, of the City of Auburn Ordinances; and Chapter 60, Article XVI, Division 2 Sec. 60-1312 of the City of Auburn Ordinances.**

Zach went over the staff report and presented slides via PowerPoint.

Mike Gotto of Stoneybrook Consultants, Inc explained the proposal and answered question from Board members.

**Open Public Input**

A motion was made by Samuel Scogin and seconded by Mia Poliquin Pross to open the public input part of the hearing. After a vote of 7-0-0, the motion carried.

A motion was made by Samuel Scogin and seconded by Mia Poliquin Pross to close the Public Input part of the hearing. After a vote of 7-0-0, the motion carried.

A motion was made by Samuel Scogin and seconded by Robert Bowyer to approve the Minor Subdivision Amendment to a Commercial Subdivision for the creation of an additional lot, a minor amendment to an existing Special Exception and setback waiver for both the parent and child parcels at 65 Mount Auburn Ave, pursuant to Chapter 60, Article XVI, Division 4- Subdivision, of the City of Auburn Ordinances; and Chapter 60, Article XVI, Division 2 Sec. 60-1312 of the City of Auburn Ordinances.

Mr. Scogin amended his motion to include the following Findings:

1. The lot split meets the 15 conditions of Subdivision, pursuant to Chapter 60, Sec.60- 1359 – Subdivision and of the Auburn Code of Ordinances.
2. By granting the zero setback waiver request the proposal meets the 4 conditions of Site Plan Review and is necessary to carry out the objectives and intent of site plan review, pursuant to Chapter 60, Sec. 60-1312 and Sec. 60-1277.

Mr. Bowyer accepted the amendment. After a vote of 7-0-0, the motion carried.

Mr. Bowyer thanked Mr. Gotto for the quality of his applications and expressed that it is always a pleasure to review something that is put together as well as he does.

**E. Minor Subdivision Amendment request for the reconfiguration (including the creation of an additional lot) of the Merrow Road Business Planned Unit Development located at 200 Merrow Road, pursuant to Chapter 60, Article XVI, Division 4- Subdivision of Auburn Ordinances.**

Zach went over the staff report and presented slides via PowerPoint.

Eric Cousens, Deputy Director of Economic & Community Development explained the proposal.

Mike Gotto of Stoneybrook Consultants, Inc introduced Rick Jones of Poland, Maine and owner of Pine Tree, LLC. Mr. Jones and Mr. Gotto went over the history and explained the proposal.

**Open Public Input**

A motion was made by Samuel Scogin and seconded by Nathan Hamlyn to open the public input part of the hearing. After a vote of 7-0-0, the motion carried.

A motion was made by Samuel Scogin and seconded by Nathan Hamlyn to close the Public Input part of the hearing. After a vote of 7-0-0, the motion carried.

Mia Poliquin Pross asked if this would cause any lots to become nonconforming and Zach answered no.

A motion was made by Mia Poliquin Pross and seconded by Samuel Scogin to approve the Minor Subdivision Amendment for the reconfiguration (including the creation of an additional lot) of the Merrow Road Business Planned Unit Development located at 200 Merrow Road, pursuant to Chapter 60, Article XVI, Division 4- Subdivision of Auburn Ordinances with the Finding that the application meets the 15 conditions of Subdivision, pursuant to Chapter 60, Article XVI, Division 4, Sec. 60-1359 of Auburn Code of Ordinances.

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

**OLD BUSINESS:**

None

**MISCELLANEOUS:**

Eric Cousens explained that this was Chairperson Dan Philbrick's last meeting on the Planning Board and presented him with a plaque commemorating his tenure on the Board. He thanked him for service and dedication and wished him well in his future endeavors.

**ADJOURNMENT**

A motion was made by Mia Poliquin Pross and seconded by Nathan Hamlyn to adjourn. After a vote of 7-0-0, the motion passed.