

Auburn Planning Board Meeting Minutes June 13, 2017

ROLL CALL:

Regular Members present: Robert Bowyer, Samuel Scogin, Evan Cyr Presiding, Nathan Hamlyn and Marc Tardif

Regular Members absent: Dan Philbrick & Mia Poliquin Pross

Associate Members present: Dustin Boutin

Associate Members absent: Christopher Lewis

Also present representing City staff: Douglas Greene, Urban Development Specialist and Zach Mosher, City Planner

Vice Chairperson Evan Cyr called the meeting to order at 6:02 pm. He stated that Dan Philbrick, Chairperson of the Planning Board and Mia Poliquin Pross were not present, therefore he would be acting as the Chairperson for tonight's meeting and will have Associate member, Dustin Boutin acting as a regular member as per the Planning Board's Policies and Procedures. He said the Minutes would be deferred to the end of the meeting and then proceeded to explain the process of Planning Board meetings to audience members.

PUBLIC HEARINGS & NEW BUSINESS:

Major Subdivision (13 residential lots) – Woodbury Heights Phase III (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, City Planner went over the staff report and presented slides via PowerPoint.

(10:10 on DVD)

George Bouchles, Land Surveyor and agent for B & M Developers stated the major change that was made since the beginning was the length of the road and the addition of the cul-de-sac at the end of it. He said this was done for safety reasons as traffic would move at a slower pace if it were not a thru road. He spoke about lots 2 and 3 being revised accordingly and about erosion control measures.

Staff answered questions from Board members. Douglas Green, City of Auburn Urban Development Specialist stated the City of Auburn was overseeing the storm water management on this project.

(15:40 on DVD)

Open Public Input

A motion was made by Sam Scogin and seconded by Robert Bowyer to open the public input part of the hearing. After a vote of 6-0-0, the motion carried.

Chairperson Cyr read a letter that had been submitted as public record from a neighbor who had concerns about erosion. (Chairperson Cyr said he was unable to make out the signature.)

Eric Heimerl of 160 Woodbury Road said he was concerned about how the development would affect his ability to hunt the wildlife in the area and on his property. He said with the trees being cut, there are unbelievable winds coming through there blowing away temporary garages when that had never happened in the past. He said the whole area has changed and worries that his lifestyle of being able to shoot his rifles and have roosters and manure piles will bother new neighbors and force him to have to change his way of life. He spoke about having a difficult time trying to build his own house because of the City protecting the AG zone and now the area is very different.

(22:03 on DVD)

Douglas responded that Mr. Heimerl has the right to do agricultural uses on his property and because he's in the firearm discharge area, that right should not be taken away. He took Mr. Heimerl's contact information and said he would research the firearm discharge laws and get back to him.

Judy Meyer of 135 Woodbury Road said she liked the idea of a cul-de-sac to help keep the traffic off of Woodbury Road and protect the rural nature that the neighbors have come to love.

David Rogers of New Gloucester said he and his wife have lived on a cul-de-sac and find it very appealing to have that instead of a thru street as it makes for a safer environment when raising a family.

A motion was made by Sam 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.

Robert Bowyer stated he had an issue with a dead-end street because of the vulnerability of having only 1 means of egress.

(1:07:20 on DVD)

After a lengthy discussion, the Board members took a straw poll to show who was in favor of granting the waiver on the final plan to allow for the construction of a cul-de-sac that exceeded the maximum length that's defined in the ordinance. The straw poll resulted in 4-2 of being in favor of the waiver. Robert Bowyer and Marc Tardif opposed. Mr. Bowyer stated that he would attach a condition to his voting against it for reasons of public safety, unless there is some all-weather access between the end of the cul-de-sac and Woodbury Road suitable for emergency vehicles such as fire trucks and ambulances he would oppose the waiver.

Chairperson Cyr said he was looking for a motion for or against the preliminary approval of the plan with specific input by the member who makes the motion with regard to the cul-de-sac.

(1:12:05 on DVD)

A motion was made by Sam Scogin to grant the waiver request regarding the length of the cul-de-sac pursuant to Chapter 60, Section 60-1336 with the strong recommendation that a public

right-of-way be constructed leading to Woodbury Hill Road for the purpose of emergency service access. George Bouchles explained that the land was already designated as part of lot 7 so the developers would not be in favor of anything short of what was proposed. Mr. Scogin amended his motion of having a public right-of-way to having strong recommendation of constructing an easement leading from the proposed cul-de-sac to Woodbury Hill Road. The motion was seconded by Dustin Boutin.

After a vote of 6-0-0, the motion carried.

A motion was made by Sam Scogin to approve the preliminary plan of the development located at 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 pursuant to the finding that it meets the requirements of Chapter 60, Sections 1359, 1361 and 1365 of the Auburn Code of Ordinances in the staff report dated June 13, 2017. The motion was seconded by Dustin Boutin.

After a vote of 6-0-0, the motion carried.

(1:19:40 on DVD)

Planning Board initiated text amendment to allow dog kennels in the Agricultural and Resource Protection (AGRP) pursuant to Chapter 60, Sec. 60-145 (b) of the Auburn Code of Ordinances.

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

Open Public Input

A motion was made by Sam Scogin and seconded by Nathan Hamlyn to open the public input part of the hearing. After a vote of 6-0-0, the motion carried.

Terry Dailey of 1054 North River Road said he feels he was snookered because there was no discussion about the 2nd clause which states no residential dwelling will be allowed in regards to kennels. He proceeded to tell Board members the history of the last 8 years on the land he built his house and barn and what he planned to do with the land he owned across the street. He said it doesn't make sense to invest in a building for a dog kennel if you can't build a house to live in on the same property. He said he does not know of any other zone in the City that spells out, if you do this, you cannot build a house. He re-iterated that this extra clause is not necessary as the Ag Zone already has provisions for that.

A long discussion ensued amongst Board members, City staff and Mr. Dailey.

(1:48:15 on DVD)

A motion was made by Sam 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.

Douglas stated that there are a number of key questions to this issue such as: Are kennels going to be considered an Agricultural Use, clarify kennels, breeding dogs and doggy daycares. He

suggested that staff go back for discussion on these items and come back to the Board with some clarifications.

A motion was made by Sam Scogin and seconded by Marc Tardif to table the proposed text amendment until next month. After a vote of 6-0-0, the motion carried.

MISCELLANEOUS:

A. Discussion of Proposed Zoning Changes by Lewiston-Auburn Airport Board. (No one present from the Lewiston-Auburn Airport Board - No discussion)

B. Discussion of Auburn Planning Board Student Representative.

Chairperson Cyr introduced Bilal Hussein as the new Student Representative to the Planning Board. Bilal told the Board members why he applied to be the student representative and spoke about his plans after he graduated High School.

A motion was made by Sam Scogin and seconded by Marc Tardif to accept Bilal Hussein as the new Student Representative to the Planning Board.

After a vote of 6-0-0, the motion carried.

OLD BUSINESS:

None

MINUTES:

May 9, 2017 Meeting Minutes Approval Request

A motion was made by Samuel Scogin and seconded by Robert Bowyer to approve the May 9, 2017 meeting minutes as presented. After a vote of 6-0-0, the motion carried.

ADJOURNMENT

A motion was made by Samuel Scogin and seconded by Robert Bowyer to adjourn. After a vote of 6-0-0, the motion carried.