

Auburn Planning Board Meeting Minutes January 9, 2018

ROLL CALL:

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

Regular Members absent: Samuel Scogin and Nathan Hamlyn

Associate and other Members present: Dustin Boutin, Christopher Lewis and Bilal Hussein, Planning Board Student Representative

Associate and other Members absent: None

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

Vice Chairperson Cyr called the meeting to order at 6:00 pm and asked for a roll call from the members. He mentioned that 2 full members of the Planning Board were absent therefore the two Associate members would have full voting rights for this meeting.

Election of Chair & Vice Chair

Zach Mosher, Auburn City Planner explained the City Council would be voting on new membership for the Planning Board at the end of February so suggested that the Planning Board wait until March to nominate a new Chair and Vice Chair.

MINUTES:

None at this time

PUBLIC HEARINGS & NEW BUSINESS:

- A. A proposed zoning map amendment from Traditional Downtown Neighborhood (T-4.2) to T 5.1-Downtown Tradition Center for the property located at 186 Main Street (PID # 231-020), pursuant to Chapter 60, Article XVII Amendments of the Auburn Code of Ordinances.**

Zach went over the staff report and presented slides via PowerPoint. He and Doug Greene, Urban Development Coordinator answered questions from Board members.

(21:30 on DVD)

Open Public Input

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

No comments.

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

A motion was made by Robert Bowyer and seconded by Mia Poliquin Pross to forward a favorable recommendation to the City Council a zoning map amendment from Traditional Downtown Neighborhood (T-4.2) to T 5.1-Downtown Traditional Center for the property located at 186 Main Street (PID # 231-020), pursuant to Chapter 60, Article XVII Amendments of the Auburn Code of Ordinances with the 3 Findings as listed on page 4 of the Staff Report. After a vote of 6-0-0, the motion carried.

OLD BUSINESS:

None

MISCELLANEOUS:

Doug spoke about having a discussion with the Planning Board members in a future meeting about the City's Capital Improvement Plan (CIP). He also mentioned that the City is continuing to make progress on the New Auburn Revitalization plan.

Mia Poliquin Pross gave a brief update on the AG Study.

ADJOURNMENT

A motion was made by Mia Poliquin Pross and seconded by Evan Cyr to adjourn. After a vote of 6-0-0, the motion passed.

Auburn Planning Board Meeting Minutes February 13, 2018

ROLL CALL:

Regular Members present: Mia Poliquin Pross, Robert Bowyer, Evan Cyr – Presiding, Samuel Scogin and Nathan Hamlyn

Regular Members absent: Marc Tardif

Associate and other Members present: Dustin Boutin,

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

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

Vice Chairperson Cyr called the meeting to order at 6:00 pm and asked for a roll call from the members. He stated one of the full members of the Planning Board was absent therefore Dustin Boutin would have full voting rights for this meeting.

MINUTES:

December 19, 2017 and January 9, 2018 Meeting Minutes Approval Request

A motion was made by Samuel Scogin and seconded by Mia Poliquin Pross to approve the December 19, 2017 and January 9, 2018 meeting minutes as presented. After a vote of 6-0-0, the motion carried.

PUBLIC HEARINGS & NEW BUSINESS:

A. Election of Officers

Nominations for Chairperson:

Robert Bowyer nominated Mia Poliquin Pross. Ms. Pross declined the nomination. Dustin Boutin nominated Evan Cyr and Ms. Pross seconded the nomination. Mr. Cyr accepted the nomination. After a vote of 5-0-1, the nomination carried. (Mr. Cyr abstained)

Nominations for Vice Chairperson:

Mia Poliquin Pross nominated Samuel Scogin. After a vote of 5-0-1, the nomination carried. (Mr. Scogin abstained)

B. Discuss rezoning for 33 Dunn St.

Zach explained the proposal and presented slides via PowerPoint. He and Doug Greene, Urban Development Coordinator answered questions from Board members.

(32:00 on Recording)

A motion was made by Mia Poliquin Pross and seconded by Samuel Scogin to bring forth a rezoning request for 33 Dunn Street. After a vote of 6-0-0, the motion carried.

C. Smart Growth proposal for Auburn.

Doug Greene presented slides via PowerPoint and gave a backdrop of the proposal. He explained how the 10 Smart Growth Principles would be beneficial for Auburn and answered questions from Board members. Mr. Greene asked if the Planning Board would send a letter of support to the City Council. After a short discussion, the Planning Board agreed they would send a letter expressing their support of the 10 Smart Growth Principles to the City Council.

OLD BUSINESS:

None

(1:07:00 on Recording)

MISCELLANEOUS:

A. Planning Board discussion of planning initiatives

Zach and Doug explained some of the planning initiatives that were listed in the memo and asked Board members to be prepared to discuss and prioritize projects in the next coming months.

Mia Poliquin Pross gave an update of the Ag Study and said the next meeting would be held on Thursday, February 15 at 6:00 pm in Auburn Hall.

(1:26:05 on Recording)

ADJOURNMENT

A motion was made to adjourn. After a vote of 6-0-0, the motion passed.

Auburn Planning Board Meeting Minutes March 27, 2018

ROLL CALL:

Regular Members present: Mia Poliquin Pross, Robert Bowyer, Evan Cyr – Presiding, Samuel Scogin and Nathan Hamlyn

Regular Members absent: Marc Tardif

Associate and other Members present: Dustin Boutin,

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

Also present representing City staff: Zach Mosher, Auburn City Planner

Chairperson Cyr called the meeting to order at 6:00 pm and asked for a roll call from the members. He explained that due to inclement weather, the March 13 meeting had been rescheduled to tonight.

MINUTES:

February 13, 2018 Meeting Minutes Approval Request

A motion was made by Samuel Scogin and seconded by Mia Poliquin Pross to approve the February 13, 2018 meeting minutes as presented. After a vote of 6-0-0, the motion carried.

Chairperson Cyr explained the process of the Planning Board meeting and asked Zach Mosher to present the staff report.

PUBLIC HEARINGS & NEW BUSINESS:

- 1. Major Final Subdivision Plan for Woodbury Heights Phase IV. George Bouchles, Surveyor and agent for Bouffard and McFarland Builders, is seeking approval for 7 residential lots and a new 668 ft cul-de-sac street) at the corner of Woodbury Road and Danville Corner Road (PID: 110-009) and a portion of an adjacent lot (PID: 110-011), pursuant to Chapter 60, Division 4 Subdivision; Sections 1359 Subdivision and 1362 Major Final Subdivision Plan of the Auburn Code of Ordinances.**

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

George Bouchles, Surveyor and agent for Bouffard and McFarland Builders explained the waiver request for the road.

Sean Thies, Engineer from CES Inc. spoke about the storm water management plan.

Several questions were asked by Board members and answered by the applicants.

(26:00 on Recording)

Open Public Input

A motion was made by Samuel 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.

Kimberly Dube-Bustamonte of 784 Old Danville Road said she had sought the opinion of an independent engineering firm, Acorn Engineering from Portland. She said Acorn highlighted 6 specific items that she feels is significant and concerning as an abutting property owner. She read the last paragraph which referenced Section 60-1359 (4) of the City's subdivision guidelines. She said she is very concerned that the run-off is headed straight to her property. Another concern she has is that the waiver is going to be approved without specific issues being addressed especially where it says that the plan doesn't meet City subdivision guidelines.

Ms. Dube-Bustamonte asked who has the expertise to monitor the storm water management plan and make certain that it's done correctly without incurring more cost to her? She spoke about having a buffer of trees placed on the property line to prevent long term water issues as suggested by Acorn.

Chairperson Cyr suggested that Ms. Dube-Bustamonte give a synopsis of the 6 items listed by Acorn Engineering for Public Record. The following 6 items are taken directly from Acorn's Independent Stormwater Review:

1. Per Section 11 of the MaineDEP SLODA application, subdivision projects with lots less than 2 acres where subsurface wastewater disposal is proposed require a Class A High Intensity Soil Survey. It is recommended that the soil survey boundaries be added to the Stormwater Plan to define which Hydraulic Groups were used for the HydroCAD model. The letter by George Bouchles dated February 28, 2018 does not suffice as a High Intensity Soil Survey.
2. The time of concentration path used in the post development calculations within the HydroCAD report for Subarea 1 does not travel from the most remote part of the watershed and does not account for the entirety of subcat. The sheet flow component of the concentration path is more accurately represented by the flow off the roadway highpoint then transitioning into shallow concentrated flow through the vegetated ditch and into the buffer in Lot 26. The path as modelled currently assumes a higher time of concentration that potentially correlates with a lesser peak flow at Summation Point 1 than compared to a more accurate model. It is recommended that the HydroCAD model be revised accordingly and other stormwater management practices be implemented to further mitigate peak flows at Summation Point 1.
3. Stormwater entering the Lot 26 buffer will sheet flow for the 75-foot design path before entering a steep, sustained slope of 27% for 300'. It is recommended that the buffer is repositioned as to redirect runoff away from the steep slope that directly outlets into the abutters' property.
4. C700 shows regrading of the existing house lot and structure on Lot 19 to redirect flow into Bioretention Cell 2 and away from Subarea 3. Acorn doubts the feasibility of regrading a lot with an existing structure so that it raised from its existing finished floor elevation and recommends that the engineer elaborate how this is constructible
5. It is unclear where and how the water from the bioretention cells is to drain. As modelled in

HydroCAD, Bioretention Cells 1 & 2 are to drain to Summation Point 2 via a 100-foot 6" stormdrain. Based on the latest version of C700, the 6" outlets are not long enough to reach the design invert and empties into a steep slope (approximately 250' at 25%) without note of any energy dissipation device to convert the concentrated pipe flow to sheet flow into the abutting property. Bioretention Cell 3 is modelled in similar fashion with the too-short, 100-foot 6" pipe outletting into the same steep slope without adequate erosion control devices to mitigate concentrated flow off the slope. It is recommended that the bioretention cells redirect flow away from the sustained steep slope and that an outlet pipe greater than 6" be used to minimize chance of clogging and backlogged flow into the biocell.

6. The existing site topography flows from the edge of proposed roadway to the rear of the house lots (proposed Lots 23-25, existing Lot 19) but the HydroCAD model reverses the stormwater flows to the front of the lot and assumes that the entirety of the new rooftops is tributary to the respective stormwater BMPs. It is recommended that additional information such as swales, spot grades, etc. be added to the proposed contours on C700 to provide more context on how the runoff is to be redirected.

Ms. Dube-Bustamonte gave each Board member a hard copy of the review by Acorn Engineering, Inc.

(39:40 on Recording)

Shawn Dube of 760 Old Danville Road said he really thinks it's important to have a buffer in place. He said he built his house in 2007 and has never had an issue with water until now. He suggests that this subdivision not be approved until all the recommendations from Acorn Engineering are met and the storm water run-off is in place. He said the trails that were supposed to be installed by the developers for the first 3 phases aren't there so how can he be certain that the developer will fulfill his obligation to the City to make sure his back yard doesn't become a flowing river. He reiterated that he wasn't against the subdivision, he just wants it done right. Mr. Dube commented that granting the variance for the road would make things even worse for the run-off.

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

After a lengthy discussion between Board members and staff, the following motion was made:

(69:50 on Recording)

A motion was made by Robert Bowyer and seconded by Samuel Scogin to table the proposal until more information is provided by the City's Engineering Department and the City's 3rd party Engineering firm of Woodard and Curran regarding the storm water management plan that was submitted by Acorn Engineering, Inc., and get clarification for the need of sidewalks in a subdivision of this size.

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

- 2. The Auburn Planning Board has initiated a Future Land Use Map Amendment from New Auburn Village Center to Neighborhood Business (NB) and Zoning Map Amendment from Multi-Family Urban (MFU) to Neighborhood Business (NB) for the property located at 33 Dunn St (PID # 221-195), pursuant to Chapter 60, Article XVII Amendments of the Auburn Code of Ordinances.**

The Board members took a short recess and the meeting reconvened at 7:20 PM

Zach presented the staff report and presented slides via PowerPoint.

Mia Poliquin Pross asked about the conditions listed and Zach gave an explanation.

(87:00 on Recording)

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.

Mr. and Mrs. Hinkley of 17 Oak Hill Drive in New Gloucester, Maine said their goal was to have the property at 33 Dunn Street rezoned so they could sell muffins and lease out office space.

Kevin Lynch of 59 Fourth Street asked what else could go there in case they don't proceed with the proposed coffee shop. He commended the Hinkley's for trying to bring something positive to the area but was concerned that the zone might encroach further down the neighborhood bringing with it unknown businesses.

Sam Scogin read the Neighborhood Business Zoning Ordinance section.

Chairperson Cyr explained that this zone has conditions attached which requires a new business to be harmonious with the neighborhood. He added this makes it more restrictive than the General Business Zone.

Mr. Lynch stated he felt more at ease now that he realized the rezoning would specifically be for 33 Dunn Street and not include other properties in the area.

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

Mia Poliquin Pross clarified that a bakery is listed under Special Exception uses in the Neighborhood Business District, therefore if they wanted to pursue selling baked goods, they would have to come back to the Board for review and approval.

(101:00 on Recording)

A motion was made by Samuel Scogin to forward a favorable recommendation to the City Council a Future Land Use Map Amendment from New Auburn Village Center to Neighborhood Business (NB) and Zoning Map Amendment from Multi-Family Urban (MFU) to Neighborhood Business (NB) for the property located at 33 Dunn St (PID # 221-195), pursuant to Chapter 60, Article XVII Amendments of the Auburn Code of Ordinances.

Mia Poliquin Pross asked to amend the motion to include the Findings listed on page 7 of the staff report and Mr. Scogin concurred with the amendment. The motion was seconded by Nathan Hamlyn. After a vote of 6-0-0, the motion carried.

OLD BUSINESS:

Chairperson Cyr explained that at the previous month's meeting, Board members were tasked with coming up with a list of priority actions they felt should be taken up by the Planning Board. Each member went through their lists and shared their ideas. After a lengthy discussion, the members agreed that Ms. Pross would take everyone's ideas, categorize them and at the next meeting, members would go over the list in each category and decide the order of importance.

MISCELLANEOUS:

None

(149:15 on Recording)

ADJOURNMENT

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

Auburn Planning Board Meeting Minutes

April 10, 2018

ROLL CALL:

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

Regular Members absent: None

Associate and other Members present: Dustin Boutin

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

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

Chairperson Cyr called the meeting to order at 6:00 pm. He explained the process of the Planning Board meeting and asked for a roll call from the members.

MINUTES:

None at this time

PUBLIC HEARINGS & NEW BUSINESS:

- A. Sebago Technics, LLC an agent for Auburn Memory Care, LLC is seeking approval of a Special Exception and Site Plan Review application to construct a new, 60 unit, 47,606 s.f. assisted living facility immediately adjacent to 200 Stetson Rd (PID: 291-009) pursuant to Chapter 60, section 60-45 (a) Projects requiring Site/Plan and Special Exception review and Chapter 60, Section 60-499 (b), (5) General Business use regulations.**

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

(11:00 on Recording)

Dan Maguire of Sandy River Company introduced several associates in attendance here on behalf of this project. He explained the proposal and presented slides via PowerPoint. Other associates from Sandy River Company, Sebago Technics, Inc. and Auburn Memory Care, LLC added to the presentation. Questions asked by Board members were answered by City staff and agents for the applicant.

(43:45 on Recording)

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.

No comments.

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

A couple of questions were raised by Board members regarding the condition of Stetson Road and fire hydrants which were answered by City staff.

A motion was made by Robert Bowyer and seconded by Samuel Scogin to approve the amended site plan for Schooner Estates located on PID# 291-009. 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 Special Exception and Site Plan Review application to construct a new, 60 unit, 47,606 s.f. assisted living facility immediately adjacent to 200 Stetson Rd pursuant to Chapter 60, section 60-45 (a) Projects requiring Site/Plan and Special Exception review and Chapter 60, Section 60-499 (b), (5) General Business use regulations. After a vote of 7-0-0, the motion carried.

OLD BUSINESS:

1. Major Final Subdivision Plan for Woodbury Heights Phase IV. George Bouchles, Surveyor and agent for Bouffard and McFarland Builders, is seeking approval for 7 residential lots and a new 668 ft cul-de-sac street at the corner of Woodbury Road and Danville Corner Road (PID: 110-009) and a portion of an adjacent lot (PID: 110-011), pursuant to Chapter 60, Division 4 Subdivision; Sections 1359 Subdivision and 1362 Major Final Subdivision Plan of the Auburn Code of Ordinances. (This item was tabled at the March 27, 2018 Auburn Planning Board meeting).

A motion was made by Marc Tardif and seconded by Samuel Scogin to remove the item from the table. After a vote of 7-0-0, the motion carried.

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

(58:00 on Recording)

A lengthy discussion ensued amongst Board members and City staff regarding the waiver request, fire hydrants, sidewalks, and questions regarding who in the City determines that the project conditions put forth by the Planning Board have been satisfied by the applicant.

(74:25 on Recording)

Kim Visbaras, attorney representing the applicant spoke about a letter he sent to the Planning Board addressing several concerns that had been brought up at the last meeting. Mr. Visbaras then answered questions from Board members.

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.

Shawn Dube of 760 Old Danville Road spoke about the following:

- Appreciates gesture about the buffer but would have been easier to leave some of the trees

- Does not feel a waiver should be granted for the sidewalks due to safety reasons
- Received an email from CES and read a couple of sentences regarding the run-off
- Granting the waiver for the extension of the road is a horrible idea
- The applicant has totally failed his obligation to do what was supposed to be done and mentioned the nature trail
- Still no specs for what will be done around their properties to avoid stormwater running down that hill
- Already seeing run-off issues around his property and has never had that happen in the past
- Only way to solve problem now is to have a designed engineering plan – not a trench
- Asked if Phase IV was the 1st phase that is requiring a Home Owner’s Association and if so why? Mr. Visbaras answered that there were no facilities in the 1st 3 phases that anybody needed to maintain whereas this one will have a stormwater facility that will require maintenance along with the trail maintenance which will be mentioned in the bylaws. Chairperson Cyr added that this will be a condition on the site plan and the City will have authority to take legal action against the Home Owner’s Association if they do not provide the storm water plan or upkeep of the trails.
- Wants it on record in the minutes that he is not endorsing this subdivision – feels 29 lots are way too many.
- Definitely not endorsing a waiver for extending the road because it will create more run-off down that hill.
- For safety sake, definitely not endorsing the waiver requested for no sidewalks
- Suggested Board members drive by the property
- Reiterated that he appreciates gesture about the buffer
- Mentioned a letter by Woodard & Curran being hired by the City to make sure they met the standard but didn’t see anything about the run-off to their properties
- Concerned CES did not have a plan to divert the water coming down the hill – clearcutting on the hill that was created by the developer makes it a whole different situation now. It may meet the standard for this size of development, but you aren’t controlling the run-off coming down the hill - especially with extending the road which will create more of a run-off situation.

(93:40 on Recording)

Kim Dube-Bustamante, owner of 784 Old Danville Road spoke about the following:

- Agreed with everything her brother (Shawn) just spoke about and wanted to go on the record that she also did not endorse this.
- Feels there is no commitment to divert the run-off to the 2 properties at the bottom of the hill
- Not getting concrete information from the City about whose responsibility it is to make sure Chapter 500 is adhered to.
- Wants the Planning Board to be specific in their motions so they become part of the minutes
- Feels discussion items don’t go anywhere
- None of Acorn Engineering’s suggestions are being implemented
- Did not ask Acorn to review just to meet code but to make the run-off issue was being addressed
- Wants to see something specific done to identify ways that they divert or redirect the water flowing down the hill away from the two properties

- For the large size of the development and the revenues generated to the developer and to the City in taxes, feels it is negligent of the City to not have them address run-off issues for the 2 homes in relation to the 29 homes in the development.
- Is concerned that she doesn't see anything in the conditions about addressing the issues for the abutting property owners. That no burden is added to the 2 abutters down the hill.
- Developer is diverting the responsibility on to the Home Owner's Association, but they will not have money to remedy any run-off situation.
- Wants specific language about erosion control in the Conditions of approval
- Very frustrated about conversations that don't amount to anything and don't see that there's any responsibility for any follow through.
- Only have to take action on the motions that are made so make your motions clear or just don't approve anything at all.
- Put the buffers in writing so that it happens and extend them to my property as well.

Board members asked questions which were answered by Ms. Dube-Bustamante and City staff. Also speaking and answering questions was Sean Thies of CES Engineering. A lengthy discussion ensued regarding Chapter 500, run-off, trenching, pre and post conditions, etc.

(124:30 on Recording)

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

The discussion continued amongst Board members, City staff and the applicants regarding the grading of the road, elevations, conditions of approval, and storm water plan.

(133:00 on Recording)

A motion was made by Samuel Scogin and seconded by Dustin Boutin to accept a waiver request for the length of the cul-de-sac street. After a vote of 4-3-0, the motion carried. (Evan Cyr, Robert Bowyer and Sam Scogin opposed)

(136:40 on Recording)

A motion was made by Samuel Scogin and seconded by Mia Poliquin Pross to accept a waiver request regarding construction requirement of sidewalks. After a vote of 5-2-0, the motion carried. (Robert Bowyer and Sam Scogin opposed)

(139:40 on Recording)

A motion was made by Samuel Scogin and seconded by Dustin Boutin to approve the Woodbury Heights – Phase IV subdivision which includes the major subdivision plan of 7 additional lots (lots 23-29). This approval is subsequent to 13 lots approved in July 2017 and 10 lots that were approved by the Planning Board in 2015, pursuant to Chapter 60, Division 4 Subdivision; Sections 1359 and 1362, Subdivision of the Auburn Code of Ordinances with the following findings and conditions:

FINDINGS OF APPROVAL:

The Auburn Planning Board approved the Final Subdivision for Woodbury Heights, Lots 23-29 with the finding that it meets the requirements of Chapter 60, Sections 1359, 1362, 1365 and 1367 of the Auburn Code of Ordinances.

CONDITIONS OF APPROVAL:

This approval is subject to the following conditions being completed prior to the recording of the Subdivision Plan:

1. No development activity until any bonding or inspection fees as required by ordinance are determined by the Auburn Engineering Department and paid by the developer.
2. The applicant shall secure approval from the tax assessor for a lot numbering sequence to ensure compatibility with the existing tax system. Prior to issuance of building permits, the application for the new cul de sac street name and house/drive locations shall be submitted to the City Planner.
3. The developer shall fulfill the requirements of the open space provisions for residential subdivisions as per Chapter 60, Sec. 60-1367 and Section I (C) of this report and a note shall be added to the site plan regarding the construction and maintenance of stormwater systems and the open space/trails through the establishment of a homeowner's association as noted in the application.
4. Areas designated as Buffers must be protected from disturbance by deed restrictions and covenants and submitted to City of Auburn.
5. The developer shall plant two rows of evergreen trees, each row being 8' on center and staggered in relation to the other row. Trees shall be at least 2" diameter and planted along parcels located at 784 Old Danville Rd (PID: 110-011-001) and 760 Old Danville Rd (PID: 110-011-004) which abuts lots 23, 24, and 25 of the Woodbury Heights subdivision.
6. The Applicant shall provide the Engineering Department with more detailed grading and drainage plans prior to construction, including a more detailed erosion control plan to ensure that no sediment leaves the site.
7. The developers engineer shall incorporate the construction of a trench, as referenced on the stamped plan by James W Potter dated 12/15/2017, into the overall stormwater plan and verify if the culvert at Old Danville Road can accommodate the anticipated stormwater.

(161:20 on Recording)

A lengthy discussion ensued and after a vote of 6-1-0, the motion carried. (Robert Bowyer opposed)

MISCELLANEOUS:

Chairperson Cyr spoke about agenda setting and the following items were voted on:

Member reports (7-0-0)

Sub Committee reports (7-0-0)

Current events, development projects and permitting reports (7-0-0)

(174:25 on Recording)

ADJOURNMENT

A motion was made by Samuel Scogin and seconded by Marc Tardif to adjourn. After a vote of 7-0-0, the motion carried.

Auburn Planning Board Meeting Minutes May 8, 2018

ROLL CALL:

Regular Members present: Mia Poliquin Pross, Robert Bowyer, Samuel Scogin – Presiding, Dustin Boutin and Nathan Hamlyn

Regular Members absent: Evan Cyr and Marc Tardif

Associate and other Members present: Stephen Martelli

Associate and other Members absent: Vacant position

Also present representing City staff: Zach Mosher, Auburn City Planner

Vice Chairperson Scogin called the meeting to order at 6:05 pm. He explained the process of the Planning Board meeting and asked for a roll call from the members.

MINUTES:

Deferred to the end of the meeting

PUBLIC HEARINGS & NEW BUSINESS:

Mike Gotto, of Stoneybrook Consultants, Inc., an agent for Evergreen Subaru has submitted a rezoning petition from Suburban Residential to General Business for properties located at 20 Niskayuna Street (PID: 300-014) and 1079 Turner Street (PID: 300-013), pursuant to Chapter 60 Article XVII- Amendments, Division 2- Amendment to the Zoning Map of the Auburn Code of Ordinances.

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

Mike Gotto, of Stoneybrook Consultants, Inc., an agent for Evergreen Subaru did not have anything to add to the presentation.

(09:00 on Recording)

Robert Bowyer asked if any buildings were proposed in the long term or will it just be used as parking? Mr. Gotto replied that they did not have any specific plans at this time

Vice Chairperson Scogin asked if they would close Niskayuna Street and Mr. Gotto replied yes.

Dustin Boutin questioned the road closing and Mr. Gotto explained.

Stephen Martelli asked if this property would be used for the storage of vehicles and Mr. Gotto replied yes.

Open Public Input

A motion was made by Mia Poliquin Pross and seconded by Dustin Boutin to open the public input part of the hearing. After a vote of 5-0-0, the motion carried.

No comments from the public.

A motion was made by Mia Poliquin Pross and seconded by Nathan Hamlyn to close the Public Input part of the hearing. After a vote of 5-0-0, the motion carried.

Robert Bowyer said he was in favor of the zone change but said he had one issue with the development of the expanded property which is attention to the transition from residential zone on the other side of Turner Street. He commented that the applicant had done some good things with screening in the past and would hope that before this comes back before the Board for a Special Exception Hearing that they will have some specifics about how the transition screening requirement between residential property and commercial will be addressed.

(20:30 on Recording)

A motion was made by Robert Bowyer and seconded by Dustin Boutin to forward a positive recommendation to the City Council the rezoning request from Suburban Residential to General Business for properties located at 20 Niskayuna Street (PID: 300-014) and 1079 Turner Street (PID: 300-013), pursuant to Chapter 60 Article XVII- Amendments, Division 2- Amendment to the Zoning Map of the Auburn Code of Ordinances with the following findings:

- 1) The properties proposed for rezoning meet the definition of Business Expansion Transition District.
- 2) The properties proposed for rezoning are in agreement with the 2010 Comprehensive Plan's Future Land Use Plan.

After a vote of 5-0-0, the motion carried.

MINUTES:

March 27, 2018 and April 10, 2018 Meeting Minutes Approval Request

A motion was made by Mia Poliquin Pross and seconded by Dustin Boutin to approve the March 27, 2018 and April 10, 2018 meeting minutes as presented. After a vote of 5-0-0, the motion carried.

OLD BUSINESS:

MISCELLANEOUS:

Zach briefed Board Members about the new development in front of Hobby Lobby and gave a brief update on the New Auburn revitalization.

Vice Chairperson Scogin asked for updates from Board members that are on committees. Mia Poliquin Pross spoke about the Ag Study. Dustin asked Zach to inform the Board members of any committees requesting additional members and Zach said he would do so.

The remainder of the meeting was spent going over their list of procedural changes and projects for the Planning Board.

(72:35 on Recording)

ADJOURNMENT

A motion was made by Mia Poliquin Pross and seconded by Dustin Boutin to adjourn. After a vote of 5-0-0, the motion carried.

June 2018

Planning Board Workshop

No Meeting Minutes

July 2018

Planning Board Workshop

No Meeting Minutes

August 2018

Planning Board Workshop

No Meeting Minutes

Auburn Planning Board Meeting Minutes September 11, 2018

ROLL CALL:

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

Regular Members absent: Mia Poliquin Pross

Associate and other Members present: Stephen Martelli and Brian Carrier

Associate and other Members absent: None

Also present representing City staff: Eric Cousens, Deputy Director of Economic & Community Development

Chairperson Cyr called the meeting to order at 6:05 pm and asked for a roll call. He stated due to a Full member absence, Brian Carrier's status would be elevated to full voting rights for this meeting.

MINUTES:

May 8, 2018 Meeting Minutes Approval Request

A motion was made by Samuel Scogin and seconded by Brian Carrier to approve the May 8, 2018 meeting minutes as presented. After a vote of 7-0-0, the motion carried.

PUBLIC HEARINGS & NEW BUSINESS:

- 1. Dereck Glaser, agent for Maine Oxy and the New England School of Metalwork located 54 Washington Street North (PID # 220-094) is seeking approval of a special exception and site plan review for an 850-sf. building addition in the General Business Zoning District, pursuant to Chapter 60, sections 60-45 (a) Projects requiring Site/Plan and Special Exception review.**

Chairperson Cyr explained the process of Planning Board meetings and asked Eric to present the staff report.

Dereck Glaser, agent for Maine Oxy and the New England School of Metalwork and Tom Perkins, PE for Dirigo AE explained the reasons for the proposal and answered questions from Board members.

Open Public Input

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

No comments from the public.

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

(17:30 on Recording)

A motion was made by Brian Carrier and seconded by Samuel Scogin to approve the special exception and site plan review for an 850-sf. building addition in the General Business Zoning District, pursuant to Chapter 60, sections 60-45 (a) Projects requiring Site/Plan and Special Exception review.

The motion was amended by Mr. Carrier to include the waiver request to continue a nonconforming rear setback line at no closer than the existing building at 19' from the property line. Mr. Scogin accepted the amendment. After a vote of 7-0-0, the motion carried.

- 2. Michael Gotto, agent for Schilling Drive LLC. is seeking an amendment to the Mt. Auburn Plaza Subdivision to create individual parcels around existing approved pad sites to allow buyers to own the land and associated parking on each site at 649 Turner Street (PID # 280-013) pursuant to section 60-1359, Subdivision Guidelines.**

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

(40.02 on Recording)

Mike Gotto, representing Schilling Drive, LLC added to the presentation and answered questions from Board members.

Open Public Input

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

No comments from the public.

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

(58:45 on Recording)

A motion was made by Marc Tardif and seconded by Samuel Scogin to approve the Minor Subdivision amendment to a Commercial PUD in the General Business zoning district, located at 649 Turner Street commonly known as Mount Auburn Plaza pursuant to Division 4 Subdivision, Chapter 60 - Sections 1359 Subdivision Guidelines, 1360 Minor Subdivision Plan and 1365 General Requirements, of the Auburn Code of Ordinance subject to the 4 conditions recommended in the staff report with the finding that it meets the requirements of Chapter 60, Sections 1359, 1360 and 1365 of the Auburn Code of Ordinance.

Sam Scogin asked if the motion could be amended to include the 5th Condition as stated in the staff report. Mr. Tardif amended his motion and the motion was seconded by Sam Scogin. After a vote of 7-0-0, the motion carried.

Chairperson Cyr asked for a 5-minute break. The Board reconvened at 7:05 PM.

- 3. Oleg Opalnyk, President of OPO Custom Design is seeking site plan and subdivision approval of a 10-unit residential redevelopment of the property at 34 & 35 Laurel Av (PID #'s 221-050 & 221-051) pursuant to Chapter 60, sections 60-45 (a) Projects requiring Site/Plan and Special Exception review and section 60-1359, Subdivision Guidelines.**

Eric went over the staff report and presented slides via PowerPoint. He then answered several questions from Board members specifically regarding the parking plan.

(1:18:15 on Recording)

Oleg Opalnyk, President of OPO Custom Design spoke about the proposal and answered questions from the Board members.

Open Public Input

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

Leroy Walker of New Auburn said he was in favor of the proposal and gave his reasons why.

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

(1:40:50 on Recording)

A motion was made by Samuel Scogin and seconded by Marc Tardif to approve site plan and subdivision request of a 10-unit residential redevelopment of the property at 34 & 35 Laurel Av (PID #'s 221-050 & 221-051) pursuant to Chapter 60, sections 60-45 (a) Projects requiring Site/Plan and Special Exception review and section 60-1359, Subdivision Guidelines with the conditions stated in the staff report including that the owner may use either parking plan that was submitted, including parking plan A.

After a vote of 6-0-1, the motion carried. Robert Bowyer opposed.

OLD BUSINESS:

- 1. 477 Minot Avenue – 1 Year Extension of Approval Request: Stantec Consulting Services, Inc. is requesting a 1-year extension of the site plan approval granted by the Planning Board related to the multi-family housing project proposed at 477 Minot Avenue.**

Eric explained the reasoning for the approval extension. A discussion ensued amongst Board members regarding the history of the original public hearing.

A motion was made by Robert Bowyer and seconded by Samuel Scogin to approve the 1 Year Extension of approval requested by Stantec Consulting Services, Inc. of the site plan approval granted by the Planning Board related to the multi-family housing project proposed at 477 Minot Avenue. After a vote of 7-0-0, the motion carried.

PUBLIC COMMENT:

Stan Bennett of 271 Fletcher Road commented that he and his wife purchased their property in December 2015 and since that time they've had some major construction take place abutting their property; a cell tower and more recently, a 21,000-sf warehouse for a company called Piston Bully. He said he never received a notice for a public hearing for either of the 2 developments or any zoning change in the area. He said the abutter letters were sent to the previous owners even after he and his wife owned the property 2 years, so they didn't get an opportunity to come before the Board to discuss their concerns. He said there is a lot of construction noise coming from the warehouse business and is concerned that no one would want to purchase his property if he wanted to sell in the future because of the noise and proximity of the warehouse to his property. He said once the trees lose their leaves it will be a full view of the structure right behind his house. There's nothing blocking the noise or the view so is concerned about the value of his property at this point. He questioned why he received a tax bill immediately after purchasing the property, but the public hearing abutter letter came in the name of the previous owner 2 years after he owned it.

Sam Scogin asked Mr. Bennett if he had spoken to the owner of the warehouse to voice his concerns and Mr. Bennett said he had contacted the consultant who worked with the contractor and discussed the lighting and screening issues. Mr. Scogin suggested that Mr. Bennet push to have the warehouse owners install some evergreens to help mitigate the problem. Chairperson Cyr apologized that he didn't receive the public hearing letters and reiterated Mr. Scogin's advice.

Mr. Bennett asked why important notices aren't sent certified mail and Eric replied letters are mailed regular mail and not certified mostly because of cost. He said it would be \$5-\$7 for each certified letter versus \$.50 for regular mail. Eric also apologized and said there's no excuse for the letter to go to the previous owner 2 years after purchase. He explained that if a property owner purchased a property on April 2nd, it could conceivably be 15 months before the assessor's record is updated to the GIS because it would be the following year's commitment before that happened. Returned letters are placed in the property file.

A discussion ensued amongst Board members, Eric and Mr. Bennett regarding Mr. Bennett's concerns of not getting the proper notice of a public hearing and how this could be prevented in the future. Chairperson Cyr suggested to Mr. Bennett that he reach out to the Board or staff if he needs help connecting with the warehouse owners to go over some issues impacting his property.

MISCELLANEOUS:

(2:20:00 on Recording)

Chairperson Cyr updated the members about his presentation to the City Council the night before. He asked members to come up with ideas on how the Planning Board could communicate better to the City Council and to bring those ideas to the next meeting. He also spoke about the Ad-Hoc committee and asked members to familiarize themselves with the findings on the City website.

Leroy Walker, Councilor from Ward 5 spoke at length about the Ag study. Eric went over potential development that was coming down the pipeline.

ADJOURNMENT

A motion was made by Samuel Scogin and seconded by Brian Carrier to adjourn. After a vote of 7-0-0, the motion carried.

Auburn Planning Board Meeting Minutes October 9, 2018

ROLL CALL:

Regular Members present: Evan Cyr – Presiding, Robert Bowyer, Mia Poliquin Pross, Dustin Boutin and Nathan Hamlyn

Regular Members absent: Samuel Scogin and Marc Tardif

Associate and other Members present: Stephen Martelli and Brian Carrier

Associate and other Members absent: None

Also present representing City staff: Audrey Knight, Auburn City Planner and Eric Cousens, Deputy Director of Economic & Community Development

Chairperson Cyr called the meeting to order at 6:05 pm and asked for a roll call. He stated due to having 2 Full members absent, Brian Carrier and Stephen Martelli's statuses would be elevated to full voting rights for this meeting.

MINUTES:

September 11, 2018 Meeting Minutes Approval Request

A motion was made by Brian Carrier and seconded by Robert Bowyer to approve the September 11, 2018 meeting minutes as presented. After a vote of 7-0-0, the motion carried.

Chairperson Cyr stated the 1st item on the agenda will be deferred to the November meeting.

PUBLIC HEARINGS & NEW BUSINESS:

- 1. Michael Gotto, agent for Millbran, LLC, is seeking site plan and subdivision approval of a 48-unit multi-family residential development for the property at 1048 Turner Street (PID # 290-011), in the General Business Zoning District pursuant to sections 60-1276 & 60-1359, Subdivision Guidelines.**

Chairperson Cyr introduced the new City Planner, Audrey Knight and explained the process of Planning Board meetings. He then asked her to present the staff report.

Audrey Knight went over the staff report and presented slides via PowerPoint.

(32:15 on Recording)

Katy Grondin, Superintendent of Schools provided documents on school enrollment in each school and explained that with all the recent new development it was important to go over the enrollment numbers and the impact new development has to the area schools. Board members asked questions regarding

school capacity, taxable value of the proposed development, emergency means of egress from the site, future landscape plan with input from Board, what triggered the subdivision regulations. sidewalks, tree stand and open space.

(61:30 on Recording)

Michael Gotto, representing Millbran LLC said he had a lot of differences of opinions with Ms. Knight and said he thought his proposal was being reviewed as a site plan review. He spoke about parking, 2nd means of access, grading, site distance, entrance location, Gracelawn Memorial Park fence and buffering, catch basin & curbing situation, lighting, traffic study, etc.

Robert Bowyer questioned the 54% of outdoor open space for the residence of the complex mentioned earlier by Mr. Gotto. Mr. Gotto explained his position and said if the interpretation is different from his, then he would adjust the plans.

A discussion ensued amongst Board members, Staff and Mr. Gotto regarding the definitions of open space and green areas and whether the Board would be reviewing this as a Subdivision Review or a Site Plan Review.

(92:49 on Recording)

Open Public Input

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

Leroy Walker of 41 Broad Street stated that Mr. Gotto has come before the Board many times and has always presented the projects well. He mentioned there is a lot of recreation available in the area of this project such as the many softball and baseball fields and the hockey rink down the road. He asked that we don't make it harder for people to develop projects that would bring in more tax revenues.

A motion was made by Brian Carrier and seconded by Stephen Martelli to close the Public Input part of the hearing. After a vote of 7-0-0, the motion carried.

After a lengthy discussion, the following motion was made:

(115:00 on Recording)

A motion was made by Brian Carrier and seconded by Mia Poliquin Pross to review this project as a subdivision plan with a possible waiver as opposed to a site plan review. After a vote of 6-0-1, the motion carried. (Robert Bowyer did not vote)

(119:30 on Recording)

A motion was made by Mia Poliquin Pross and seconded by Stephen Martelli to approve a 48-unit multi-family residential development for the property at 1048 Turner Street (PID # 290-011), in the General Business Zoning District pursuant to section 60-1359 through section 60-1367, Subdivision Guidelines, and incorporating the Conditions 1-4 as written in the staff report and granting a waiver pursuant to section 60-1366 parts C & D which waives the recreational requirements in section 60-1367 and incorporating the utility and landscaping plan that was presented at this meeting tonight. After a vote of 6-0-1, the motion carried. (Robert Bowyer abstained)

OLD BUSINESS:

None

MISCELLANEOUS:

Discuss Improving Relations with City Council

Chairperson Cyr asked Board members if they had any comments regarding the communication received from Mr. Bowyer & Mr. Martelli. Mr. Bowyer explained his position on the subject. A discussion ensued amongst Board members. Chairperson Cyr stated that after reading Mr. Bowyer's letter he could see 2 things that Board members could commit to immediately to help build a stronger relationship with the City Council. The 1st would be to have at least 1 Planning Board member attend the City Council meetings and the 2nd is to get to know their ward councilors in such a way as to introduce ourselves. Eric added that Councilors are asking to improve communication with the Planning Board and their openness to renew the line of communication is a great opportunity to build the trust and reliance between the 2 boards.

(131:50 on Recording)

Chairperson Cyr asked City staff to schedule a workshop with the City Council after the Planning Board appointments are completed in the new year.

Mr. Martelli spoke about the Great Falls drainage inspection report which will be completed by the end of November.

Chairperson Cyr mentioned that the City had a new vision around growth, quality and investment. He said the vision is just 3 sentences long with one of those ideas in each sentence and added that each represented a short-term committee. He said we are being asked to represent the Planning Board on those committees and asked the members to read up on the committees and to let him know by Friday if they would like to volunteer to be a member of one of the committees.

ADJOURNMENT

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

Auburn Planning Board Meeting Minutes November 13, 2018

ROLL CALL:

Regular Members present: Evan Cyr – Presiding, Dustin Boutin, Samuel Scogin, and Marc Tardif

Regular Members absent: Mia Poliquin Pross, Nathan Hamlyn and Robert Bowyer

Associate and other Members present: Brian Carrier

Associate and other Members absent: Stephen Martelli

Also present representing City staff: Audrey Knight, Auburn City Planner

Chairperson Cyr called the meeting to order at 6:05 pm and asked for a roll call. He stated due to having multiple Full members absent, Brian Carrier's status would be elevated to full voting rights for this meeting.

MINUTES:

None

Chairperson Cyr explained the process of Planning Board meetings and read the 1st item on the agenda.

PUBLIC HEARINGS & NEW BUSINESS:

- 1. The Szanton Company requests a one-year extension for their approved Site Plan and Special Exception for 48 Hampshire Street, a 53 unit apartment complex, which is otherwise set to expire on December 19, 2018. This extension would grant approval for the project until December 19, 2019.**

Audrey Knight presented the staff report and displayed a couple of slides via PowerPoint.

Andy Jackson, representing The Szanton Company explained why the extension was being requested and answered questions from Board members.

(09:25 on Recording)

Open Public Input

A motion was made by Sam Scogin and seconded by Brian Carrier to open the public input part of the hearing. After a vote of 5-0-0, the motion carried.

No comments.

A motion was made by Sam Scogin and seconded by Brian Carrier to close the public input part of the hearing. After a vote of 5-0-0, the motion carried.

A motion was made by Brian Carrier and seconded by Marc Tardif to grant a one-year extension for the approved Site Plan and Special Exception for 48 Hampshire Street, a 53-unit apartment complex. After a vote of 5-0-0, the motion carried.

2. Jon Whitten, agent for Mystique Way, LLC, is seeking approval for a four (4) lot subdivision of 32 acres, at 0 Industry Avenue (PID#206-058) in the Industrial Zoning District, pursuant to section 60-1359, Subdivision Guidelines. (Item differed for November meeting)

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

(15:55 on Recording)

Jon Whitten of Plymouth Engineering, Inc. representing the applicants of Mystic Way, LLC, introduced Chris Lefever and Sean O'Brien of Mystic Way LLC. He spoke about the project and answered questions from Board members.

A motion was made by Sam Scogin and seconded by Brian Carrier to open the public input part of the hearing. After a vote of 5-0-0, the motion carried.

No comments.

A motion was made by Sam Scogin and seconded by Dustin Boutin to close the public input part of the hearing. After a vote of 5-0-0, the motion carried.

Chairperson Cyr stated this appeared to be a straightforward project.

Sam Scogin said he would be remiss if he didn't mention what he thought would be Robert Bowyer's concern about approving a long cul-de-sac due to potential issues for emergency workers getting through to a property but seeing that it's a private road, he said he was a little less concerned.

(21:00 on Recording)

A motion was made by Sam Scogin and seconded by Brian Carrier to approve the request from Mystic Way, LLC for a 32 ft wide road extending 1,600 feet to form a cul-de-sac for a four (4) lot subdivision of 32 acres, at 0 Industry Avenue (PID 206-058) in the Industrial Zoning District, pursuant to section 60-1359, 1360, 1365 and 1366 Subdivision Guidelines and finding that the applicant follows the 8 conditions set forth in the staff recommendations of the staff report dated November 13, 2018.

3. The Taylor Pond Association is seeking to amend Article IV, Zoning District Regulations, Division 2 Agriculture and Resource Protection District, Sec.60-145 (b) Special Exception Uses (17) to prohibit industrial use, including the manufacture, assembly and maintenance of recreational or agricultural equipment in the watershed areas of Lake Auburn and Taylor Pond.

Marc Tardif stated that he would have to recuse himself because he was a board member of the Taylor Pond Association. Chairperson Cyr explained that because Mr. Tardif had to recuse himself, the Public Hearing could not continue as we no longer meet quorum. He said however, he would like to move

forward in a public discussion forum which means the Planning Board will not be able to take action at this time but will hear the staff report and open it up to the public for input on the discussion.

(23:50 on Recording)

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

Chairperson Cyr asked Audrey for clarification of home-based businesses. He then said the rest of the topic would be treated as a workshop and asked if any member of the audience would like to speak.

(34:55 on Recording)

Barbara Mitchel of 179 West Shore Road said their purpose is to protect Lake Auburn and Taylor Pond from unnecessary damage to the water quality and anything that could endanger public health and protect property values resulting in loss of tax revenues for the City of Auburn. She spoke about the water quality report and a report from the President of the Taylor Pond Association. She concluded by saying this is a very fragile area and we would hate to see anything happen to it.

(40:10 on Recording)

Jan Phillips of West Shore Road said she was also a Board member of the Taylor Pond Association. She spoke about the ordinance amendment that took place last year which opened the possibility for commercial or residential development next to the major recreational areas in the City and at the same time it added this special project specific exemption to permit the industrial use at Lost Valley. She commented about this new ordinance reverting to a new default and concluded by saying that it's better to err in the direction of protecting more rather than little in these watersheds.

Chairperson Cyr thanked Ms. Mitchel and Ms. Phillips for sharing their comments and said this would most likely be on next month's agenda.

(46:30 on Recording)

OLD BUSINESS:

Chairperson Cyr said we would be going over item B first.

b. Mayor's Action Group on Agriculture & Resource Protection – update & need for member

Brian Carrier updated Board members of items discussed at recent MAG-ARP meetings.

(54:30 on Recording)

a. Recreation and Open Space requirements for Subdivisions and Site Plan – Informational

Audrey gave an overview about Recreation & Open Space and presented slides via PowerPoint. A lengthy discussion ensued amongst all regarding this topic.

(100:20 on Recording)

MISCELLANEOUS:

a. Updates from Planning Board members on projects and communications

Chairperson Cyr spoke briefly about the discussion he had with Katy Grondin, School Superintendent regarding new development and how it affected school enrollment.

(110:20 on Recording)

ADJOURNMENT

A motion was made by Sam Scogin and seconded by Brian Carrier to adjourn. After a vote of 5-0-0, the motion carried.

Auburn Planning Board Meeting Minutes December 11, 2018

ROLL CALL:

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

Regular Members absent: Mia Poliquin Pross

Associate and other Members present: Stephen Martelli and Brian Carrier

Associate and other Members absent: None

Also present representing City staff: Audrey Knight, Auburn City Planner

Chairperson Cyr called the meeting to order at 6:00 pm and asked for a roll call. He stated due to Mrs. Mia Poliquin Pross being absent, Stephen Martelli's status would be elevated to full voting rights for this meeting.

MINUTES:

October 9, 2018 Meeting Minutes Approval Request

A motion was made by Sam Scogin and seconded by Robert Bowyer to approve the October 9, 2018 meeting minutes as presented. After a vote of 7-0-0, the motion carried.

Chairperson Cyr explained the process of Planning Board meetings and asked Ms. Knight to present the Staff report.

PUBLIC HEARINGS & NEW BUSINESS:

- 1. Becket Family of Services is seeking Special Exception approval to convert a former school building located at 31 Holbrook Road, to a children's residential treatment program serving twelve (12) children, in the Low Density Rural Residential zone (PID 387-028).**

Audrey Knight went over the staff report and presented slides via PowerPoint.

Michael Gotto, representing Becket family Services and Justin Gifford, Executive Director of Children Residential Services, Maine added to the presentation.

(11:40 on Recording)

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 7-0-0, the motion carried.

No comments.

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

A motion was made by Sam Scogin and seconded by Marc Tardif to approve the request by Becket Family Services for a Special Exception to convert a former school building located at 31 Holbrook Road, to a children's residential treatment program serving twelve (12) children, in the Low Density Rural Residential zone (PID 387-028) as it meets the Findings as listed in the Staff Report and with the following Condition: That an emergency operations plan (EOP) be created within one year of operations. The EOP should address a variety of scenarios, including a continuity of operations component, and could be developed with input from City Police and Fire Departments. While this is always a necessary item, protocols should be in place if response times can't bring help when needed. After a vote of 7-0-0, the motion carried.

(14:50 on Recording)

2. SME Engineers on behalf of Bangor Savings Bank, is seeking Site Plan and Special Exception approval for a one-story 5,600 square foot building with 3-lane drive-thru at 170 Turner Street (PID 250-195) in the General Business zoning district.

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

(23:15 on Recording)

David Latulippe with CJ Developers, representing Bangor Savings Bank introduced Jeff Reed from Sevee & Maher Engineers. Mr. Latulippe commented that the City of Auburn planning process for developers is very well done. He spoke about the proposal and answered questions from Board members.

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 7-0-0, the motion carried.

Christine Bosse from Sabattus explained why she felt Bangor Savings would be a good neighbor in the City and said she is excited to see them come to Auburn.

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

Audrey brought up the fact that the City of Auburn did not have a lighting standard for developments and that the lighting plan that was submitted for the Bangor Savings project may or may not be acceptable to the neighbors.

(35:00 on Recording)

A motion was made by Sam Scogin and seconded by Marc Tardif to approve the Site Plan and Special Exception request for a one-story 5,600 square foot building with 3-lane drive-thru at 170 Turner Street (PID 250-195) in the General Business zoning district as it meets the Findings for approval of Sections 60-1277 and 60-1336 and including the following 3 conditions: A) No development activity until any

bonding or inspection fees are determined by the Auburn Engineering Department, B) The Planning Board requires a no-left turn sign at the intersection of Troy and Turner Streets which is to be provided and paid for by Bangor Savings and C) Any other items raised during the Public Hearing that the Planning Board deems appropriate. After a vote of 7-0-0, the motion carried.

(36:45 on Recording)

3. The Taylor Pond Association is seeking to amend Article IV, Zoning District Regulations, Division 2 Agriculture and Resource Protection District, Sec.60-145 (b) Special Exception Uses (17) to prohibit industrial use, including the manufacture, assembly and maintenance of recreational or agricultural equipment in the watershed areas of Lake Auburn and Taylor Pond.

Audrey proceeded to go over the staff report and presented slides via PowerPoint.

Chairperson Cyr apologized for interrupting the presentation and stated there were a couple assertions that should be declared before moving on.

Marc Tardif declared that he would step down because he is a Board member of the Taylor Pond Association. Chairperson Cyr stated Brian Carrier's status would be elevated to a Full voting member for this portion of the meeting.

Chairperson Cyr stated that his residence is within the Lake Auburn Watershed and that he often visits relative's properties that are in the Taylor Pond Watershed. He said he didn't think he needed to recuse himself but wanted it on the record for full disclosure.

Audrey continued on with the presentation of the staff report.

(47:50 on Recording)

At the conclusion of the staff report presentation, Chairperson Cyr asked if the Board members had any questions for City staff.

Several questions were asked by the Board members relating to the following:

- Overlays of the zoning district
- Referring to watershed boundaries
- Describing light industries vs Home based business
- DEP standards for water pollution and environmental control

(61:55 on Recording)

Dana Little of 585 Garfield Road spoke about the following:

- Wants to see Lost valley and the City of Auburn thrive
- Special ordinance passed by this board was a mistake and if allowed to stand could potentially harm Taylor Pond
- Representing Taylor Pond Association, has been president for over 15 years
- Okay to correct the original amendment in some way as long as it protects Taylor Pond
- 130 members in the Taylor Pond Association and 210 people live around Taylor Pond
- Described Association actions to monitor and protect Taylor Pond
- Spoke about algae growth and mitigating phosphorous

- Spoke about the Kassbohrer proposal coming to Lost Valley
- Conflict between 2 Engineering reports
- One of the concerns the Association had was that the inspection by Kassbohrer was to be done by Kassbohrer and not a 3rd party
- Described and passed around to Board members a photo taken on 9.10.17 where Kassbohrer started opening a road into their area – shows the area with hay on it, bare soil, and bare soil washing across the road. In the distance is Taylor Brook which feeds right into Taylor Pond. Should have been prevented but wasn't.
- Hoping to see projects like these prevented in the future.
- Asked Barbara Mitchel to join him to help answer any questions from Board members

(69:45 on Recording)

Chairperson Cyr said he would like to make the following point of clarification before any questions are asked: There have been several points at which the previous amendment to the Zoning ordinance was described as being done for a particular project. He said it's important for people in the room to understand that the Planning Board does not make decisions like this lightly particularly when we amend Zoning Ordinance that affects roughly 40% of the City's land mass. It's important to understand that the Board did not make an amendment in order to allow a singular industry into a singular spot. The Board made an amendment that, while it was instigated by a specific group, made a decision that affects all City wide agriculturally zoned land. The previous amendment was not made solely for property around Lost Valley so was not a project specific decision.

Several members of the Board stated because the photo and other findings from outside agencies mentioned were not submitted as public record prior to the meeting that they shouldn't be entertained by the Planning Board.

Barbara Mitchel said Eric Cousens told her specifically that the amendment was written to accommodate that project. Chairperson Cyr responded that the Board would not do something so foolish as to allow for something in one area that then has ramifications across 40% of the City and not take that into account.

Dana Little re-iterated that he wants to see Taylor Pond protected and said any project that comes up, the Taylor Pond Association is going to look at it very carefully.

(75:35 on Recording)

Sam Scogin commented that the proposed amendment seemed redundant to current City code and asked why the need to reference back to the Maine DEP?

Ms. Mitchel replied it's because the City was trying to find areas where they could mitigate phosphorous run-off to compensate for the additional phosphorous that was going to be put in and the DEP specifically says that the MP's can only be allowed on a property of which the off-site mitigation is taking place and the project parcel are in common ownership which they were not going to be so they had overlooked that. Also, it has to be a permanent entity such as a town or school district and Lost Valley is not a permanent entity. The reason we are bringing this forth is because this wasn't being followed.

The discussion continued amongst all parties regarding the redundancy of the language referencing the DEP standards, watersheds in other Zoning Districts, the vulnerability of Taylor Pond, the Planning Board's responsibilities and charges, impacts from additional run-off, definition of light industry, etc.

(91:20 on Recording)

Audrey stated there are about 4 other Special Exception categories that do specifically address the watersheds in the Agriculture and Resource Protection Ordinance and proceeded to read them. More discussion ensued regarding, among other things, trusting the Planning Board process.

(103:50 on Recording)

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

Jan Philips of West Shore Road said she too is a member of the Taylor Pond Association and spoke about the following:

- September 11, 2017, the previous City Council voted 5-2 during a final reading to implement this amended zoning ordinance.
- The DEP standards weren't caught at that level
- The project came in conjunction at that meeting
- We brought this forward to start, not with an exemption already in place, but opens the door for a development with a lack of impact; it restarts what the default is
- Goal A-2 of Auburn's 2010 Comprehensive Plan: protecting the water quality of Taylor Pond to maintain both the environmental and economic value of the pond is emphasized extremely well
- Concerned not just about phosphorous, but petroleum product run-off and a host of other things that those projects would have made it impactful
- City Assessor's Office is currently undertaking a 2-year revaluation study of Taylor Pond so likely that we will see tax increases – important economic engine
- Water quality obviously is not easy to maintain

(109:55 on Recording)

Michael Gotto, representing Lost Valley, spoke about the following:

- Represented Kassbohrer
- Apologized to Mr. Little for the cost they went through but said they did offer on multiple occasions to meet with the opposition to the Kassbohrer project
- Held the project so issue could be reviewed and resolved but resolving added too much cost, so the project went elsewhere in Auburn
- City's ordinance has everything it needs to have to protect exactly what these folks want it to
- Because of the wording of the proposed amendment, it's a problem for Lost Valley
- Lost Valley is just as concerned about the pond as the Association is and does not want to do anything to cause a problem for that pond
- Spoke about how the proposed amendment could prohibit Lost Valley with any expansion of the maintenance shed or work on a snow cat or installation of a 3rd ski lift. Severely hurts Lost Valley the way it's worded

(116:03 on Recording)

Mary Sylvester of 209 Maple Hill Road spoke about the following:

- Currently the Chair of the Mayor's Ad Hoc Committee on Agriculture that was convened in the fall of 2017 to work with Crossroads Research Center, consultants hired by the City.
- Also a Trustee of the Auburn Water District so understands that water protection is very important
- Definition of industrial can be found on any farming operation in the City
- Applauds the discussion amongst all groups and as the updating of the ordinance occurs, we must be aware that there's a lot of potential for economic development in agriculture here as well as the protection of these important natural resources

(118:55 on Recording)

John Herrick of 216 Fletcher Road stated that on behalf of Lost Valley, wanted everyone to know that Lost Valley is an outdoor based organization company and appreciates protecting the environment because that's where we play in. Wanted to remind the Auburn Community that a lot of great things have come out of Lost Valley and said snow making today all over the world has its roots in Auburn, Maine along with snow grooming. He said that adding that language would reduce our ability to innovate and make Auburn and Lost Valley great again.

(121:13 on Recording)

Tizz Crowley of 35 University Street stated the following:

- She also serves as an Auburn Water District Trustee and is a Commissioner of the Lake Auburn Watershed Protection Commission.
- Commented that she learned about this at the last minute and had difficulty getting information until Chairperson Cyr helped direct her to the agenda and supporting documents on the City's website.
- Encourages the Board to reach out to the Lake Auburn Watershed Protection Commission, the Auburn Water District, and the City of Auburn's own Water Conservation Commission which had met last night and could have participated in the conversation.
- The City is very busy both with the past program and the accelerated Mayor's Action Group on the Agricultural Zone, yet this information has not come forward under their part
- Concerns her gravely that we do not have a transparent system here and asks that before any action is taken, particularly since it does affect a great percentage of our City, that the Board reaches out to the various committees and organizations to participate
- Commended Mr. Bowyer for his statements and said there were rules put in place that today are not being enforced and the answer from the City is we'll change them
- Particularly to the Taylor Pond sitting here, when they spoke, they did not mention the Lake Auburn Watershed Protection Commission, it was very focused on their community and their neighborhood. They sort of inferred that we don't want to see more industrial or more risk to the water and yet the City of Auburn, the Auburn Water District and the residence of Taylor Pond each put up \$3,000 for a total of \$9,000 to have a study done to expand the sewer system so that more development, more conversions from camps to year round homes could happen.
- Finds that troublesome because it seems like we're spending money on both sides of the fence for a competing thing
- Before anything is done, maybe we look at our strategic plan and focus on Taylor Pond
- Does not believe that the activities around Taylor Pond have really met watershed protection things. We heard a little bit about phosphorous, but the Lake Auburn Watershed Protection Commission has a full-time person dealing with outreach and education.

- Taylor Pond has a privately-owned public beach and when the municipal beach was having problems, they did not even want to test the water for safety
- Concern is that she is seeing 2 different messages here. 1 side in one room she hears we want to develop Taylor Pond, we want to invest there, we want you to put some money to raise the water rates for others to do that investment and on the other side she hears we want to protect our neighborhood

(125:30 on Recording)

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

A lengthy discussion ensued amongst Board members regarding the proposal and there being a number of protections already in place.

(138:15 on Recording)

A motion was made by Robert Bowyer and seconded by Sam Scogin to forward to the City Council the recommendation that the proposed amendment not be approved for the reasons that have come forward tonight.

Robert Bowyer commented that he hoped members of the audience leave with the understanding that there are a number of good protections already in place and if they were to continue in their zeal to protect the quality of water, we will need a different approach than what this amendment has produced.

Brian Carrier agreed with Mr. Bowyer and thanked the Association for bringing this forward.

Sam Scogin commented that he would encourage members of the Taylor Pond Association as well as everyone else in the watershed to come before us as we want to hear your concerns and you can trust that we will be fair in our assessment of your concerns.

(140:50 on Recording)

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

Chairperson Cyr reemphasized to the members of the audience that this does not mean that other solutions cannot be developed and said Ms. Crowley's points were correct about involving all stakeholders to help find solutions to protect our great ponds and watersheds and keep our water ways as pristine as they can be.

(143:00 on Recording)

Chairperson Cyr called for a 5-minute recess and the meeting was reconvened approximately 12 minutes later.

(155:30 on Recording)

OLD BUSINESS:

a. Mayor's Action Group on Agriculture & Resource Protection – update

Brian Carrier updated the Board on the MAG-ARP committee's proposed text amendment.

Mayor Jason Levesque commented that this was his first time sitting through a Planning Board meeting and said he was impressed with the process. He then proceeded to go over the time line for the potential adoption of the language and answered questions from Board members.

(167:20 Recording)

MISCELLANEOUS:

a. Updates from Planning Board members on projects and communications

No updates at this time

(171:00 Recording)

ADJOURNMENT

A motion was made by Sam Scogin and seconded by Stephen Martelli to adjourn. After a vote of 7-0-0, the motion carried.