

# **Auburn Planning Board Meeting Minutes August 13, 2019**

## **ROLL CALL:**

**Regular Members present:** Evan Cyr – Presiding, Brian Carrier, Katherine Boss, Stephen Martelli and Sam Scogin

**Regular Members absent:** Mathieu Duvall

**Associate and other Members present:** John Engler

**Associate and other Members absent:** 1 vacant position

**Also present representing City staff:** Audrey Knight, Auburn City Planner and Megan McLaughlin, City Planner II

Chairperson Cyr called the meeting to order at 6:00 pm. He asked for a roll call and stated that because a full member was absent, John Engler would have full voting rights for this meeting.

## **MINUTES:**

### **June 11, 2019 & July 9, 2019 Meeting Minutes Approval Request**

A motion was made by John Engler and seconded by Sam Scogin to approve the June 11, 2019 and July 9, 2019 meeting minutes as presented. After a vote of 6-0-0, the motion carried.

Chairperson Cyr explained the process of Planning Board meetings and asked for the staff report of the 1<sup>st</sup> item on the agenda

### **NEW BUSINESS and PUBLIC HEARING:**

**Proposed 2,397 square foot expansion to existing 7,144 square foot Town Fair Tire building at 755 Turner Street, (PID 280-011), in the General Business Zoning District.**

Megan went over the staff report and answered questions from Board members.

Curtis Neufield, P.E. for Sitelines and agent for Town Fair Tire added to the presentation and answered questions from Board members.

### **Open Public Input**

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

No Comments.

### **Close Public Input**

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 6-0-0, the motion carried.

Chairperson Cyr said he was concerned that there was no real safe way for pedestrians to walk to the front of the building. After a short discussion, the following motion was made:

**(20:00 on Recording)**

A motion was made by Brian Carrier to approve the 2,397 square foot expansion to existing 7,144 square foot Town Fair Tire building at 755 Turner Street, (PID 280-011), in the General Business Zoning District with the added condition that pedestrian striping be placed between the northern parking lot and the building itself. Katie Boss added an amendment to include a copy of the approved minor DEP application amendment. Brian Carrier was in favor of the amendment. The motion was seconded by Stephen Martelli. After a vote of 6-0-0, the motion carried.

### **Proposed 12-unit apartment building, amending previously approved 24-unit condominium project from 1988, at 204 Broad Street, (PID 290-011), in the Multi-Family Urban Zoning District.**

Megan went over the staff report and presented slides via PowerPoint. She and Audrey then answered questions from Board members.

**(28:40 on Recording)**

Mike Gotto, of Stoney Brook and the applicant, Gerry Morin, answered questions from Board members.

**(41:52 on Recording)**

### **Open Public Input**

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

Claire Robichaud of 5 Sherwood Drive commented about the following:

- Concerned about noise and trespassing.
- Asked if there would be a fence and a tree border.
- Spoke about animals coming up from areas around the river and mentioned residents would need to have sealed bins away from the property because of this.
- Said she was concerned about the devaluation of her property
- Wants privacy and safety

Chairperson Cyr stated that the Board does not make comments during the open public input part of the public hearing. He said this is our chance to listen to your concerns and comments.

Richard Valcourt of 29 Marian Drive stated the following:

- Not much improvement in the last 30 years
- Not sure if the detention pond still works
- Trees and shrubs are growing in the detention pond
- Concerned that there isn't a plan in place for the 25 space parking lot.

- Planning Board should have developer fix the pond by dredging and testing to make sure it's working
- Add a requirement that it be tested every 5 years to ensure the detention pond is in working order
- Hopes he gave the Planning Board enough ammunition to make it more fair for the surrounding area.

(50:22 on Recording)

**Close Public Input**

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 6-0-0, the motion carried.

Board members asked questions regarding detention ponds and testing. Mike Gotto responded saying that it was wise for staff to say that the pond should be rebuilt to meet the design requirements from 1989. He explained that things have changed under the new standards. We've gone from detentions to more storm water quality. We're more quality based with filter benches and filter beds in the storm water systems. He added it appears that the pond has not been maintained at all, so it needs to be maintained. Under the new storm water rules, every new storm water system today must be licensed every 5 years with the DEP or jurisdiction.

Sam Scogin asked who would be responsible for repairing the detention pond and Mr. Gotto replied the developer would be responsible to repair the pond and also be responsible for the maintenance of it and the Homeowner's Association would share in the maintenance costs. Mr. Gotto added that he will work with the neighbors so everyone can agree on the buffering.

Chairperson Cyr read the 60-1306 Findings and stated afterward that he was not comfortable making a decision based on the information they have.

Sam Scogin agreed that he wants to see more details in the plans with a more formalized agreement with the H.O.A. about shared responsibilities on the site. All Board members agreed to table until next month.

(1:04:38 on Recording)

A motion was made by Brian Carrier and seconded by Sam Scogin to table until said time that the applicant can come back with additional information. After a vote of 6-0-0, the motion carried.

Audrey commented that it would be appropriate to specify what information you are seeking so that the applicant can bring you what you are looking for.

Katie Boss said she could think of 3 things; Formal agreement with the H.O.A, an updated plan for the detention pond and screening between the property and abutters.

**Proposed construction of a 8,700 square foot storage unit addition to existing 3,200 square foot storage facility, at 671 Washington Street North, (PID 189-011), in the General Business Zoning District.**

Audrey presented the staff report with slides via PowerPoint. She answered questions from Board members regarding curb cuts and site plan review.

(1:21:30 on Recording)

Albert and Christy LaValley, owners of the property and applicants, explained the proposal and answered questions from Board members.

### **Open Public Input**

A motion was made by Brian Carrier and seconded by Stephen Martelli to open the public input part of the hearing. After a vote of 6-0-0, the motion carried.

No comments

### **Close Public Input**

A motion was made by John Engler and seconded by Brian Carrier to close the Public Input part of the hearing. After a vote of 6-0-0, the motion carried.

Sam Scogin commented that he shared the concerns of the Engineering Department.

John Engler stated that the access should be reconfigured, and most Planning Board members agreed.

Chairperson Cyr commented that the project sounds like a good one and agrees the curb cuts need to be addressed and said he would be more inclined to approve this if he had a site plan to look at.

(1:32:48 on Recording)

A motion was made by Sam Scogin and seconded by Stephen Martelli to table until said time that a complete site plan can be provided.

Audrey asked if there was anything specific on the site plan that they would like to see. Several Board members replied curb cuts, parking/loading areas and accident record (safety).

The applicant stated that she didn't understand how they could make this a better site plan.

Chairperson Cyr asked for a vote. After a vote of 6-0-0, the motion carried.

Chairperson Cyr explained what site plan review requirements they would be looking for and referenced Section 60-1300 in the Zoning Ordinance. Audrey added that staff would help the applicants.

### **Proposed conversion of a 12,000 square foot nursing home to 12 residential units at 185 Summer Street, (PID 260-217), in the Multi-Family Urban Zoning District.**

Chairperson Cyr commented that the abutter notice that was mailed referenced an incorrect zone for this project. It is in fact in the Multi-Family Urban (MFU) zoning district.

Audrey commented that staff had received information on this project since the staff report had been written so she handed out a revised staff report. She said some of the calculations for the removal of impervious surface and the addition of impervious surface had to be recalculated by the applicant on site. She said we recently received the information, so the staff report has been modified to a certain degree. She also mentioned that City tax records indicate the property is at 30,927 sf although a current

survey by the applicant indicates that it's actually 31,685 sf so she said she wanted to make those clarifications because the calculation for impervious surfaces are based on those factors.

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

**(1:44:15 on Recording)**

Albert and Christy LaValley of 661 Washington Street spoke about the project and answered questions from Board members.

Sam Scogin said he would like to see a more detailed site plan.

John Engler thanked Mr. and Mrs. LaValley for adding housing stock to the City. He mentioned possibly adding greenspace by eliminating some parking spaces.

Sam Scogin referenced the Engineering Department's comments which stated having 1 entrance on either road would be standard. He said the 3 entrances are a little confusing. Christy LaValley explained they were planning to remove at least one of the entrances.

Chairperson Cyr also thanked Mr. and Mrs. LaValley for taking on this project to add more market rate housing and reiterated what Mr. Scogins said in regard to not having an adequate site plan to review.

**(1:58:00 on Recording)**

**Open Public Input**

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

William (Bill) Horton of 401 Turner Street stated the following:

- There's a lot of work happening on this property already (building has been taken down and demolition inside another building)
- They want to take our community of 1 and 2 family homes and turn the old nursing home into apartments and potentially bring 30 additional cars to our little community
- The streets are not that wide and there's already parking on the streets
- Turner Street is a fast street and they want to add another curb cut on that street
- No one would want to live across the street from a paved parking lot
- There is a use for this building but not sure if it's 21 apartments

Katie Hunter of 165 Whitney Street stated the following:

- Turner Street is ridiculous already so adding 30 more cars – not looking forward to more traffic
- Streets are narrow and people are parking on the street
- What's the impact going to have at Washburn School? Can they handle the extra students this might bring?
- Does not want to run down Turner Street and see a big parking lot.
- This is going to create a lot more traffic as opposed to the nursing home that was there before

Dr. Cathy Turbyne of 393 Turner Street stated the following:

- Gravely concerned about the possibility of apartment buildings across the street

August 13, 2019 - Auburn Planning Board Meeting Minutes

- Has lived there for 30 years
- Neighborhood of 1 and 2 families have made investments to their properties
- Concerned about the traffic
- Concerned about the naivety of the applicants
- Concerned about safety, appearance and community use

Robert and Kim Lindahl of 388 Turner Street stated the following:

- Pointed out on the maps where their property was located and spoke about water coming onto their property from the project area
- Asked where the fire escape would be located – in close proximity to their property
- Concerned people would be walking through their property
- So close that vehicles and people are on their property
- Agrees there's a shortage of good housing
- Very difficult backing out of driveway on to Turner Street
- Has seen many accidents at the corner of Dennison Street
- Better use for this property – needs more nursing homes
- Said their house shook when they were tearing down the house.

Craig Woodard of 393 Turner Street stated the following:

- Green space is an oxygen changer, noise reducer and provides a lot of service to the local area
- Locals care about trees and shrubs and green space
- If you allow them to lessen the green space and continue to do so, there won't be any left in the area
- They should live by the same standards as the rest of us
- Ideally it should be increased

**(2:14:55 on Recording)**

**Close Public Input**

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 6-0-0, the motion carried.

Stephen Martelli asked if an easement had been written to allow the new owners of the 12 unit building the ability to maintain their building. Audrey responded not to her knowledge.

Christy LaValley went to the maps and pointed out the area that was in question and stated they could put up a fence to keep the tenants off the neighbor's property.

Sam Scogin commented that he would like to see a full site plan, along with additional trip reports, plan for screening for abutters, and a plan to address the green space and egress issues. He said the City and the Planning Board are in support of more density creating more housing opportunities for the residence of Auburn and future residents of Auburn.

A motion was made by Sam Scogin and seconded by Stephen Martelli to table until said time that a complete site plan can be provided. Also required would be additional trip reports, plan for screening

for abutters, more detailed plan of the green space and or landscaping, more delineated plan for boundary, including fencing and a clear picture of parking. After a vote of 6-0-0, the motion carried.

Chairperson Cyr commented that someone mentioned that the work had already started. He explained when projects come before us, we always treat them as though nothing has yet happened so that we are not compelled to allow something to continue if we don't like it or put a condition on it. Sam Scogin added that a demolition is completely different and does not require Planning Board but as a good neighbor, it would be wise to notify area residents.

Audrey commented that because this was tabled, it is still considered an open public hearing so public comments may be sent to the Planning Board or City staff. She added that this is a continuation item until the next formal meeting which is September 10 and suggested people check the City website for the agenda.

(2:25:30 on Recording)

### **MISCELLANEOUS:**

#### **A. Planning Board Presentation/Review of MMA PB Training**

Katie Boss said it was a valuable training experience. She said that they went over the Maine Right to Know Act, Preparing of Findings and Conclusions and variances and gave an overview of the training that she had. A discussion ensued regarding site visits, recusals and variances.

#### **B. Planning Board Other Items for Discussion**

Audrey mentioned that there's an interested buyer for the St. Louis Church as an Adaptive Re-use property. She also spoke about an interest in solar farms in the area. Board members chimed in on the subject.

#### **C. Timber Harvesting Options 1 & 2**

Audrey said the Conservation Commission and the Forester from the State of Maine will be attending the next meeting to answer our questions.

#### **D. Draft Agriculture Committee Language**

Katie Boss said the committee would be having a meeting the next day to talk about what the next steps should be and to review the specific proposals that were made during the joint meeting with the City Council and Planning Board.

### **PUBLIC COMMENT:**

Sam Scogin spoke about the many non-conforming properties in the City and said this is something the Planning Board should discuss when the agenda is lighter.

(3:02:00 on Recording)

### **ADJOURNMENT**

A motion was made by Brian Carrier and seconded by Stephen Martelli to adjourn. After a vote of 6-0-0, the motion carried.