

Auburn Planning Board Meeting Minutes

September 11, 2012

Roll Call - Present:

Evan Cyr, Mia Poliquin Pross, Dan Philbrick, Emily Mottram, Chair Robert Bowyer, Dan Bilodeau, Marc Tardif, Robert Gagnon, Kenneth Bellefleur, and City Planner Eric Cousens who represented City staff.

Chairman Bowyer stated that all 7 sitting members and 2 associate members were present. He said they would be deferring action on the minutes until after the public hearings.

Public Hearings:

Chairman Bowyer explained the procedure that is used for Public Hearings.

119 Center Street - Jisel E. Lopez, agent for Cumberland Farms, Inc. is seeking Site Plan and Special Exception approval for construction of a new convenience store and gas station and associated site improvements at 119 Center Street (PID # 261-055), pursuant to Chapter 60, Section 60-499(b)(14) of the City of Auburn Ordinances.

Eric read the staff report.

Chairman Bowyer clarified that while there were 9 members present, it was the 7 full members of the Planning Board who would be sitting on this hearing.

Tom Greer, Civil Engineer from Pinkham & Greer introduced Scott Pinney as District Manager of Cumberland Farms and Jisel Lopez as the attorney overseeing the project.

Mr. Greer showed the Board members plans and sketches of the proposed site and spoke at length about the proposal.

Chairman Bowyer asked about the check dams, the flooding, and if there was a raised median.

Robert Gagnon commented that the proposed site will improve what's currently there by 100%. He listed the removal of the curb opening nearest the intersection, creating a new curb cut on North River Road and relocating the canopy as 3 items that improved the situation at that site.

Chairman Bowyer mentioned the long blank wall facing Wendy's and asked to what extent the landscaping may be softened. Mr. Greer responded that it wasn't as blank as it appeared. He described various items that the developers would be implementing to improve the site.

Chairman Bowyer asked about the hours of operation and what methods they would be implementing to prevent the chance of theft. Mr. Greer answered Cumberland Farms would be

opened 24 hours a day and said preventing theft was a big deal. He mentioned several ways they would be trying to deter would-be thieves.

Open Public Hearing

A motion was made by Robert Gagnon and seconded by Dan Bilodeau to close the public hearing. After a vote, the motion carried 7-0-0.

A motion was made by Dan Bilodeau and seconded by Emily Mottram to approve the Special Exception and Site Plan request of, Jisel E. Lopez, agent for Cumberland Farms, Inc. for construction of a new convenience store and gas station and associated site improvements at 119 Center Street (PID # 261-055), with a front setback modification to not less than 18' for the gas island canopy pursuant to Chapter 60, Section 60-499(b) (14) of the City of Auburn Ordinances and condition A through C as presented by staff.

Chairman Bowyer asked that a date on the plans be added to Condition letter C. Dan Bilodeau agreed to modify his motion to include a date in item C.

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

292 Court Street - Tim Lachapelle, agent for Chapel Holdings LLC, is seeking approval to convert office space to as many as 15 residential units at 292 Court Street (PID# 240-284), pursuant to Chapter 60, Section 60-499(a)(1) of the City of Auburn Ordinances and State and Local Subdivision Requirements.

Robert Gagnon said he would be abstaining from this Public Hearing. Chairman Bowyer asked Mia Poliquin Pross to serve as a full member.

Eric Read the staff report.

Dan Philbrick asked about the Water and Sewer impact once the number of units increased. Eric replied that there was adequate capacity for the existing 9 units and that the Water District felt it could accommodate the additional 6 units, whether they were offices or residential units.

Mia Poliquin Pross commented that the Comprehensive Plan allowed for 10 to 12 units per acre and asked if 15 units could be allowed on this lot. Eric replied that the zoning ordinance currently allowed for a slightly higher density and stated that the Board could cut it back to be absolutely consistent with the Comprehensive Plan. He said the Comprehensive Plan would also allow for some of the units to remain as office space.

There was a discussion amongst the Board members about what the Comprehensive Plan favored.

Arthur Montana from ARCC Land Surveyors introduced Tim Lachapelle of Chapel Holdings, LLC and said they would answer any questions from the Board.

Chairman Bowyer asked for a breakdown of units and their sizes. Tim Lachapelle replied that currently there were 5 efficiency units, 2 1-bedroom units and 2 2-bedroom units. He said the proposed unit sizes on the rest of the building would be 1-bedroom or efficiencies and that he was aiming for single occupancy.

Dan Philbrick stated that he was an acquaintance of one of Mr. Lachapelle's tenants. He stated that in the winter, she was landlocked because the path she used to exit her apartment was often covered with snow. She was disabled and used a wheelchair, which made it impossible to be able to leave her apartment. He said that Mr. Lachapelle had done everything he could to provide a clear path but could not keep up with the snow plows continuously sending snow onto the path. He asked if there was a way to improve the situation for his friend while they were renovating the building.

Mr. Lachapelle replied that the problem was that the building was located on Court Street which is plowed often during snowstorms. He said it can take a few days before the City can clear the sidewalks after a storm, which he says his tenant understands.

Eric said he would encourage both the tenant and Mr. Lachapelle to contact the Public Works Department and talk to them about these issues and if the problem did not get resolved, to contact their City Councilor.

Emily Mottram suggested that the tenant be moved to a better accessible unit once more units became available.

There was a discussion about the parking spaces in regards to their location, their accessibility and the existing garage.

Chairman Bowyer asked the applicant if he would consider having office tenants in the future which would reactivate the mixed use elements of that building and Mr. Lachapelle responded yes.

Open Public Hearing

A motion was made by Evan Cyr and seconded by Emily Mottram to close the public hearing. After a vote, the motion carried 7-0-0.

Dan Bilodeau asked if it was completely unfeasible to have a walkway on either side of the existing garage to connect to the paved area where the stairs were located. Eric responded that there appeared to be a 6 foot elevation change from the contour just below the paved area at the bottom of the stairs to the face of the garage. He said the distance was approximately 40 feet around the side of that building so it may be feasible. He added that it would not meet ADA standards with the existing stairs or the slope.

Evan Cyr asked if there was a standard in regards to parking and access for a mixed use property. Eric replied as long as it's safe and convenient and there needs to be a pedestrian

access way and thinks that using a sidewalk is one option. The discussion continued about the pedestrian access way and the contours of the lot.

A motion was made by Marc Tardif, and seconded by Mia Poliquin Pross to approve the Special Exception and Subdivision Request of the applicant, Tim Lachapelle, agent for Chapel Holdings LLC, to convert office space to as many as 15 residential units at 292 Court Street (PID# 240-284), pursuant to Chapter 60, Section 60-499(a)(1) of the City of Auburn Ordinances and State and Local Subdivision Requirements, subject to conditions A through D as outlined in the staff report and with the added condition that a paved all weather path be provided from the lower parking lot to the upper parking lot.

Dan Bilodeau asked for clarification of “all weather”. Chairman Bowyer said it means that it has to be able to be used 12 months out of the year. Evan Cyr said he would prefer that it read something in the effect of the surface being approved by City staff. The members also agreed that the term all-weather should be replaced with year round. Marc Tardif agreed to amend his motion.

Tim Lachapelle said he was concerned about having to remove several trees in order to fulfill the Board’s conditions. Chairman Bowyer said it did not appear from the plans that were submitted that more than 1 or 2 trees would need to be removed. He also stated that the Board had not specified which side of the garage the path needed to be placed.

Mia Poliquin Pross asked if there was lighting down by the garage. Mr. Lachapelle replied that currently there was a light on the white building and that he planned on putting one on the garage. There was continued discussion between the applicant and the Board members.

Chairman Bowyer remarked that the motion should be further amended to include adequate lighting. Marc Tardif accepted the amendment to his motion.

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

A request to approve the August 14, 2012 meeting minutes was made by staff.

Chairman Bowyer mentioned that on the bottom of page 2, where Robert Gagnon is disclosing that he had done the boundary survey on this site on Turner Street but had nothing to do with the design or anything else about the project, that the following statement needed to be added: *The Board discussed that disclosure and agreed that Mr. Gagnon did not have a conflict of interest therefore it would be acceptable for him to sit on that application.*

A motion was made by Emily Mottram and seconded by Robert Gagnon to approve the August 14, 2012 Planning Board meeting minutes with the above correction. After a vote, the motion carried 7-0-0.

Dan Bilodeau asked if the Board members ever received amended minutes. Eric mentioned the amended minutes were available on the City’s website and those that had not yet been approved by the board were clearly marked as a draft.

OLD BUSINESS:

Eric spoke about Chapter 7 of the Maine Municipal Association's Planning Board handbook. He said there was more than he was prepared to do training on and mentioned it was best to have MMA come do their standard presentation to boards.

Eric also mentioned there were no projects scheduled for the October Planning Board meeting and asked if the Board members would be in favor of cancelling that meeting and possibly scheduling a workshop for training with MMA. After some discussion, it was decided that Eric would get some training dates from MMA and forward them to the Board in ample time to decide on a date where most members could attend.

MISCELLANEOUS

None at this time.

ADJOURNMENT

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