



PLANNING BOARD STAFF REPORT

To: Auburn Planning Board

From: Douglas M. Greene; AICP, RLA
City Planner

Re: St. Dominic Academy Ballfield Project- Special Exception, Site Plan Review and City of Auburn Delegated Review- 121 Gracelawn Road

Date: May 10, 2016

I. PROPOSAL- Robert Berry III, Engineering for Main-Land Development Consultants, an agent for the Roman Catholic Bishop of Portland, is seeking approval of a special exception, site plan review and delegated storm water review by the City of Auburn, for athletic fields in a Suburban Residential Zone pursuant to Section 60-Section 255 (b) (1) Recreational Use of Land, Section 60-1277 (Site Plan Review) and Sec. 60- 1336 (Special Exception) of the Auburn Zoning Ordinance.

St. Dominic Academy is a private school located at 121 Gracelawn Road (PID # 290-001) on a 67 acre property with existing sports fields and is zoned Suburban Residential. The proposed project is seeking to add 3 ballfields, a softball, baseball and soccer field. Currently a narrow path leads through the existing ballfields. The path is proposed to be lengthened with a turn around and small parking area.

The existing development of St. Dominic Academy has created 7.7 acres of impervious area. The proposed addition of 23,576 sf (.54 ac) of impervious area will exceed the 8 acre threshold that requires approval by Maine DEP. The applicant requested the City of Auburn ask DEP to allow Auburn to do a delegated review of a storm water plan. The City has received approval from Maine DEP to perform the Delegated Review Authority plan and will be in charge of the approving the applicant's storm water plan.

II. DEPARTMENT REVIEW- This plan was reviewed by the Plan Review Committee on 3/16/16 and 4/20/16.

a. Police- Asked if there will be an access to CMCC along the adjacent boundary?

b. Auburn Water and Sewer- No Comment.

- c. Fire Department- The Fire Department was initially concerned about the turning radius for the turn-around at the end of the driveway being able to handle the turning movements of emergency vehicles. The applicant has changed their plan to the satisfaction of the Fire Department.
- d. Engineering-
 - The applicant has provided an adequate stormwater management plan which includes soil erosion and sedimentation control, which are the only items that will require bonding and inspection fees.
 - Engineering normally will request that the applicant provide bonding and inspection fees to the satisfaction of the Engineering Department. The applicant is requesting a waiver of that requirement from the Auburn City Manager.
- e. Public Services- No Comment
- f. Planning and Development- Asked if there would be any handicapped spaces at the small parking area. The applicant has responded, “The turn-around is not a full-time parking area, but is a temporary parking and loading area. Therefore, we do not want to mark it for specific use as a parking lot.”

III. PLANNING BOARD ACTION- The application for outdoor recreation in the Suburban Residential Zone is a Special Exception and Site Plan Review.

A. SPECIAL EXCEPTION - A Special Exception is defined as follows: *“Special exception means a use that would not be appropriate generally or without restriction throughout the district, but which, if controlled as to number, area, location or relation to the neighborhood, would promote the public health, safety, welfare, order, comfort, convenience, appearance, prosperity, or general welfare. Such a use may be permitted in such district as a special exception, if specific provision for such special exception is made in this zoning chapter and reasonable restrictions imposed by the planning board are complied with.”*

The zoning ordinance describes the conditions needed for approval in:

Sec. 60-1336. Conditions-

- (a) As conditions prerequisite to the granting of any special exceptions, the board shall require evidence of the following:
 - (1) That the special exception sought fulfills the specific requirements, if any, set forth in the zoning ordinance relative to such exception. (Staff Comment- Agrees)
 - (2) That the special exception sought will neither create nor aggravate a traffic hazard, a fire hazard or any other safety hazard. (Staff Comment- Agrees)

(3) That the special exception sought will not block or hamper the master development plan pattern of highway circulation or of planned major public or semipublic land acquisition. (Staff Comment- Agrees)

(4) That the exception sought will not alter the essential characteristics of the neighborhood and will not tend to depreciate the value of property adjoining and neighboring the property under application. (Staff Comment- Agrees)

(5) That reasonable provisions have been made for adequate land space, lot width, lot area, stormwater management in accordance with section 60-1301 (14), green space, driveway layout, road access, off-street parking, landscaping, building separation, sewage disposal, water supply, fire safety, and where applicable, a plan or contract for perpetual maintenance of all the common green space and clustered off-street parking areas to ensure all such areas will be maintained in a satisfactory manner. (Staff Comment- Agrees)

(6) That the standards imposed are, in all cases, at least as stringent as those elsewhere imposed by the city building code and by the provisions of this chapter. (Staff Comment- Agrees)

(7) That essential city services which will be required for the project are presently available or can be made available without disrupting the city's master development plan. (Staff Comment- The staff would like the applicant to discuss provision of bathroom facilities)

B. SITE PLAN Review- A Site Plan Review is required as part of a Special Exception review. The applicant met the requirements of the Site Plan Law in their application. The Planning Board needs to make its decision based on the Site Plan Law, **Sec. 60-1277. Objective-** "In considering a site plan, the planning board shall make findings that the development has made provisions for:"

(1) Protection of adjacent areas against detrimental or offensive uses on the site by provision of adequate surface water drainage, buffers against artificial and reflected light, sight, sound, dust and vibration; and preservation of light and air; (Staff Comment- Staff agrees the applicant has provided an adequate storm water protection plan)

(2) Convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent areas; (Staff Comment- The Staff would like the applicant to discuss pedestrian movement from the existing parking area to the proposed ball fields)

(3) Adequacy of the methods of disposal for wastes; and (Staff Comment- The staff would like the applicant to discuss provision of bathroom facilities)

(4) Protection of environment features on the site and in adjacent areas. (Staff Comment- Agrees)

IV. STAFF RECOMMENDATION-

A. **Special Exception-** The Staff recommends **approval** of the Special Exception for St. Dominic Academy Ballfield Project at 121 Gracelawn Road as the application meets the requirements of **Special Exception Law, Section 60-1336** based on the findings that:

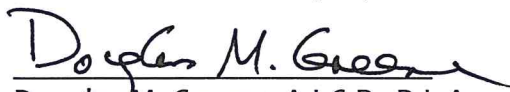
- a) The proposal fulfills the requirements of the Suburban Residential zone.
- b) The proposed development will not create a traffic, fire or other safety hazards.
- c) Granting the Special Exception will not be an impediment to the implementation of the 2010 Comprehensive Plan.
- d) The proposed development will not have a negative effect on the characteristics or values of the neighborhood or surrounding area.
- e) The proposed development provides adequate area, open and green space, storm water management, parking, landscaping, building separation, water supply and building separation and the provision of maintenance of all of the above.
- f) The standards imposed are at least as stringent as those elsewhere imposed by the city.
- g) Essential services are available. (**DISCUSS-** provision of bathrooms)

B. **Site Plan Review-** The Staff recommends **approval** of the Site Plan Review for the proposed St. Dominic Academy Ballfield Project at 121 Gracelawn Road as the Site Plan meets the requirements of the Site Plan Law **Sec. 60-1277** based on the findings that:

- a) The development has made provisions to protect adjacent areas against detrimental or offensive uses and will provide adequate surface water drainage and buffers against unwanted light, sound, dust and vibration and the preservation of light and air.
- b) The development has made provisions for safe vehicular and pedestrian movement within the site and adjacent areas. (**DISCUSS-** Provision of walkways/sidewalks/paths)
- c) The development has made provisions for adequate disposal of wastes and
- d) The protection of environmental features of the site and adjacent areas.

Conditions of Approval: This approval is made with the following conditions:

1. Prior to the commencement of site work, the developer must contact the Engineering Department regarding the requirement to provide bonding and pay inspection fees to cover those site improvements which have public impacts.
2. Construction shall be in compliance with the Site Plan approved by the Planning Board at its May 10, 2016 as submitted by Main-Land Development Consultants.



Douglas M. Greene, A.I.C.P., R.L.A.
City Planner



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



PAUL R. LEPAGE
GOVERNOR

PAUL MERCER
COMMISSIONER

May 2, 2016

City of Auburn
Attn: Douglas Greene
60 Court St.
Auburn, ME 04210

RE: Roman Catholic Bishop of Portland, St. Dominic Academy
DEP #L-20379-22-D

Dear Mr. Greene:

This letter is to inform you that the Department of Environmental Protection has received the Notification of Application Acceptance concerning the application of City of Auburn, regarding the construction of multi-use ballfields at the northeast corner of St. Dominic Academy's property. The Department is satisfied that the notice provisions of 38 M.R.S.A. Section 489-A Subsection 8 for Municipal Review of Development have been satisfied by the City of Auburn. Based upon its review of the notice and application, the Department will not be exercising jurisdiction over this application pursuant to 38 M.R.S.A. Section 489-A Subsection 9. Please note that future projects involving St. Dominic Academy will most likely require review by the Department because the project exceeds the seven acre structure threshold. This determination of non-jurisdiction does not apply to any Natural Resources Protection Act (NRPA) issues that may relate to the proposed project.

If the application is amended prior to the municipality taking final action, another Notification of Application Acceptance may be required. Please contact me should this occur. The municipality is also required to submit one copy of the record of review and basis of decision within 40 working days of the final action by the reviewing authority.

If you have any questions concerning this, please call me at (207) 557-2624 or email at dawn.hallowell@maine.gov

Sincerely,

Dawn Hallowell
Bureau of Land Resources
Land Division

C: File

AUGUSTA
17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7688 FAX: (207) 287-7826

BANGOR
106 HOGAN ROAD, SUITE 6
BANGOR, MAINE 04401
(207) 941-4570 FAX: (207) 941-4584

PORTLAND
312 CANCO ROAD
PORTLAND, MAINE 04103
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04769
(207) 764-0477 FAX: (207) 760-3143



HARRIMAN
AUBURN PORTLAND MANCHESTER

**SAINT DOMINIC
ACADEMY BALLFIELD
PROJECT**

AUBURN, MAINE
Harriman Project No. 16536
Key Plan




Mark	Date	Description
	2016-03-08	FOR REVIEW
	2016-03-11	FOR STAFF REVIEW
	2016-04-08	CITY SUBMISSION

**DEVELOPMENT
REVIEW**


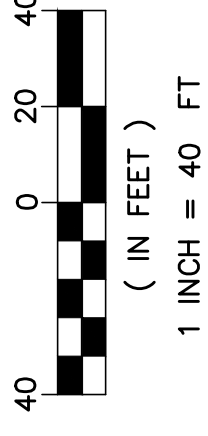
Drawing Scales 1" = 40'	
PA/PE	RLB
Drawn By:	RDL
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**SITE
LAYOUT
PLAN**

C03.2



MAIN-LAND DEVELOPMENT
CONSULTANTS INC
42 CHURCH STREET LIVERMORE
FALLS, MAINE 04254
(207) 897-6752
WWW.MAIN-LANDDCI.COM

APPROVED BY THE CITY OF AUBURN,
MAINE PLANNING BOARD.

DATE: _____

CHAIRMAN: _____

CONDITIONS OF APPROVAL:

