



**PLANNING BOARD STAFF REPORT**

To: Auburn Planning Board

From: Zach Mosher, City Planner

Re: Subdivision Review for the Reconfiguration and Creation of an Additional Lot at the 200 Merrow Rd Planned Unit Development - Industrial.

Date: December 12 2017

---

- I. **PROPOSAL** – Pine Tree LLC is seeking approval of an amended subdivision plan for the creation of an additional lot and of the reconfiguration of an existing lot at the Merrow Road Business Planned Unit Development-Industrial (PUD-I) located at 200 Merrow Road, pursuant to Chapter 60, Article XVI, Division 4- Subdivision of the Auburn Code of Ordinances.

The 4-lot Merrow Road Business Planned Unit Development (PUD) was approved by the Auburn Planning Board in 2011. The PUD is located on Merrow Road, about 2800 feet to the west of Hotel Road. It totals almost 40 acres in area and is almost entirely located within and Industrial District (ID), with a small portion in the Low Density Rural Residential District (RR) along Fletcher Road.

Access to the PUD is provided by a gravel, private street named Balsam Drive which is 24' in width and provides frontage to lots 1, 2, and 3. Lot four has frontage on Fletcher Road and at the time of the 2011 application a driveway from Fletcher Rd was proposed to serve Lot 4. However, as per Chapter 60, Sec. 60-50. – Access ways to land zoned commercial or industrial – the applicant was asked to consider other options since the ordinance limits access to land zoned commercial or industrial through land zoned residential unless no other alternative is available. Staff opined that a driveway off Basalm Dr was a reasonable alternative, but none currently exists. At the time, Auburn Water and Sewer District provided the applicant a capacity to serve letter. With limited development having occurred at this PUD, water and sewer is available. Maine DEP has previously approved the wetland impacts (14,288 sf) and the Balsam Dr stream crossing.

The applicant is proposing to subdivide the PUD from 4 lots into 5 lots: Lot 1A (5.08 acres), Lot 1B (2.38 acres), Lot 2 (12.78 acres), Lot 3 (6.61 acres), Lot 4 (10.13 acres) and the Balsam Dr private right-of-way (2.78 acres). All of the proposed lots exceed the

minimum lot sizes and depth requirements for the Industrial PUD. This proposal does not create any increases in the impervious surface area/ratio and building improvements are currently not being proposed. The proposed lots of 1B, 2, 3 and 4 are being offered for sale while the current owner of the PUD, Pine Tree LLC, will retain ownership of Lot 1A.

**Verizon Wireless Communication Facility** - Lot 1A is the existing location of a Verizon Wireless Telecommunications Facility (WCF) which includes a 125' monopole tower. The wireless facility was approved by the Auburn Planning Board in February of 2016 and has since been constructed. The Verizon WFC, pursuant to Chapter 60, Sec. 60-841, was subject to be setback 150% of its height from all property lines which in this case is approx. 187 ft. Today, Pine Tree LLC as the owner of all 4 adjacent lots this setback is met as the nearest property owner is 200 ft. away. However, with the proposed lot split and reconfiguration, Lot 1A will no longer meet the setback. Staff opines that since Lots 1A and 1B are currently in common ownership the provision in Sec. 60-841 is still satisfied as it is meant to protect separate but abutting property owners from actions near their property lines but beyond their control.

## **II. DEPARTMENT REVIEW**

**Police Department** - No comment.

**Fire Department** – At the time of the 4-lot approval in 2011, the subject water main was deemed adequate via the Auburn Water District to meet domestic use flows. Fire noted at that time that depending on the size and occupancy type of future buildings, fire flow requirements may exceed the capacity of the proposed water main.

**Water and Sewer District** - There is a water and sewer main stub onto 200 Merrow Rd, neither is being used.

**Engineering Department** – No comment.

**Economic & Community Development Department**– No comment.

**III. PLANNING BOARD ACTION** - The approval for the reconfiguration (including the creation of an additional lot) of the Merrow Road Business Planned Unit Development-Industrial located at 200 Merrow Road, is pursuant to Chapter 60, Article XVI, Division 4- Subdivision, Section 1359.

**A. Chapter 60, Article XVI, Division 4, Subdivision, Sec. 1359, Guidelines.** The proposed development:

1. Will not result in undue water, air or noise pollution based on the following 4 considerations

- a. The elevation of land above sea level and its relation to the floodplains, the nature of soils and subsoils and their ability to adequately support waste disposal; Public Sewerage services will be utilized to dispose of waste water.
  - b. The slope of the land and its effect on effluents;
  - c. The availability of streams for disposal of effluents; and
  - d. The applicable state and local health and water resources regulations, including stormwater management requirements in accordance with section 60-1301(14); **(A stormwater management plan was presented during the approval process in 2011; there are no floodplains present on the site).**
- (1) Has sufficient water available for the reasonably foreseeable needs of the subdivision; **(The subdivision is served by public water).**
  - (2) Will not cause an unreasonable burden on an existing water supply, if one is to be utilized; **(The subdivision is served by public water).**
  - (3) Will not cause unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result; **(An erosion control plan and stormwater plan were accepted in 2011 as part of the approval process.)**
  - (4) Will not cause unreasonable highway or public road congestion or unsafe conditions with respect to use of the highways or public roads existing or proposed; **(The subdivision is currently served by single access point off of Merrow Rd. No traffic study was completed in 2011 as it the development was expected to generate less than 100 trips in peak hour. No development is proposed at this time.)**
  - (5) Will provide for adequate sewage waste disposal; **(The subdivision is served by public sewer).**
  - (6) Will not cause an unreasonable burden on the ability of a municipality to dispose of solid waste and sewage if municipal services are to be utilized; **(The Verizon WCF is the only development that has occurred at this PUD and no further improvements are being proposed).**
  - (7) Will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites or rare and irreplaceable natural areas; **(No development is currently being proposed).**

- (8) Is in conformance with a duly adopted subdivision regulation or ordinance, comprehensive plan, development plan, or land use plan, if any; **(The proposed reconfiguration of the Merrow Rd Business PUD will conform to the City of Auburn regulations for a minor subdivision PUD).**
- (9) Is funded by a subdivider has adequate financial and technical capacity to meet the standards of this section; **(No development is currently being proposed).**
- (10) Will not adversely affect the character of the surrounding neighborhood and will not tend to depreciate the value of property adjoining the neighboring property under application; **(The majority of the PUD is located within the Industrial District except for a small portion of Lot 4 near Fletcher Rd. This portion of Merrow Rd, where the access point is, is largely developed with Industrial and small business uses).**
- (11) Has provisions for on site landscaping that are adequate to screen neighboring properties from unsightly features of the development; **(No development is currently being proposed).**
- (12) Will not create a fire hazard and has provided adequate access to the site for emergency vehicles; **(No development is currently being proposed).**
- (13) Will not, alone or in conjunction with existing activities, adversely affect the quality or quantity of groundwater; **(The proposal will not affect the quality of groundwater).**
- (14) Does not have long-term cumulative effects of the proposed subdivision will that unreasonably increase a great pond phosphorus concentration during the construction phase and life of the proposed subdivision. **(The subdivision is not located within a great pond watershed.)**

**IV. STAFF RECOMMENDATION** – The staff has reviewed the application and recommends **APPROVAL** for the reconfiguration and creation of an additional lot at the 200 Merrow Rd Business PUD-I with the following findings that it meets the conditions of Chapter 60, Article XVI, Division 4, Sec. 60-1359 of Auburn Code of Ordinances.



---

Zach Mosher  
City Planner