



PLANNING BOARD STAFF REPORT

To: Auburn Planning Board
From: Zach Mosher, City Planner
Re: Woodbury Heights Final Subdivision- Phase 3
Date: July 11, 2017

I. **PROPOSAL**- George Bouchles, Surveyor and agent for Mr. Reggie Bouffard and Mr. Gary McFarland, is seeking approval for a major subdivision of thirteen additional residential lots (lots 10-22), located on Danville Corner Road in the city of Auburn pursuant to Chapter 60, Division 4 Subdivision; Sections 1359 and 1362, Major Final Subdivision of the Auburn Code of Ordinances. The developers propose to subdivide a portion of a 57 acre parcel of land located on the Danville Corner Rd. and Woodbury Rd (PID: 110-009) for a total of 22 lots for the project. The entire parcel is located in the Low Density Rural Residential District.

A preliminary major subdivision submission was reviewed by the Planning Board at their June 13th meeting. At that meeting, the Planning Board approved a waiver request but added a condition that a year round, emergency access road be constructed at the end of the proposed cul-de-sac street that would connect to Woodbury Road. The condition resulted from concern over the number of homes that would have only one means of ingress and egress and for the ability of emergency services to have access to the subdivision. Furthermore, there was mention that municipal services including trash pickup and school bus pickup/dropoff are better delivered on a thru street.

The applicant is now asking the Planning Board to reconsider the waiver request for the cul-de-sac street without the added condition of an emergency access road. The applicant will present their request at the July 11 Planning Board meeting.

- a. **Transportation** - The subdivision proposes the construction of a new public street to serve 11 new interior lots of the subdivision and will be accessed from Danville Corner Rd. The new road is being proposed as a public street with a cul-de-sac and will be constructed to public street standards. Chapter 46, Sec. 46-180 (3) Design and Construction Standards of the Code of Ordinances requires that any cul-de-sac be no longer than 600 ft. in length.

The developer is proposing a cul-de-sac street 1,450 ft. in length, accessed from Danville Corners Road, which will require a waiver from the Planning Board. Phases I & II of Woodbury Heights both reserved a 60 ft right of way along Woodbury and Danville Corner Roads that could serve the interior of the subdivision. In Phase I and II there was discussion by the Planning Board about the need to improve Woodbury Road and it was the Department of Public Service's opinion that it's the City's responsibility to maintain it. The applicant has estimated that the plan will result in 39 new peak hour trips, which does not meet the threshold of 100 peak hour trips for a traffic movement permit. Limiting access to Danville Corner Road helps to allow the lots without adding additional traffic to the substandard Woodbury Hill Road. The Fire Department has determined that the road meets their requirements without the emergency access point and Public Works does not want to maintain it.

- b. **Environmental** – An underground petroleum product line intersects the 57 acre parcel and includes a 100 ft. easement. There is one fairly large wetland on the parcel as well as several small drainageways associated with the wetland. The Stormwater Management Plan for Woodbury Heights is in accordance with the MDEP Chapter 500 rules. The subdivision plan will yield approx 57,000 sq. ft. of new impervious roadway surface and approx. 114,000 sq. ft. of total developed area. It is proposed that the developers will use forested and meadow buffers to meet required treatment for stormwater quality standards.

II. DEPARTMENT REVIEW- The Plan Review Committee reviewed the plan on May 17th and June 21st 2017.

- a. **Police-** No comments were received from Police.
- b. **Auburn Water and Sewer District-** No services in this area and no concerns.
- c. **Fire Department-** After the June 21st Plan Review Committee meeting the Fire Department issued a letter stating that cul-de-sac street meets their standards without the emergency access point and included standards for the Planning Board requested emergency access road at the end of the cul-de-sac street if it was required.
- d. **Public Services** – Scott Holland added that the city would not maintain the proposed emergency access road. (Update with what Scott submits at the meeting)
- e. **Lewiston Auburn Airport-** The LA Airport Manager is requesting a note placed on the plans to that effect, and a note stating that no structures be constructed over 50 feet in height. No new information from the Airport Manager.

f. Economic & Community Development -

- Indicated that the proposed cul-de-sac street name of “Mountain View Drive” needs approval by the City Addressing Officer.
- Also indicated that the new lot addresses need to be determined.
- The cul-de-sac length waiver from 600’ to 1450’ will help to minimize impacts to Woodbury Hill Road.

III. PLANNING BOARD ACTION- Planning Board is being asked to reconsider the waiver request without the condition of the emergency access road. The waiver reconsideration request is discussed later in section III, D of this report.

The Planning Board is also being asked to review this **Final Subdivision Plan** application using Division 4 Subdivision Chapter 60- Sections 1359 Subdivision Guidelines, 1362 Final Subdivision Plan and 1365, General Requirements of the Auburn Code of Ordinances.

A. Sec. 60-1359. – **Subdivision Guidelines.**

When reviewing any subdivision for approval, the planning board shall consider the following criteria, and before granting either approval or denial, shall determine that the proposed subdivision:

- (1) Will not result in undue water, air or noise pollution. In making this determination it shall at least consider:
 - 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;
 - 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); **(The proposal meets Chapter 500 stormwater standards.)**
- (2) Has sufficient water available for the reasonably foreseeable needs of the subdivision; **(Private wells serve existing homes and C&R well drilling opines that there is adequate water for the additional lots.)**

- (3) Will not cause an unreasonable burden on an existing water supply, if one is to be utilized; **(Private wells serve existing homes and C&R well drilling opines that there is adequate water for the additional lots.)**
- (4) 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. **(The proposal meets Chapter 500 stormwater standards and Erosion and Sediment Control BMPs will be followed during construction.)**
- (5) 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 cul-de-sac length waiver and not requiring access to Woodbury Road helps achieve this outcome.)**
- (6) Will provide for adequate sewage waste disposal; **(Test pits are shown on the plans and each lot has been shown to have soils suitable for wastewater disposal.)**
- (7) 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; **(Municipal services are adequate.)**
- (8) 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; **(The project takes advantage of mountain views and does not impact historic sites or rare and irreplaceable natural areas.)**
- (9) Is in conformance with a duly adopted subdivision regulation or ordinance, comprehensive plan, development plan, or land use plan, if any; **(Applicant submitted a waiver request for length of cul-de-sac road and otherwise meets the requirements.)**
- (10) Is funded by a subdivider has adequate financial and technical capacity to meet the standards of this section; **(The applicant has demonstrated the ability and capacity to deliver high end homes in the earlier phases of the development and has submitted a letter from Androscoggin Bank confirming their borrowing capacity.)**
- (11) 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 development has added substantial value and will continue to do so.)**

- (12) Has provisions for on-site landscaping that are adequate to screen neighboring properties from unsightly features of the development; **(The lots are rural lots and will be landscaped adequately as existing lots have been.)**
- (13) Will not create a fire hazard and has provided adequate access to the site for emergency vehicles; **(The proposed road provides adequate access and the homes will meet code requirements.)**
- (14) Will not, alone or in conjunction with existing activities, adversely affect the quality or quantity of groundwater; **(The proposal meets Chapter 500 stormwater standards and Erosion and Sediment Control BMPs will be followed during construction. Wastewater disposal will comply with State Requirements.)**
- (15) 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 project is not located in a great pond watershed.)**

B. Sec. 60-1362.—Major subdivision final plan.

- 2. The planning board shall, within 30 days after the public hearing on a final plan, conditionally approve, approve, approve with conditions, or disapprove the final plan. Any such decision of the planning board shall include findings of fact, and any approval with conditions or disapproval shall be accompanied by the reasons therefore in writing.
- 3. In reviewing a subdivision, the planning board shall consider previous subdivision of the same applicant, subdivider or principals of such application. If the developer has failed to complete the public improvements shown on an approved plan to the satisfaction of the planning board, then this shall constitute conclusive evidence of technical capabilities of the applicant or developer to comply with the terms of this chapter or to complete work required by a plan.

C. Sec. 60-1365. General Requirements.

In reviewing applications for the subdivision of land, the board shall consider the following general requirements. In all instances the burden of proof shall be upon the persons proposing the subdivision.

- (1) *Subdivision plan shall conform to the comprehensive plan.* Any proposed subdivision shall be in conformity with the comprehensive plan of the city and with the provisions of all pertinent state and local codes and

ordinances. **(The proposal conforms to the comprehensive plan and will meet all pertinent state and local codes and ordinances.)**

(2) *Preservation of natural and historic features.* The board may require that a proposed subdivision design include a landscape plan that will show the preservation of existing trees and vegetation, graded contours, streams and the preservation of scenic, historic or environmentally desirable areas. The street and lot layout shall be adapted to the topography. Extensive grading and filling shall be avoided as far as possible. **(The proposal meets this requirement.)**

(3) *Lots.*

- a. The lot size, width, depth, shape and orientation and the minimum building setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated.
- b. Depth and width of properties reserved or laid out for all purposes shall be adequate to provide for off-street parking and service facilities for vehicles required by the type of use and development contemplated. **(The proposal meets this requirement.)**

The Staff's finds that the Major Subdivision Final Plan Application submitted for Woodbury Heights meets the criteria set forth in Section 60-1365.

D. **Waiver Request** – The applicant is asking the Planning Board to reconsider the waiver request without the condition of an emergency access road. B&M Developers included a waiver request at the June 13th meeting for the length of the public cul-de-sac street as part of the Major Preliminary Subdivision Plan pursuant to Chapter 60, Sec. 60-1366 of the Auburn Code of Ordinances. Cul-de-sac streets over 600 ft. in length are subject to Planning Board approval, per Chapter 46, Sec. 46-180 (3). Should the Planning Board agree to reconsider the applicant's request, the staff is still recommending the approval of this waiver request without the emergency access road based on the following findings:

- 1) The waiver meets the purpose and objective of Staff Approvals and Waivers, Chapter 60, Sec. 60-1366
2. Granting the waiver request will reduce new traffic to Woodbury Road, an existing substandard public road/right-of-way.
- 3) Granting the waiver request will not compromise public safety.



City of Auburn, Maine

Office of Economic and Community Development
60 Court Street, Auburn, Maine 04210
www.auburnmaine.gov 207.333.6601

IV. STAFF RECOMMENDATION OF FINAL SUBDIVISION PLAN

The Staff recommends APPROVAL of the 13 residential lots Final Subdivision with the finding that it meets the requirements of Chapter 60, Sections 1359, 1362 and 1365 of the Auburn Code of Ordinances. (titles)

Should the Planning Board approve this request, the approval will be subject to the following conditions:

- 1) No development activity until any bonding or inspection fees is determined by the Auburn Engineering Department.
- 2) The applicant shall secure approval from the tax assessor for a lot numbering sequence to ensure compatibility with the existing tax system. The numbering system will not be construed to indicate anything more than identification of parcels for taxation purposes.
- 3) A note shall be added to the plan stating, "Lots 11-22 of Phase III are located within an Area of Approach for Aircraft to the Lewiston Auburn Airport."

A handwritten signature in black ink, appearing to read "Zach Mosher".

Zach Mosher
City Planner

C: File

AUBURN FIRE DEPARTMENT



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(207)333-6633/Fax (207)784-3283

Timothy Allen
Deputy Chief
Auburn Fire Department
550 Minot Avenue
Auburn, ME 04210

June 21, 2017

RE: Woodbury Heights Phase 3

To: Zach Mosher

In regards to the questions which were brought up today regarding the new road in the Woodbuty Heights Phase 3, I have made the following determinations regarding access for fire apparatus:

1. Fire department access roads shall have an unobstructed width of not less than 20 ft (6.1 m). NFPA 1: 18.2.3.4.1.1, Edition 2006. Road width is 24 feet, so **Road width is sufficient.**
2. Fire department access roads shall have an unobstructed vertical clearance of not less than 13 ft 6 in. (4.1 m). NFPA 1:18.2.3.4.1.2, Edition 2006. **There are none.**
3. The angle of approach and departure for any means of fire department access road shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m) or the design limitations of the fire apparatus of the fire department, and shall be subject to approval by the AHJ. NFPA 1:182.3.4.6.2, Edition 2006. **Road meets FD needs.**
4. Fire department access roads connecting to roadways shall be provided with curb cuts extending at least 2 ft (0.61 m) beyond each edge of the fire lane. NFPA 1:18.2.3.4.6.3, Edition 2006. **Not Applicable**
5. **Dead Ends.** Dead-end fire department access roads in excess of 150 ft (46 m) in length shall be provided with approved provisions for the fire apparatus to turn around. NFPA 1:18.2.3.4.4, Edition 2006
 - a. The cul-d-sac at the end of the road has a 62 foot outside radius and we require a minimum 44.2 foot outside radius. **OS Radius is sufficient.**
 - b. The cul-d-sac at the end of the road has a 37 foot inside radius and we require a minimum 25.4 foot inside radius. **IS Radius is sufficient.**
 - c. The cul-d-sac at the end of the road has a 50 foot centerline radius and we require a minimum 39 foot centerline radius. **Centerline Radius is sufficient.**
6. 1400 feet is an acceptable length for a hose lay for a supply line in a rural water situation. No significant elevation loss or gain to interfere with water supply hydraulic needs.

Respectfully submitted,

Timothy Allen
Deputy Chief

From: Scott Holland
Sent: Friday, June 30, 2017 10:41 AM
To: Zach Mosher
Cc: Doug Greene
Subject: RE: emergency access road - WH

Hi Zach, Public Services is not for the Emergency access road at the Woodbury Heights. If it were to be constructed we would not be responsible for the Winter Maintenance especially where we would have to open and close a gate to get through it.

Thanks