



**PLANNING BOARD STAFF REPORT**

To: Auburn Planning Board

From: Zach Mosher, City Planner

Re: Special Exception and Site Plan Review for 14-bed Nursing Home on Summer St (PID: 270-007).

Date: August 8, 2017

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- I. PROPOSAL - The applicant, John F. Murphy Homes, is seeking approval of a Special Exception Request & Site Plan Review to construct a new, 14 bed, 14,000 s.f. nursing home for people with intellectual disabilities near the corner of Summer St and Mayfield Rd (PID: 270-007) pursuant to Chapter 60, Sections 60-255 (b), (1) Suburban Residential District use regulations; Chapter 60, Article XVI, Division 2 – Site Plan Review and Chapter 60, Article XVI, Division 3 – Special Exception of the Auburn Code of Ordinances.

THE SITE - The subject property (PID: 270-007) is a 9.3-acre property located on the east side of Summer Street. The property is located within the Suburban Residential (SR) zoning district and is currently vacant. As proposed the property will be accessed by a single driveway. The property has a long driveway and parking area, which can serve the needs of the proposed facility. The Nursing Home is designed to meet the needs of senior adults with intellectual disabilities. As defined by the Zoning Ordinance, this proposal would be classified as a care home and is a special exception use in the SR district, pursuant to Chapter 60, Sec. 60-255 (b) (1).

There is a stream on the northern portion of the site, and another stream on the southern portion of the site created in part from a drain pipe traversing Mayfield Rd and ending inside this parcel. Approx. 8,077 sq. ft. of impacted wetlands are present on the site. Since the affected wetland area is over 4,300 sq. ft. the developer will need to obtain a NRPA permit from the MDEP.

There will also be over an acre of proposed disturbed area which will trigger the need for a Maine Construction General Permit from the MDEP to be in compliance with stormwater regulations.

Staff is supportive of the proposed use of the property as it will not will not alter the essential characteristics of the neighborhood or interfere with the surrounding property owners use and enjoyment of their properties. Staff further believes that the proposed use is a needed service to their clients and the community.

## II. **DEPARTMENT REVIEW**

### Police Department:

- A. No comment.

### Fire Department:

- A. The Fire Department was initially concerned about the turning radius for the turn-around at the end of the entrance being able to handle the turning movements of emergency vehicles. The applicant has changed their plan to the satisfaction of the Fire Department.

### Water and Sewer District:

- A. The applicant contacted AWSD to attain a Capacity to Serve Confirmation letter and it was determined the public water distribution and private sewer collection are capable of serving the development. Both Summer St and Mayfield Rd are served with a 12” water main and therefore water capacity should not be an issue for the sprinkled system the development will require. The development will also require a sanitary sewer line be connected to a line on Turner St. via a private pump station.

### Engineering Department:

- A. **Engineering is requesting more information regarding a stormwater plan for the proposed development.** The Engineering Department noted that since the proposed development area is more than an acre, a Maine General Contractor’s Permit will need to be obtained from the MDEP.

### Planning Department:

- A. The Planning Department would also prefer to see a stormwater plan as the increased run-off from the proposed development has not been adequately addressed.

III. **PLANNING BOARD ACTION-** The application for a nursing home/care home in the Suburban Residential Zone is a Special Exception use and requires Site Plan Review, pursuant to Chapter 60, Article XVI, Division 2 – Special Exception, Sec. 60-1336 and Chapter 60, Article XVI, Division 3 – Sec. 60-1277 Site Plan Review of the Auburn Code of Ordinances.

**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. **(The applicant has not provided adequate stormwater information)**
  - (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 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 agrees.)**

**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; **(The applicant has not provided adequate stormwater information)**
- (2) Convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent areas; **(Staff agrees)**
- (3) Adequacy of the methods of disposal for wastes; and **(Staff agrees)**
- (4) Protection of environment features on the site and in adjacent areas. **(Staff agrees)**

IV. **STAFF RECOMMENDATION** – The Staff recommends waiting on approving the proposed 14-bed nursing home near the corner of Summer St and Mayfield Rd until an acceptable stormwater management plan is received and reviewed both by Planning and Engineering staff. The Planning Board is being asked to review the current plan, hold a public hearing and ask the agent for the proposed development, Bill Hamilton, any questions they may have. Staff recommends that the Planning Board **POSTPONE** the vote on approval of the proposed John F Murphy Holmes nursing home until the September meeting.



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Zach Mosher  
City Planner