



**PLANNING BOARD STAFF REPORT**

To: Auburn Planning Board

From: Zach Mosher, City Planner

Re: Major Final Subdivision Review for Woodbury Heights – Phase IV

Date: March 13, 2018

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**I. PROPOSAL** – George Bouchles, Surveyor and agent for Mr. Reggie Bouffard and Mr. Gary McFarland, is seeking approval for a major final subdivision of seven additional residential lots (lots 23-29) at Woodbury Heights (PID: 110-009) and the construction of a cul de sac road, located off of Mountain View Dr. and Danville Corner Road in the city of Auburn pursuant to Chapter 60, Division 4 Subdivision; Sections 1359, Guidelines; 1362, Final Subdivision; and Section 1365, General Requirements of the Auburn Code of Ordinances. These proposed seven lots are subsequent to the approval of 5 lots, lots (lots 1-5) by the Planning Board at their March 10, 2015 meeting, 5 lots approved by the Board at their September 15, 2015 meeting and 1 lot (lot 11) approved by the Board at their January 10, 2017 meeting. In addition, 13 lots (lots 10-22) were approved by the Planning Board at their July 11, 2017 meeting. Lot 20 and a portion of lot 2 are being reconfigured in the proposed Phase IV plan.

These seven new lots are proposed to be subdivided from a portion of a 57 acre parcel (PID: 110-009) at the corner of Danville Corner Rd and Woodbury Rd and a 9.7 acre parcel (PID: 110-011) of land immediately adjacent to the 57 acre parcel of land. Both parcels of land are entirely zoned Low Density Rural Residential (RR). The RR district specifies lots be at least 1 acre in size and all seven lots being proposed are between 1 acre and 5.01 acres. The proposed seven lots will be served by on-site wells and subsurface wastewater systems.

A preliminary major subdivision submission was reviewed by the Planning Board at the December 19, 2017 meeting. At that meeting, the Planning Board voted to approve (vote of 5-2) the preliminary subdivision plan and identified the issues that remain for final review. The remaining issues that were discussed at the meeting were approving the waiver request for the length of the proposed new cul de sac street and the stormwater plan. After hearing concerns from abutting landowners concerning runoff, the Planning Board requested another public hearing be held regarding the stormwater management plan prior to final approval. In the Environmental section below, a summary is presented concerning how both Planning and Engineering staff have worked with the stormwater consultant on the final plan.

Since the meeting in December, the applicant has also provided bylaws for the creation and implementation of a Homeowner's Association that would govern the open space and all of the existing and proposed lots at Woodbury Heights. A copy of those bylaws are included in Section 1 of the application binder.

**A. Transportation** - The subdivision proposes the construction of a new public street to serve the 7 new interior lots of the subdivision. The proposed road, Ridge View, is being proposed as a public street and cul de sac and will be approx. 668 ft. in length. Ridge View will be accessed off of the newly constructed Mountain View Rd which was part of Phase III approval. 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. Staff opines that the total length of the waiver request start from Danville Corner Rd, include Mountain View Rd, and the total length of Ridge View. Therefore, the developer has included a waiver request of approx. 1,631 ft. in length which is the length from Danville Corner Road to the end of Ridge View. The Planning Board approved a waiver request for the existing street to extend 1,450 feet from Danville Corner Road at their July 11, 2017 Meeting. The applicant has estimated that Phase III would generate 39 new peak hour trips and estimates Phase IV will generate 18 peak hour trips for a total of 57 peak trips. Therefore, the total trip generation for Phases III and IV would not be triggering 100 peak trips, necessitating a traffic movement permit.

**B. Environmental** – The 9.7 acre parcel was heavily wooded and recently logged. There is a steep slope on the back third of this parcel down to Old Danville Corner Rd. Staff met with both the Maine Forestry Service and the MDEP in November/December 2017 to understand some of the cutting and runoff concerns brought forward by adjacent property owners. The developer attained the necessary cutting permit (called a FONS permit) from the Forestry Service and is in compliance with those regulations. A representative from MEDEP also inspected the property and found the site to be in compliance with applicable standards.

Planning and Engineering staff met with the engineering consultant (CES, Inc) for Woodbury Heights on February 1<sup>st</sup> to address stormwater issues before the final subdivision plan was brought before the Planning Board. Some of the issues raised by staff were:

- concerned that buffers are being placed inside wetlands
- concerned that buffers being placed on slopes greater than 15%
- address runoff concerns of the abutting landowners at 760 and 784 Old Danville Corner Rd.

CES then submitted a draft stormwater plan on February 14<sup>th</sup> and a revised plan on March 1<sup>st</sup> that addressed both Site Location of Development Law standards from Maine DEP and runoff concerns raised by abutting property owners. Both of those stormwater plans were submitted to Woodard and Curran (an engineering firm based in Portland) for peer review. Some of the comments raised by the peer review were:



- the construction of bioretention cells must follow Volume III of the MEDEP BMP manual
- vegetated buffers must be protected from disturbance by deed or covenant
- concern over discharge for Summation Points 2 and 3

As part of the final stormwater plan, CES has included a memo that specifically addresses issues and comments raised by both peer reviews conducted by Woodard and Curran. The final plan with that memo is in Section 8 of the application. As part of the new plan, the applicant is requesting a waiver from Chapter 500 flooding standards for the 2 and 10 year storms at Summation Points 2 and 3. This runoff is flowing through abutting properties and Staff is concerned about future flooding issues if the waiver is granted. Engineering Staff does not see an argument for hardship to meet these flooding standards and recommends that the waiver be denied. CES will be at the meeting to address this issue but meeting the flooding standards for these two points is recommended as a condition of approval.

**C. Open Space** - As part of Phase III, the applicant, to meet the open space provisions for residential subdivisions as per Chapter 60, Sec. 60-1367, provided a trail and open space land (in parts of lots 11, 18, and 19) to satisfy the requirement. Sec. 60-1367 specifies that a subdivision must provide "an area of not less than 43,560 contiguous square feet or one acre of land for the first ten lots or units. The amount of land required is increased at a rate of 5,000 square feet per unit for each unit over ten units." The applicant, as part of Phase IV, has increased that open space and trail space in the same portion of the subdivision to accommodate the open space requirements for the proposed additional seven lots. As the subdivision now totals 29 lots in total, the open space requirement is approx. 3.1 acres. and the applicant is proposing 3.3 acres of open space, including trails.

## **II. DEPARTMENT REVIEW**

**Police Department** - No comment.

**Fire Department** – Fire mentioned that the proposed cul-de-sac road should be built to the same specifications as Mountain View Rd from Phase III of Woodbury Heights.

**Water and Sewer District** – AWSD provides no water or sewer in this area.

**Engineering Department** – As mentioned above, Engineering wanted to make sure some of the following issues were addressed in the stormwater plan for the final submission:

- concerned buffers being placed inside wetlands
- buffers being placed on slopes greater than 15%
- address runoff concerns of the abutting landowners at 760 and 784 Old Danville Corner Rd.

**Economic & Community Development Department** – The department wanted to make sure that the length of the waiver request for the new cul de sac turnaround is started at Danville Corner Rd and not Mountain View Rd. Staff opines that as soon as one turns off of Danville Corner Rd one is on a dead-end road and therefore the waiver must include the length from Danville Corner Rd to the end of the proposed new cul de sac street (which is approx.. 1,661 ft.). After discussions between Planning and Engineering, the decision was made to have the stormwater plan peer reviewed by an outside engineering company.