



PLANNING BOARD STAFF REPORT

To: Auburn Planning Board

From: Zach Mosher, City Planner

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

Date: April 10, 2018

Due to outstanding questions and issues concerning the final stormwater plan and whether the construction of sidewalks on new subdivision streets is required, the Auburn Planning Board voted unanimously to table the Major Final Subdivision Plan for Woodbury Heights – Phase IV at their March 27, 2018 meeting. A motion was made to table the project till next month or such a time until the appropriate information is presented by staff concerning approval from Woodard & Curran and Engineering on the storm n water plan and whether the applicant needed to provide sidewalks on the proposed new cul-de-sac street.

More specifically, the remaining issues that need to be addressed as part of final approval for Phase IV are as follows:

- Woodard and Curran and the Engineering Department providing final approval of the stormwater plan
- Greater clarity concerning the long-term maintenance of the stormwater infrastructure
- Addressing whether new streets in subdivisions require sidewalks

Woodard and Curran has reviewed the final stormwater plan and determined that all MEDEP Chapter 500 standards have been met. Woodard and Curran has reviewed the final stormwater plan and determined that the Auburn Code of Ordinances has been met with noted condition #5 in the Conditions below. There was a question by Woodard and Curran over a reduction of impervious area show in the calculations by CES vs. what was shows on the plans provided, and staff wanted to see this addressed before moving forward. CES provided a memo explaining that discrepancy and Woodard and Curran was satisfied with the response. This memo includes as attachments the memos and an email exchanged between CES, the City, and Woodard and Curran.

Included as an attachment to this staff report is a letter from Mr. Kim Visbaras, the developer's attorney, that addresses the issues discussed at the Planning Board meeting on March 27, 2018. In Section 1 of the attachment, Mr. Visbaras has indicated that the developers have filed for and obtained the necessary approval from the Secretary of State concerning the creation of a Homeowner's Association called Woodbury Heights Homeowner's Association. The Homeowner's Association will contain bylaws that address the maintenance and responsibilities of the stormwater infrastructure that is approved. The bylaws cannot be drafted before that point as the specific requirements of the stormwater infrastructure being proposed have not yet been approved. The Homeowner's Association will also be expected to provide annual stormwater reports to the city indicating the how the facilities are functioning. In Section 3 of the attachment, Mr. Visbaras indicates that the city has the right to inspect and monitor any stormwater infrastructure built on these new lots because it possesses delegated review over the stormwater portion of Woodbury Heights. This right includes entering onto private property. The developers are also willing to include on the final, recorded subdivision plan a specific provision that allows the city access rights for stormwater inspections concerning approved conditions.

Since the meeting staff has researched the Auburn code of Ordinances as it relates to subdivision streets. In Chapter 46, Sec. 46-182, the ordinance says: "It is the policy of the city to encourage developers to construct sidewalks as part of all new residential and commercial projects in order to enhance the quality of life, area aesthetics and neighborhood integrity, and to promote alternative, nonmotorized modes of transportation." Under Chapter 46, Sec.46-182 (1) the ordinance continues: "Sidewalks with esplanades shall be provided along one side of all local streets and both sides of all collector, commercial and industrial streets, and shall connect with the existing sidewalk network in the vicinity of the development." It is clear the ordinance requires the construction on one side of all local streets.

As per Sec. 146-82 (6) c, the Planning Board can approve a waiver from this request if "...there are no existing sidewalks in the proximity of the development and the city has no plans to construct sidewalks that would connect to the proposed development, the planning board may waive the requirement at the developer's request..." After speaking with the Engineering Department, it is clear that the city would not require or maintain any sidewalks built in the area of Woodbury Heights where there are no existing sidewalks and there are no plans to construct any sidewalks for any type of pedestrian connections. Staff is recommending that the Planning Board waive any requirement to construct a sidewalk on the proposed street.

The Engineering Department provided the following response:

It is the city's policy to encourage sidewalks on new subdivision streets, however there are no existing sidewalks or planned construction of sidewalks on Danville Corner Rd. Also, the city would not maintain any such sidewalk in this area should the Planning Board require its construction.



Sec. 46-182 as referenced above maintains that the Planning Board has the ability to waive this requirement and it is staff's opinion based, on the information provided, to waive this requirement in approving the proposed cul-de-sac road in Phase IV. Also included as an attachment to this report is the history of the Woodbury Heights subdivision from my previous staff report.

III. PLANNING BOARD ACTION- The Planning Board is being asked to review this **Major 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 Affordable 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 Affordable Well Drilling opines that there is adequate ground 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 will be submitted and approved before any 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 applicant has provided a waiver request and reasons for the cul-de-sac road.)

(6) Will provide for adequate sewage waste disposal; **(Test pits results are shown in the application and each proposed lot is shown to have suitable soils.)**

(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.)**

(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. The waiver request is included in Section 1 of the application. The applicant is also requesting a waiver for the construction of sidewalks on the cul de sac road.)**

(10) Is funded by a subdivider that 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 Norway Savings Bank confirming adequate 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 taxable value and associated tax revenue.)**

(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 with recommended conditions. 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.

1) 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. **(Staff opines that the proposal meets this requirement)**

(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. **(Streets are proposed on the upper plateau area of the property and avoids the steep slopes. Trees were removed on the hillsides to open up views to the west.)**

(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. **(Staff opines that the proposal meets this requirement)**

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. **(Staff opines that the proposal meets this requirement)**

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

Waiver Request –

- 1.) B&M Developers have included a waiver request for the length of the public cul-de-sac street as part of the Major Final Subdivision Plan pursuant to Chapter 60, Sec. 60-1336 of the Auburn Code of Ordinances. Cul-de-sac streets over 600 ft. in length are subject to Planning Board approval, as per Chapter 46, Sec. 46-180 (3). The applicant has also provided reasons for granting the waiver request. *Those reasons are provided in Section 1 of the application.*
- 2.) B&M developers are requesting a waiver from the construction of sidewalks on new subdivision streets pursuant to Chapter 46, Sec. 46-182 (6) c. The applicant has addressed reasons waiver in the letter provided by Mr. Kim Visbaras. The language of Sec. 46-182 (6) c is included below in recommendations. *The letter is provided as an attachment to this staff report.*

IV. STAFF RECOMMENDATION – The Staff recommends **APPROVAL** of the 7 residential lots as part of the Major Subdivision Final Plan with the finding that it meets the requirements of Chapter 60, Sections 1359, 1362 and 1365 of the Auburn Code of Ordinances.

Staff also recommends accepting the request for a waiver regarding the length of the cul-de-sac street as it meets the purpose and objective of Staff Approvals and Waivers, Chapter 60, Sec. 60-1336 (d) of the Auburn Code of Ordinances.

Staff recommends accepting the request for a waiver regarding the construction of sidewalks on new subdivision street as it meets the purpose and objective of Chapter 46, Sec. 46-182 which grants the Planning Board to a approve a waiver from this request under Sec. 46-182 (6) c which reads: *"With respect to residential developments, if there are no existing sidewalks in the proximity of the development and the city has no plans to construct sidewalks that would connect to the proposed development, the planning board may waive the requirement at the developer's request..."*

V. CONDITIONS -

Should the Planning Board approve the application, the approval is subject to the following conditions.



City of Auburn, Maine

Office Economic and Community Development

www.auburnmaine.gov | 60 Court Street

Auburn, Maine 04210

207.333.6601

1. No development activity until any bonding or inspection fees as required by ordinance are determined by the Auburn Engineering Department and paid by the developer.
2. The applicant shall secure approval from the tax assessor for a lot numbering sequence to ensure compatibility with the existing tax and E911 systems. Prior to issuance of building permits, the preliminary addressing plan shall be submitted to the City Planner.
3. The developer shall fulfill the requirements of the open space provisions for residential subdivisions as per Chapter 60, Sec. 60-1367 and Section I (C) of this report and a note shall be added to the site plan regarding the construction and maintenance of the open space and trails through the establishment of a homeowners association as noted in the application.
4. Areas designated as Buffers must be protected from disturbance by deed restrictions and covenants and submitted to City of Auburn.
5. The Applicant shall provide the Engineering Department with a more detailed grading and drainage plans prior to construction to ensure individual site developments address runoff as shown on the stormwater plan, including a more detailed erosion control plan to ensure that no sediment leaves the site.

A handwritten signature in black ink that reads "Zach Mosher".

Zach Mosher
City Planner

Visbaras Law, LLC

K. Alexander Visbaras, Esq.
Attorney-At-Law

195 Center Street
Auburn, Maine 04210
email: kalex@visbaras.com

Phone: (207)376-3127
376-3126
Fax: (207) 783-4994
376-3198

April 3, 2018

Members of the Auburn Planning Board
City of Auburn
60 Court Street
Auburn, ME 04210

RE: Woodbury Heights Phase IV
Mountain Drive and Old Danville Road
Responses to March 27, 2018 Public Hearing

Dear Planning Board Members:

On behalf of our client, B & M Developers, Inc. (hereafter "B&M"), the applicant of the Woodbury Heights, Phase IV subdivision application currently before you, this correspondence specifically addresses a number of concerns raised by both the Board and several members of the public at the Board hearing held on March 27, 2018. It is hoped that the following, which has been expressly agreed to by B&M, will resolve many of the issues raised at that hearing. Representatives of B&M will be in attendance at the April 10, 2018 hearing to confirm these items for you and to answer any questions you may have on these and any other topics relevant to the pending subdivision application.

1. Homeowners Association: B&M has filed for and obtained Secretary of State approval for the homeowners association related to Phase IV of Woodbury Heights. Its name is Woodbury Heights Homeowners Association (WHHOA), established as a domestic non-profit corporation on January 9, 2018. WHHOA will be responsible for maintaining (a) the extended walking path that is depicted on the proposed final subdivision plan (at the rear of already approved Lots 10, 11, 17, 18 and 19), (b) the footpath leading from the end of Mountainview Drive to Woodbury Road, located between Lots 7, 8, 16 and 17, and (c) those portions of the Phase IV stormwater management facility that will service the Phase IV lots. B&M will be preparing Bylaws for WHHOA, which will include specific responsibilities as to these facilities, but only after both those facilities are approved and the components for each are known, and which parts of each facility may need to be inspected, maintained and repaired. Annual dues will be assessed to each lot owner, based upon a budget to be determined post-approval. WHHOA is expected to provide annual reports to the City in letter form as to its activities on those facilities for which it will be responsible.

Members of the Auburn Planning Board

April 3, 2018

Page 2

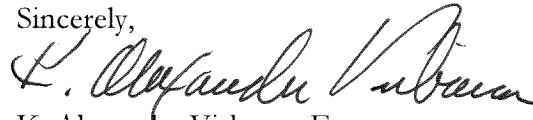
2. Environmental Covenants: B&M will work with City Staff to determine the content and scope of the environmental covenants applicable to Phase IV of Woodbury Heights, which will be placed of record in the Androscoggin County Registry of Deeds in the ordinary course. The draft covenants that were included in prior submissions to the City will be used as a guide and template for the final covenant document.
3. City Access to Stormwater Management Facilities: Our understanding is that due to the City having been granted delegated authority by the Maine Department of Environmental Protection regarding subdivisions of this type, the City already has all required authority to inspect any applicable stormwater management facility within City limits to determine compliance with any approval conditions, which authority includes accessing private property for such purposes. If Board Members do not consider such delegation adequate, B&M has no objection to including an express provision on the face of the final recorded subdivision plan relating to the City's right of access for these purposes.
4. Planting Buffer: B&M recognizes the visual impact of its development on Mr. Dube's abutting property. It therefore has elected to voluntarily plant an alternating row of evergreens, at B&M's expense, on B&M's land and prior to the City's acceptance of Skyline Drive, to create a buffer between the development and Mr. Dube's abutting property to the west. The plantings will occur when weather conditions permit.
5. Stormwater Management Plan: The submissions by CES on behalf of B&M, Acorn Engineering on behalf of the westerly abutters, and the review of these findings by Woodard & Curran on behalf of the City, along with input from City staff, should result in a stormwater management plan that meets all of the criteria set forth in the Subdivision Ordinance. CES will continue to work with City staff toward a fully compliant plan.
6. Sidewalks: The issue of whether sidewalks are required for Woodbury Heights Phase IV, which was raised for the first time at the Board's last hearing, appears to be governed by Section 46-182 of the City's Ordinances. Examination of its provisions reveals no objective trigger for mandating sidewalk construction. To the contrary, its terms are couched in City policy that may or may not suggest the appropriateness of sidewalks in any given development. In the case of Woodbury Heights Phase IV, Subsection (c) of Part 6 under 46-182, combined with the Board's examination and approval of the prior three (3) phases of Woodbury Heights, all justify a waiver of sidewalks in Phase IV. Specifically, there was no mention at all of sidewalks in any of the prior hearings for Woodbury Heights. Phases I and II of this development required no such discussion, since all lots had frontage and access directly onto existing public ways. Phase III's approval, including the cul-de-sac waiver for Mountainview Drive which was expressly granted by the Board, required no sidewalk construction, and that approval and subsequent sales of lots in Phase 3 effectively prohibits the post-approval inclusion of sidewalks on Mountainview Drive. Part 6, Subsection (c) of 46-182 directly applies in this case, as there are no existing sidewalks in the proximity of the development and, based on what we understand from City

Members of the Auburn Planning Board
April 3, 2018
Page 3

staff, the City has no plans to construct any sidewalks that would connect with Phase IV. Therefore, a waiver of any sidewalk construction for Phase IV is appropriate. Given the extremely low traffic volumes projected for "Skyline Drive" (the road proposed for access to the Phase IV lots which is not a through way), there is no need for sidewalks along this road. Therefore, B&M requests a waiver as to the construction of sidewalks within Woodbury Heights Phase IV.

We trust that the above fully addresses the concerns raised at the last Planning Board meeting. As previously stated, B&M will be in attendance at the April 10 meeting to answer any questions you or members of the public may have.

Sincerely,



K. Alexander Visbaras, Esq.

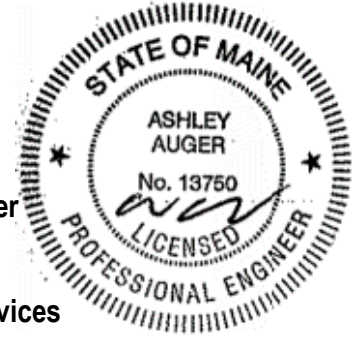
K:\Oneica\Clients\B&M Builders\Woodbury Heights Phase 4\Planning Board Letter 4-3-18 Final

cc: B & M Developers, Inc. (via email)



MEMORANDUM

TO: Kristopher Bennett, PE, City of Auburn Project Engineer
CC: Tony Beaulieu, PE, City of Auburn Engineer
Dan Goyette, PE, City of Auburn Director of Public Services
Zach Mosher, City of Auburn Planner
FROM: Ashley Auger, PE, & Megan McDevitt, PE
DATE: April 6, 2018
RE: Peer Review of Danville Road Subdivision, Auburn, Maine



On behalf of the City of Auburn, Woodard & Curran has completed an engineering peer review of the revised Stormwater Management Plan for a proposed subdivision located off Danville Corner Road in Auburn, Maine. Our review focused on City and State regulations related to stormwater management. A list of the documents reviewed and the comments we offer follows.

Documents Reviewed:

- Revised Danville Road Subdivision Stormwater Management Narrative, prepared by CES, Inc.
- Pre- and Post-Development HydroCAD Reports, prepared by CES, Inc. printed March 14, 2018.
- Stormwater Treatment Plan, Pre-Development Stormwater Plan, & Post-Development Stormwater Plan, prepared by CES, Inc. revised March 20, 2018.
- Phase IV Site Details, prepared by CES, Inc. revised March 20, 2018.

Comments (*outstanding comments from previous memorandum are in italics*):

1. **MaineDEP Chapter 500 General Standard** The Applicant has proposed a combination of buffers and bioretention cells to provide stormwater treatment. The following comments should be addressed:
 - *In accordance with the requirements of Chapter 5 (Vegetated Buffers) of Volume III of the MaineDEP Stormwater BMP Manual:*
 - *Areas designated as Buffers must be protected from disturbance by deed restrictions and covenants. The Applicant has submitted Maine DEP suggested templates for deed restrictions. We recommend that the recording of these documents be made a condition of approval.*
 - *In accordance with the requirements of Chapter 7.2 (Underdrained Bioretention Cell BMP) of Volume III of the MaineDEP Stormwater BMP Manual:*
 - *The Bioretention Cell Detail should be revised to specify the mulch layer thickness be 2-3". outstanding*
2. **MaineDEP Chapter 500 Flooding Standard** The Applicant has proposed bioretention cells to attenuate flows at all study points for the 2-, 10-, and 25-year storm events in compliance with the Flooding Standard. However, the following comments should be addressed:

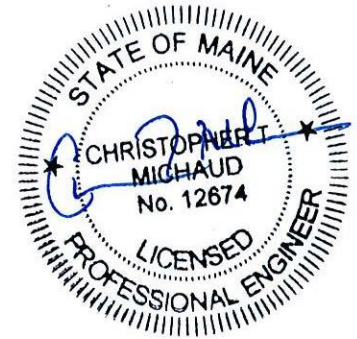


- Based on the Stormwater Calculations for both the General and Flooding Standard, it appears that there has been a reduction in the amount of impervious area since the previous submission; however, it does not appear that the plans for the roadway or the development of the lots has changed. The Applicant should clarify the reason for the reduction in impervious area.
- Based on the HydroCAD Report, it appears that an additional outlet orifice is proposed for Pond 1, and that spillways are proposed for Ponds 5A and 5B. Additional details should be provided for the construction of the spillways and orifice devices proposed for outlet control structures.

3. General Civil Engineering

- *The Applicant has indicated that permits have been obtained from the MaineDEP regarding wetlands on the site; copies of the permits should be provided to the City.*
- *The Applicant has indicated that each lot will contain approximately 3,000 square feet of impervious area, including the building footprint and driveway. This estimate was utilized in the stormwater calculations, however, the driveways have not been shown on the drawings at this time. We recommend that conditions of approval either limit the amount of impervious area on each lot to a maximum of 3,000 square-feet, or require that the stormwater calculations be updated upon the design of the lots and approved prior to construction.*
- *The Applicant has noted that more detailed grading and drainage plans can be provided as part of Construction Drawings. We recommend that review and approval of these drawings prior to construction be made a condition of approval, to ensure that they meet the intent of the stormwater management plan.*

MEMO



To: Zach Mosher, City Planner

From: Christopher T Michaud, P.E.

Re: **Woodbury Heights Subdivision – Examination of Impervious Area**

Date: April 9, 2018

In an email from Woodard & Curran to the City of Auburn, they expressed concern that the HydroCAD we prepared had erroneously removed 30,000 square feet of impervious area from the March 1, 2018 submission to the March 14, 2018 submission. As we have documented below, the process of how we adjusted the amount of impervious area associated with the project resulting from peer review comments can be followed.

February 14, 2018 Submission

Stormwater Narrative

Roadway Impervious Area: 70,793 SF (1.63 acres)

HydroCAD

Impervious Area: 120,450 SF (2.77 acres)

General Standards

Roadway Impervious Area: 70,793 SF (1.63 acres)

Site Impervious Area: 83,007 SF (1.91 acres)

Total Impervious Area: 153,800 SF (3.54 acres)

Woodard & Curran Memo dated February 23, 2018 noted the discrepancy between the HydroCAD report and General Standards. We addressed the discrepancy and explained in a response memo dated March 1, 2018 that we accidentally included more of the impervious area in the General Standards than we should have. In that resubmission, we recalculated all the impervious area (both roadway and site) for the submission back to the City. We found in our recalculation that we overstated the number of lots developed in the subdivision and overestimated the amount of existing impervious area on phase I and II lots. The second time the amount of impervious area was calculated, the amount was accurate for what had been developed as well as what is proposed to be developed in phases III and IV. We believe this is where the 30,000 SF removal occurred that Woodard & Curran is referring to.

Zach Mosher | 04.09.2018 | 10788.008

March 1, 2018 Submission

Stormwater Narrative

Roadway Impervious Area: 63,206 SF (1.45 acres)

HydroCAD

Impervious Area: 130,561 SF (3.00 acres) – This area includes 14,351 SF (0.33 acres) of existing impervious area modeled in pre-development.

Proposed Impervious Area: 116,210 SF (2.67 acres)

General Standards

Roadway Impervious Area: 63,206 SF (1.45 acres)

Site Impervious Area: 53,012 SF (1.22 acres)

Total Impervious Area: 116,218 SF (2.67 acres)

Woodard & Curran Memo dated March 6, 2018 noted the bioretention cells treatment area and treatment volume did not agree with the HydroCAD model. During conversations with City staff, it was discovered that a waiver would not be granted to the Applicant for insignificant increases at two of the summation points. CES examined the model and adjusted the bioretention cells and added two more to meet the flooding standards. In revising the model to add two additional bioretention cells, it was necessary to break Subarea 5 into three different subareas, which were designated as Subareas 5A, 5B, and 5C.

March 14, 2018 Submission

Stormwater Narrative

Roadway Impervious Area: 63,206 SF (1.45 acres)

HydroCAD

Impervious Area: 127,010 SF (2.92 acres) – This area includes 14,351 SF (0.33 acres) of existing impervious area modeled in pre-development.

Proposed Impervious Area: 112,659 SF (2.59 acres)

General Standards

Roadway Impervious Area: 63,206 SF (1.45 acres)

Site Impervious Area: 53,012 SF (1.22 acres)

Total Impervious Area: 116,218 SF (2.67 acres)

As can be seen in the March 14th submission, there is a discrepancy of 3,559 SF (0.08 acres) between the HydroCAD impervious area and the total impervious area in the General Standards. This was found to be a typographical error and corrected. The revised HydroCAD model numbers is as follows:

April 6, 2018 Calculation Email

HydroCAD

Impervious Area: 130,560 SF (3.00 acres) – This area includes 14,351 SF (0.33 acres) of existing impervious area modeled in pre-development.

Proposed Impervious Area: 116,210 SF (2.67 acres)

The revised HydroCAD areas were corrected and agree with the areas determined in the March 1, 2018 submission.

Kris,

I had a chance to read through this and my understanding is that they are confirming that the latest numbers in the reports are correct, and that the reduction in impervious area from previous submissions was an error in estimating the amount of existing impervious area from the previous phases. So, that comment has been addressed.

Thanks,

Ashley Auger, PE
Project Engineer
Woodard & Curran
41 Hutchins Drive
Portland, ME 04102
(207)558-3665
www.woodardcurran.com

COMMITMENT & INTEGRITY DRIVE RESULTS



PLANNING BOARD STAFF REPORT

To: Auburn Planning Board

From: Zach Mosher, City Planner

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

Date: April 10 2018

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 1st 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 14th and a revised plan on March 1st 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.