



City of Auburn, Maine
Office Economic and Community Development
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Auburn, Maine 04210
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PLANNING BOARD STAFF REPORT

To: Auburn Planning Board

From: Eric J. Cousens, Deputy Director of Economic and Community Development

Re: Special Exception and Site Plan Review for an expansion of the New England School of Metalwork at 54 Washington Street

Date: September 11, 2018

PROPOSAL – Thomas Perkins and Dereck Glaser, agents for Maine Oxy and the New England School of Metalwork (NESM) located 54 Washington Street North (PID # 220-094) are seeking approval of a special exception and site plan review for an 850-sf. building addition in the General Business Zoning District, pursuant to Chapter 60, sections 60-45 (a) Projects requiring Site/Plan and Special Exception review.

The property is a .58-acre parcel and is currently the location of a fabrication and blacksmithing shop/school operating as the New England School of Metalwork. Overtime the fabrication and blacksmithing school has moved within the adjacent sites controlled by Maine Oxy and the New England School or Metalwork. The current request is for a small 850 square foot addition to serve the existing student population with equipment that provides a safer and cleaner work environment. The structure occupied by NESM was formerly used as a gas and service station and the change to a fabrication shop and school represented a substantial reduction in traffic.

Section 60-79(h) states the following:

No building or structure which possesses two or more nonconforming violations (lot dimensions, density, yard requirements or height) shall be extended or enlarged if the new construction will increase or extend the nonconforming violations, unless approved by the planning board, pursuant to division 2 of article XVI (Administration and Enforcement) of this chapter (60).

The Lot at 54 Washington is nonconforming with respect to depth (96.44'), side setback (23'-3") and rear (19'-3") setbacks as explained in the application.

The applicant has detailed how they believe the proposal meets the requirements of the Ordinance on pages 2-3 of the letter from Dirigo Architectural date July 26, 2018 and staff confirmed the existing setbacks with the applicant.

DEPARTMENT REVIEW

Police Department - No comment/concerns.

Fire Department – No comment/concerns.

Water and Sewer District - No comment/concerns.

Engineering Department – No comment/concerns.

Economic and Community Development Department – Staff believes the proposal can meet the requirements of site plan and special exception.

PLANNING BOARD ACTION- The GB district, as a special exception, permits the use of a fabrication shop as per Sec. 60-499 (b) (11) Light industrial plants which will not create a nuisance by noise, vibration, smoke, odor or appearance.

A. SPECIAL EXCEPTION

Sec. 60-1336. Conditions-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. **(The proposal meets all setbacks and dimensional requirements of the General Business district except for the extension of a nonconforming setback along the rear of the parcel abutting the railroad tracks which will project away from the property line.)**
- (2) That the special exception sought will neither create nor aggravate a traffic hazard, a fire hazard or any other safety hazard. **(As an existing use, there are existing parking spaces on the lot in excess of what is required by NESM. In addition, the applicant controls 3 adjacent parcels if overflow parking is needed.)**
- (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. **(The proposal will not block or hamper the master development plan; parking is existing.)**
- (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. **(The proposed special exception will not**



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alter the character of the neighborhoods as the surrounding uses are commercial/industrial in nature.)

(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. **(All requirements for Site Plan Review have been met per Sec. 60-1301. A waiver request has been included in the application for the ability to continue the existing building line at no closer than the existing structure)**

(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 that the standards are at least as stringent as those elsewhere.)**

(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. **(City services are present at the location.)**

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; **(No change)**

(2) Convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent areas; **(Vehicular and Pedestrian movements are not proposed to change)**

(3) Adequacy of the methods of disposal for wastes; and **(No Change)**

(4) Protection of environment features on the site and in adjacent areas. **(The Site Plan protects environmental features and adjacent areas by redeveloping paved area with a structure.)**

C. WAIVER REQUEST FOR SITE PLAN REQUIREMENTS – Request to continue a nonconforming rear setback line at no closer than the existing building at 19' from the property line. It should be noted that building is not parallel to the rear line and the addition projects away from the line; It is estimated that the far corner of the addition will be at least 23' from the rear property line.

IV. STAFF RECOMMENDATION – The staff has reviewed the application for an 850 square foot expansion at 54 Washington Street that extends the existing non-conforming rear setback building line at a distance of not less than 19’ and recommends **APPROVAL** with the findings that it meets the 7 conditions of Special Exception review, pursuant to Chapter 60, Sec.60-1366 - Special Exception and the 4 conditions of Chapter 60, Sec. 60-1277 – Site Plan Review of the Auburn Code of Ordinances as per Section III A and B of this staff report.

Should the Planning Board approve the application?

Eric J. Cousens

Deputy Director of Economic and Community Development