

# City of Auburn, Maine

*"Maine's City of Opportunity"*

## Office of Planning & Permitting

To: Auburn Planning Board

From: Douglas M. Greene, A.I.C.P., City Planner

Re: The applicant, Lewiston Auburn Water Pollution Control Authority (LAWPCA) located at 230 Penley Corner Road, is seeking to amend the Special Exception and Site Plan Review approval for the Municipal Waste Water Sludge Composting Facility (CF) that was approved by the Planning Board in April of 1992, pursuant to Sections 60-172 (b), 60-1305 and 60-1335 (c) of the City of Auburn Ordinances.

Date: November 12, 2013

### I. PROPOSAL

Christopher C. Branch, P.E., from Sebago Technics, Inc., agent for the Lewiston Auburn Water Pollution Control Authority (LAWPCA) is requesting an amendment to the LAWPCA special exception and site plan approval (1992) to modify the conditions of approval due to changes in operation, expiration of time sensitive commitments and conditions that were completed. This application, pursuant to Sections 60-172 (b), 60-1305 and 60-1335 (c) of the Ordinances of the City of Auburn, does not propose any physical changes to the site.

The subject property is located in the Agricultural and Resource Protection (AG) zoning district. The existing Municipal Waste Water Sludge Composting Facility was initially approved and constructed in 1992 and amended in 2007 with the addition of a finished compost storage area and storm water management improvements under the following sections of the ordinance:

Section 60-172 AG Use Regulations, (b) Special Exceptions, (12) – Processing and storage of compost and bulking agents from the municipal wastewater sewerage sludge facility.

The main impetus for the changes proposed in the application is the recent startup of the LAWPCA Anaerobic Digester in September of this year. This new facility has reduced the amount of sludge handled by the CF by 40% and as a result, the CF is seeking sludge from other municipalities in order to maintain its operational capacity and to meet the demands of its customers. The applicant is requesting a waiver of the requirement of showing the site plan with 2 foot contours as there are no physical changes to the site. The proposed amounts of sludge from outside municipal sources will be consistent with historic volumes. A traffic study is therefore not warranted.

The CF has operated successfully over the last 20 years and has addressed issues raised by surrounding property owners.

II. DEPARTMENT REVIEW- Planning and Permitting Director, Eric Cousens, requested input on the application on October 17, 2103 with the following results:

Police Department: No Comments

Water and Sewer District: No Comments

Engineering Department: No Comments

Fire Department: No Comments

Public Works / Traffic: No Comments

Planning Department:

A. The LAWPCA has responded in a reasonable way to the reduction in sludge caused by the new Anaerobic Digester at the Lewiston Sewer Treatment Plant. The request to change the original conditions will not change the composting operation or physical site, which has been operating for more than 20 years with minimal impacts to the surrounding area. The proposed change in operation will allow for additional sludge to be brought in from other sources in order maintain optimal operations and to provide compost to regular customers. It is the Staff's opinion that the applicant has satisfied the requirements for a Special Exception and recommends approval of modifying, removing or keeping conditions as requested.

III. FINDINGS FOR SPECIAL EXCEPTION REVIEW:

- A. The Zoning Ordinance contains no specific requirements for a manufacturing use similar to that being proposed.
- B. The Special Exception sought will not create or aggravate a traffic hazard, a fire hazard or any other safety hazard.
- C. The proposed Special Exception sought will not block or hamper the Master Development Plan pattern of highway circulation or of planned major public or semi-public land acquisition.
- D. The subject property is situated in an Agricultural District (AG) and the proposed use is consistent with this zoning classification. The exception sought will not alter the essential

characteristics of the neighborhood and will not tend to depreciate the value of the property adjoining and neighboring the property under application.

- E. The proposal allows for adequate and improved onsite parking and vehicle maneuvering areas.
- F. The standards imposed are, in all cases, at least as stringent as those elsewhere imposed by the Auburn Building Code and by the provisions of Chapter 60.
- G. All 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.
- H. It has been determined that the proposed project satisfies the objectives of Special Exception review and will constitute a suitable development and will not result in a detriment to the neighborhood or the environment. This determination is based upon the above noted findings.

### III. RECOMMENDATION:

Based upon the findings noted above, Staff recommends that the Planning Board grant the request to:

1. Remove special conditions "A, B, C, D, G, H, I, J, K, O, P and T" as per the 1992 Site Plan and Special Exception approval of as they were: a.) Requirements that had to be completed prior to the construction of to the start of operations or, b.) In the case of "O" the facility was constructed within 5 years of approval.
2. To remove special condition "S" because a special board is no longer needed.
3. To re-write conditions "M, N and R" to reflect that the facility has been constructed and in operation for over 20 years as follows:
  - "M"- The granting of this approval is dependent upon and limited to compliance with the proposals, plans and oral statements as submitted by or on behalf of LAWPCA to the Auburn Planning Board.
  - "N"- LAWPCA shall comply with all applicable federal, state and local laws and requirements including but not limited to, licenses, permits, authorizations, conditions, agreements, and orders during operations.
  - "R"- LAWPCA shall ensure that the facility operates in compliance with odor control performance standards at all times.... (See C. Branch letter dated Oct. 11, page 2)
4. Existing conditions not removed or modified shall remain on the amended plan.
5. Add language to the plan that allows LAWPCA to receive biosolids from other municipal or quasi-municipal facilities, not to exceed the previously permitted amount.
6. To grant the applicants waiver request to not show two foot contours on the site plan.
7. All required DEP permits must be obtained and copies filed with the City of Auburn.
8. Plan approval is also conditioned upon compliance by the applicant with the plans and specifications which have been received by the Planning Board in connection with the development proposal.

  
Douglas M. Greene, AICP, City Planner