

Auburn Planning Board Meeting Minutes

April 12, 2022

1. ROLL CALL:

Regular Members present: Darren Finnegan, Toni Ferraro, Riley Bergeron, Mathieu Duvall, Evan Cyr- Presiding, and Stacey LeBlanc

Regular Members absent: Brian Dubois will arrive late until his arrival Joshua Daigle will be elevated to a regular member.

Associate and other Members present: Joshua Daigle & Paul Jacques (late arrival)

Associate Members Absent: None

Also present representing City staff: Eric Cousens, Director of Planning & Permitting, Katherine Cook, City Planner and John Blais, Deputy Director.

2. MINUTES: Reviewed March 8, 2022, meeting minutes. No amendments

A motion to accept the minutes was made by Mr. Bergeron and seconded by Mr. Finnegan.
Vote 6-0-1 – the motion passes

3. WORKSHOP: Proposed Lake Auburn Watershed Ordinance: Updating Sec 60-952 (f) (1-5) and (c) Subsurface wastewater systems in the Lake Auburn Watershed; and Sec 60-1066 (1) Phosphorous control for any new building or structure with more than 200 sq. ft. of ground floor area.

Evan Cyr explained the process of a workshop, for this topic public comment will be held later this evening.

Staff Report Presented, including slides and presentation by David Rocque, Soil Scientist

Mathieu Duval asked clarification on the current ordinance vs what is being proposed.

Evan Cyr clarified the current system is pushed into the ground.

Deliberation continued amongst staff and board members, current vs proposed ordinance. Questions about monitoring the new systems.

Motion to close

4. UPDATE/DISCUSSION: Capital Investment Plan (CIP); City of Auburn's yearly outlook on

capital projects by City Manager, Phil Crowell and CIP Director, Dan Goyette.

City Manager reviewed spreadsheet. Discussion about projects phasing out and some discussion on road repair, city responsibility vs state responsibility.

** Brian Dubois enters the meeting via Zoom, Joshua Daigle now back to an associate member and not able to vote.*

5. WORKSHOP: Michael S. Malloy Legal Counsel; Overview of Planning Board duties.

Introduction asked for specific questions from the board.

Evan Cyr asked for further explanation of conflict-of-interest VS bias and when a member should abstain or recuse themselves.

6. PUBLIC HEARING: Proposed Lake Auburn Watershed Ordinance; Updating Sec 60-952 (f) (1-5) and (c) Subsurface wastewater systems in the Lake Auburn Watershed; and Sec 60-1066 (1) Phosphorous control for any new building or structure with more than 200 sq. ft. of ground floor area.

Evan explains the procedure for Public Comment, each person is allowed 5 minutes to speak and members of the community are asked to stay on topic to the public hearing.

7:45pm Toni requests 5-minute break, granted.

Return from break, Riley and Mathieu ask clarification before Public Comment is opened.

Motion to open Public Comment made by Mathieu and seconded Riley

Stan Tetenman, Resident of Poland, and a member of the Poland Select Board. Spoke in opposition to this change. Concerned by potential need for a filtration system.

Ben Lounsbury of 505 W. Auburn Rd. States his plan to have his septic system updated. Expressed concern for more development along Lake Auburn or in the watershed/

Sam Boss of Morse St. is in support of septic standards being changed as proposed

Bruce Rioux of 85 Mary Carroll St. Introduced himself as a previous city counselor. Shared thoughts about Septic System changes proposed

Pam Russo of 745 W. Auburn Rd spoke in concern of accountability which maintenance of the septic systems.

Bonnie Lounsbury of 505 W. Auburn Rd shared opinion and concerns of Planning Board process

Mike Adler of 82 Loring Ave. indicated the new proposal for Septic System changes is good however does not speak in favor of new development

Steve Milks of 82 Alderwood Rd

Fred Haller of W. Auburn Rd shared his thoughts of the Water District meeting indicating displeasure with the outcome.

No zoom participants

Motion to close Public Comment made by Mathieu and seconded Riley

Questions from Board Members regarding cost, upkeep, and monitoring of these new systems.

Motion from Mathieu Duvall, that we recommend that city council adopt this ordinance change with the following conditions:

First is that approval of this must coincide with the adoption of the zoning change that reduces the housing density in all parts of the watershed to one dwelling unit per three acres as recommended in the comprehensive plan.

Second, that the city establishes a monitoring of the lake and the watershed with reports on a biannual basis based on a plan developed in collaboration with the Auburn Water District and other stakeholders. If it's discovered that degradation occurs through that monitoring program, that the city enacts a moratorium on the development until it can assess what needs to happen to stabilize conditions within the lake.

And then three, that we require inspection at the point of sale and on an ongoing five-year basis for all systems within the watershed

Seconded by Riley Bergeron

Purposely ambiguous on who performs that inspection

Approved unanimously

- 7. EXTENSION/ SPECIAL EXCEPTION: BD Solar Auburn LLC and BD Solar Lewiston Junction LLC is requesting a one-year extension for approval under Sec. 60-1308 for the construction of a solar project of 14.6MW on a 142.74-acre parcel (PID 142-007), Lewiston Junction Road. Timing for the start of the project was delayed from power integration and approval from CMP.**

Staff provided a reason for this request from the applicant.

A motion made by Mathieu Duvall to grant 1 year extension seconded by Toni Ferraro

Vote – Motion passes

8. PUBLIC HEARING/SPECIAL EXCEPTION: 555 Court Street-Stable Ridge Apartments; American Development Group out of Naples, Maine is proposing five (5), twelve (12) unit apartment buildings for a total of 60-unit apartment complex that was designed under Sec.60.549-.3 and 60-554 in the Formed Base Code T-4.2 zoning district. The site is approximately 13.25 acres and is depicted on PID 229-007.

Staff Report presented, including a video to show a virtual tour of proposed site plan.
Project will be 5 buildings

Riley asks about development in the future.

A motion to open Public Comment made by Riley Bergeron and seconded by Mathieu Duval

Ryan Smith of 11 Harris St. Speaks in opposition to this project, references Comp Plan as he questioned compatibility. Mr. Smith also questioned the motive of a Planning Board Member due to their profession in Real Estate.

Elizabeth Dunn of 530 Court St speaks in opposition, labeling traffic as a large concern

Bob Hayes of 172 Allen Ave speaks in opposition to the project.

Carol Deroy of 68 Aquamarine Ct speaks in favor of the project stating that the city needs additional housing, and this would bring benefits to the city.

In audible name – has concerns about traffic

Elizabeth Clark of Pinnacle Dr. speaks in opposition to the project stating traffic is her main concern.

Bill Evans of 609 Court St. speaks in opposition to the project sharing he feels this project seems rushed and shared concern for traffic.

Zoom Participant Sharon Bergeron of 23 Dexter Ave speaks in opposition to the project. Specifically, the characteristics of the neighborhood and value of surrounding homes.

A motion to close Public Comment made by Riley Bergeron and seconded by Toni Ferraro.

Motion passes

Evan Cyr brings up previous discussion about conflict of interest. Asks if there are any members of the board who wish to disclose a conflict of interest or possible bias.

Brian Dubois speaks and shares he is offended by comments about his motive. He did not list the property as a local Real Estate Professional, he did represent the buyer of this parcel when

it was for sale. To imply that his investment of time on the Planning Board is for personal gain is offensive. Mr. Dubois will defer to the board for discussion/ determination is there is a conflict.

Evan Cyr asks clarification to Mr. Dubois; do you believe your commission represented a 10% interest in this project?

Mr. Dubois responds No I do not... this was a separate transaction|.

Evan Cyr clarifies that it could be a perceived conflict of interest. Asks clarification of Staff regarding Associate Members voting if Mr. Dubois should recuse himself from further discussion.

Vote: Should Mr. Dubois recuse himself based on a perceived conflict of interest.

All those in favor of finding that Mr. Dubois has a perceived conflict of interest and should recuse himself from this item, please raise your hand. None

All of those who believe that Mr. Dubois should be allowed to continue discussion and action on this item please raise your hand. 8 members

Any abstentions -None

Mr. Dubois will continue to act as a full member.

Evan Cyr clarification on setbacks.

Mathieu Duval inquired about a public comment regarding the late notices.

Staff replied that deadlines have not been missed. Unable to look specifically at the address/ homeowner in question as the mailing list is not available in this meeting.

Questioned the length of the meeting, many items on the agenda, creates a long meeting.

Staff clarifies there is a timeline to approve projects that are presented. Additionally, there were agenda items added after the agenda was created due to budget deadlines etc.

Traffic concerns were also discussed amongst staff and board members.

Brian makes a motion in favor of developing the parcel that is in T-4.2 zoning district and is shown and seen in the GIS system as Parcel ID 229-007 with an address of 555 court street as presented at today's meeting. Seconded by Toni Ferraro

Clarification: A motion and a second to accept essentially as written in the staff report, based on the findings and subject to the conditions of the staff report.

(Public makes comment from the audience, Mr. Cyr reminds that public comment is currently closed)

Vote 4-3-0 Motion passes.

Planning Board Policy indicate the meeting cannot start new items after 9:00pm.

A motion to table agenda item #9 until next meeting made by Mathieu Duval and seconded by Riley Bergeron.

Passes unanimously.

A motion to adjourn made by Mathieu Duval and seconded by Riley Bergeron.

Passes unanimously

9. ADJOURNMENT:

Next Planning Board Meeting is on May 10, 2022